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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**
(HANSARD)

Thursday 4 June 2020

House of Commons

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

DIGITAL, CULTURE, MEDIA AND SPORT

The Secretary of State was asked—

Online Harms

1. **Jeremy Wright** (Kenilworth and Southam) (Con): What steps his Department is taking to tackle online harms. [902913]

The Secretary of State for Digital, Culture, Media and Sport (Oliver Dowden): I know how hard my right hon. and learned Friend worked on online harms during his time as Secretary of State, and I pay tribute to him for the work he did. I can reassure him and all hon. Members that I remain committed to introducing this important Bill, which will enable us to have world-leading regulation that protects users while not imposing excessive burdens on business. We will publish a full Government response to the White Paper later this year and will be ready for the Bill to be introduced later in this Session.

Jeremy Wright: I am grateful for what my right hon. Friend has said. Given that we have all been spending more time online recently, especially the most vulnerable among us, he will accept that the case for sensible, balanced regulation of online harms, centred on a duty of care for online platforms, is as strong as ever. I am grateful, too, for what he says about the timetable, but can I urge him to bring forward legislation as soon as possible so that the House can consider it? Also, what action do the Government intend to take in relation to the draft age appropriate design code and when?

Oliver Dowden: I can reassure my right hon. and learned Friend that almost as we speak, and on pretty much a daily basis, I am taking the decisions necessary to ensure we bring forward the response to the White Paper and then the Bill itself. *[Interruption.]* The hon. Member for Newcastle upon Tyne Central (Chi Onwurah) is seeking to intervene from a sedentary position. I can reassure her and other Members: it will be in this Session, as we have said consistently. On the age appropriate design code, I am taking the necessary steps to lay the code, as required by statute. I recognise concerns raised by businesses and indeed hon. Members, however, which is why I have asked the Information Commissioner's Office to produce an assessment of its economic impact,

and I will be including frequently asked questions for the news media sector in the code's explanatory memorandum when I lay it.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): With the exception of Parliament, we are all of us online now: grandparents and schoolchildren, businesses and book clubs, theatres and tea parties, scammers and paedophiles. Online fraud has risen 400%, and the former Home Secretary and Chancellor, the right hon. Member for Bromsgrove (Sajid Javid), described the pandemic as a perfect storm for child abuse, yet the Government refuse to introduce any draft legislation—neither the online harms Bill nor the age appropriate design code—although they have been discussed and announced, including in manifestos. The Secretary of State talks about bringing it forward in this Session, but we do not even know how long this Session will last. Parents, the NSPCC and three Select Committees all say we need legislation now. The tech giants say it would be burdensome. Whose side is he on? Can he give me dates for the code and the Bill?

Oliver Dowden: I have great respect for the hon. Lady, as she knows, but I fear she did not listen to my answer to the previous question. I am on the side of young people—I have a daughter myself who is just entering adolescence—and of course I understand completely the need for stringent regulation. That is why, as I said in my answer to the previous question—I am happy to reassure her again—that the age appropriate design code will be laid imminently, and as I have said repeatedly we will respond to the online harms White Paper and introduce legislation in this Session.

Julian Knight (Solihull) (Con): Can the Secretary of State say with any certainty whether online harms legislation will be delivered in the next 12 months, and will its scope reflect the lessons from our experiences of disinformation in this covid-19 pandemic? Also, does he agree that online harms are a much broader and more substantive issue that speaks to the functioning of our society, rather than solely a matter of child protection, however important that is?

Oliver Dowden: As ever, my hon. Friend is absolutely right. I can see that the House is trying to nail me down to an exact date for a Bill that will be introduced in this Session. I can assure him that it will be introduced within the year. As all hon. Members will appreciate, there are usual channels to go through to introduce the Bill, but I think I have given a clear assurance on that, as I did to the Select Committee. On his question about lessons learnt, I would restate the point about younger people. It is really important that we have robust protections for young people online but also that we hold social media companies to their own terms and conditions. That is an important part of the online harms legislation.

Kate Green (Stretford and Urmston) (Lab): What action are the Government taking to prevent a rise in harmful online gambling during the emergency?

Oliver Dowden: The hon. Lady is absolutely right to raise this point. That is why my hon. Friend the tourism and sports Minister has engaged extensively with gambling companies on measures they can take and why the

Government have already introduced a ban on using credit cards for gambling and will be issuing a call for evidence on loot boxes, which are also a way gambling can take place online.

Covid-19: Civil Society and Charities

2. Stephen Hammond (Wimbledon) (Con): What steps his Department is taking to ensure the sustainability of (a) civil society and (b) charities affected by the covid-19 outbreak. [902914]

3. Imran Ahmad Khan (Wakefield) (Con): What steps his Department is taking to ensure the sustainability of (a) civil society and (b) charities affected by the covid-19 outbreak. [902915]

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman): Charities and civil society are playing a pivotal role in the response to coronavirus, and in April the Government announced a package of support worth some £750 million to ensure the continuation of this vital work. That is in addition to the business support measures that are available to the sector, including paying no business rates for their shops this year and furloughing staff where possible. It is a comprehensive package that will prevent immediate unnecessary closures, keeping vital services open and providing a basis to continue their contribution to the national effort, and we will keep it closely under our eye.

Stephen Hammond: I thank my hon. Friend for that answer. I want to take this opportunity to thank a number of charities in Wimbledon that have done so much during this crisis, including the food bank, the Dons Local Action Group, Old Ruts and Old Wimbledonians. My hon. Friend is right that there is an impressive package. However, a number of local and national arts charities are experiencing real problems. Will he look again at charities that specifically promote the arts, and particularly local arts, such as Wimbledon BookFest, because they keep culture going in our communities?

Matt Warman: My hon. Friend is right that now, more than ever, arts and culture are vital to our society as a whole, and these are immensely challenging times. The £160 million emergency funding package announced by Arts Council England is an important part of that, but we are working closely with the Arts Council to consider what additional support may be needed for the long-term recovery of the sector in the future.

Imran Ahmad Khan: I have been heartened by two particular charities in my constituency: Wakefield Hospice and Penny Appeal. Their work and that of many in the area forms the gold and silver threads that run through Wakefield's rich tapestry. Both those charities, like many others, face significant funding deficits. Since they are prevented from fundraising through traditional measures at this time of national emergency, what steps are being taken to ensure that their work can continue?

Matt Warman: There is significant support available for hospices in particular, with £200 million of the £750 million ring-fenced specifically for hospices, and I

pay tribute to the work that they have done. Local charities can access the £200 million coronavirus community support fund. Crucially, as we go forward, reopening the broader economy and allowing charity shops, for example, to reopen from 15 June with social distancing measures in place will allow fundraising to start to get back to normal, so that the vital work that hospices and other charities do can get back to normal.

Rachael Maskell (York Central) (Lab/Co-op): Voluntary and community organisations are desperately financially fragile, caused by loss of revenue, fundraising and all other forms of income, with many not qualifying for grants and loans but still having significant outgoings, while demand on them escalates. They face a precipice, demanding cuts to vital research, services and support or closure. They are beyond the point of warm words or pennies dropped in the tin. They desperately need a full charity rescue package. When billions are being spent elsewhere, charities are the poor relation. They need further guarantees now. What will the Minister do?

Matt Warman: The hon. Lady is right to highlight the vital work that charities do and to say that they face immensely challenging times. That is precisely why we have announced a £750 million package. It is precisely why we continue to work with the Arts Council and other organisations in a host of areas to ensure that we can continue to support the ongoing recovery. I understand the point she makes, and that is why we continue to work closely with a whole host of sectors.

Clive Efford (Eltham) (Lab): The treatment of the volunteers who came forward to make the 2012 Olympics a big success is nothing short of a scandal—the Government wasted all that good will. What is being done to harness the good will of the people who have volunteered during this crisis and ask them what they would like to contribute towards the voluntary sector going forward? That could be a vital part of getting many voluntary organisations up and running when we come out of this crisis.

Matt Warman: In the course of this extraordinary pandemic, an additional 4 million people or thereabouts have volunteered in some form or other, with 750,000 people coming forward for the GoodSAM app to help the health service. Harnessing that good will and ensuring that it persists is a key focus of my noble friend Baroness Barran as Minister in the Lords. We will ensure that we do not let that ball get dropped.

Broadband Providers: Competition

4. Mark Pritchard (The Wrekin) (Con): What steps he is taking to ensure competition between broadband providers. [902916]

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman): The Government are committed to encouraging greater network competition between broadband providers by removing as many barriers to commercial roll-out as we possibly can. We have legislated to help the deployment of broadband in blocks of flats and our efforts are already making a significant impact. More than 80 network operators are now deploying fibre across the UK; that competition is good for consumers and good for businesses as well.

Mark Pritchard: There is, no doubt, resilience in the data networks, but more people are homeworking in Shropshire and throughout the United Kingdom, and we have seen mobile phone networks such as EE, Vodafone and O2 fail spectacularly. What are the Government doing to ensure that that does not happen again, given that people are losing money and losing connectivity with their families at a time when we all need to be connected?

Matt Warman: In the main, the resilience of internet connectivity, both mobile and fixed, over the course of the coronavirus crisis has allowed people to work from home in a way that they would not have been able to just a few years ago. My hon. Friend is right to highlight the vital work of the networks to make sure that they continue to function. I speak regularly to the chief executives of the organisations that he mentions and know they are absolutely committed, through initiatives such as the shared rural network, which we announced in the course of the pandemic, to making sure that connectivity only continues to improve, because we now know that it is more vital than ever.

Covid-19: Online Fraud

5. Stuart Anderson (Wolverhampton South West) (Con): What discussions he has had with the Home Secretary on tackling online fraud during the covid-19 outbreak. [902917]

The Minister for Media and Data (Mr John Whittingdale): The Government are concerned about online fraud and are very much aware that criminals and fraudsters are attempting to exploit the concern around covid-19. My officials have been working closely with the Home Office, as well as with the National Cyber Security Centre and the National Crime Agency, throughout the covid-19 outbreak. We have published official Government advice to help the public to stay safe and secure online, and we launched the new Cyber Aware campaign in April, offering the public online security advice.

Stuart Anderson: Pre-covid, local councillors in Tettenhall Regis in Wolverhampton launched online and social media training for over-65s. What is my right hon. Friend going to do to upskill those with little or no online skills?

Mr Whittingdale: I am happy to join my hon. Friend in congratulating the councillors in Tettenhall Regis on that initiative. It is absolutely right that during this crisis, more and more people have been carrying out tasks such as shopping, banking and keeping in touch online. We are very much aware that it has now become all the more essential to tackle the digital divide that already existed. The Government are funding the future digital inclusion programme to give people the skills that they need to participate in this increasingly digital world. Since 2014, the programme has supported more than 1.4 million adult learners to develop their basic skills. We have also delivered a £400,000 digital inclusion innovation fund, which is designed to tackle digital exclusion among older and disabled people.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): When the Public Accounts Committee last looked at online fraud, we raised serious concerns about

what happens when fraud is reported and the inaction on most of the cases that are reported. The Minister has given us some warm words, but in the middle of a pandemic, with a lot of communication from Government to the people, how will he make sure that the key players, such as the banks, are sharing real-time information with each other and making sure that we catch the scammers before they raid our constituents' bank accounts?

Mr Whittingdale: The hon. Lady is absolutely right that online fraud is an increasing problem and there needs to be much more co-ordinated action to tackle it. However, a great deal has been done. A persistent stream of coronavirus frauds has been reported to Action Fraud—2,057 have been reported in the past few months, making up around 3% of all fraud reports. The National Cyber Security Centre has launched a major campaign called Cyber Aware to provide practical advice to the public, and has also launched a groundbreaking suspicious-email-reporting service, which allows members of the public to forward any suspicious emails to Cyber Aware to be analysed, and if they are found to be fraudulent, the harmful sites will be taken down—

Mr Speaker: Order. I have the greatest respect for the Minister, but he cannot take all this time reading the full-length answers. I am sure his officials can shorten the briefing papers.

Tackling Loneliness

6. Matt Vickers (Stockton South) (Con): What steps his Department is taking to help tackle the risk of loneliness. [902918]

The Secretary of State for Digital, Culture, Media and Sport (Oliver Dowden): I am delighted to be back. Loneliness is a very real issue, and I know that some people are finding things particularly tough during this pandemic, when we have asked people to self-isolate and socially distance to fight this disease. That is why I launched a new plan to tackle loneliness linked to this crisis. That includes £5 million for loneliness charities, a public campaign to raise awareness and new guidance for those who feel lonely or want help.

Matt Vickers: Age UK Teesside is giving amazing support to those elderly people isolating alone through its telephone befriending service. What are the Government doing to support charities and voluntary organisations on the frontline in the fight against loneliness? Will the Secretary of State join me in encouraging people to flick through their phonebooks and drop a call to their Auntie Ethel, their Uncle Norman or anyone else who might be isolating alone at this time?

Oliver Dowden: I thank my hon. Friend for his question. Yes, I would of course urge people to do that. This is a really important time for people to catch up with one another. Actually, that was one of the great things that I and many people were able to do during the VE-day celebrations—to get in touch with relatives who had experienced VE-day.

David Linden (Glasgow East) (SNP): Many people enjoy coming together at fairs and showgrounds, but I spoke to the Showmen's Guild yesterday and it says that

it has not been included in the taskforce for leisure. Will the Minister tell me why the Showmen's Guild was not involved? Can it be involved in the future, to secure the recovery?

Oliver Dowden: The hon. Gentleman raises an important point. I am very keen, as we have done throughout this crisis so far, to engage constructively with the devolved nations. I am very happy to look into that point and come back to him on it.

Covid-19: Tourism Sector

7. **Tim Loughton** (East Worthing and Shoreham) (Con): What steps his Department is taking to help the tourism sector to reopen safely after the covid-19 lockdown restrictions are eased. [902920]

12. **Cherilyn Mackrory** (Truro and Falmouth) (Con): What steps his Department is taking to help the tourism sector to reopen safely after the covid-19 lockdown restrictions are eased. [902927]

13. **Dr James Davies** (Vale of Clwyd) (Con): What steps his Department is taking to help the tourism sector to reopen safely after the covid-19 lockdown restrictions are eased. [902928]

The Secretary of State for Digital, Culture, Media and Sport (Oliver Dowden): The tourism sector is hugely important to the economy, which is why we are meeting regularly with the industry. I have established a cultural renewal taskforce and, within that, a specific visitor economy working group to prepare guidance to help the tourism business reopen safely. As the Prime Minister has said, we have set a very ambitious target to try to get the sector back by 4 July, so long as it is safe to do so, and I am working to make that a reality. Of course, once tourism reopens, I will vigorously champion British holidays.

Tim Loughton: Figures last month showed that workers in seaside towns were being laid off at the fastest rate of any area in the UK, so will the Secretary of State look at greater flexibilities to allow the hospitality industry to open up sooner, particularly with outside premises; will he lobby the Chancellor to reduce the VAT rate on tourism to 5%; and will he ensure that our great British seaside towns can start to recover by making staycations a practical option? He is very welcome to visit the delights of Worthing for a staycation at any time.

Oliver Dowden: I thank my hon. Friend for that; I would be delighted to visit Worthing. Indeed, I much prefer British holidays to holidays overseas, so I would be delighted to visit his constituency and others. He is absolutely right to highlight the importance of support for the sector. That is why, for example, we have had extensive support with the job retention scheme. I am working closely with my colleague the Chancellor, and we will be looking at further measures. Of course, once the sector is ready to go, I will be at the forefront of championing a campaign for British tourism.

Cherilyn Mackrory: Residents in Truro and Falmouth understand how hugely important the tourism sector is to Cornwall. It supports one in five jobs in our county. I thank the Government for the £444 million they have

put into Cornwall so far to help us through this pandemic. Will my right hon. Friend assure me that, when it is safe to do so, the Government will join me in promoting Cornwall as a world-class tourist destination and ensure that our businesses can get back on their feet as soon as possible?

Oliver Dowden: I know that Cornwall is a world-class tourist destination. I spent many happy holidays there as a child and, indeed, have taken my own children there on many occasions. As I said, we are hoping to get tourism back as rapidly as possible, and when it is back we will invest extensively in ensuring that we have a major campaign to encourage British people to take British staycations.

Dr James Davies: Tourism agency VisitBritain has proposed a bank holiday this October to help the tourism industry. It has been estimated that that could raise £500 million for the economy. Will the Minister seriously consider that proposal?

Oliver Dowden: Yes. I thank my hon. Friend for that suggestion. That is an excellent proposal. One of the challenges we will have is getting the sector up and running as strongly as possible in the summer and extending it for as long as we can. This is a matter that I am discussing with my colleague, the Business Secretary.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Does the Secretary of State agree with the Scottish Government's Cabinet Secretary for the Economy, who warns that the tourism industry, which is already deprived of vital foreign workers due to visa restrictions and which supports more than 200,000 jobs and contributes over £7 billion to the Scottish economy, now faces the double whammy of a no-deal Brexit combined with the ongoing impact of covid-19? Does this not justify a further extension of the job retention scheme to support the sector, and an extension of the transition period to avoid a deeply damaging no-deal scenario, compounding the horrendous coronavirus circumstances?

Oliver Dowden: We have already extended the job retention scheme through to October. On the hon. Gentleman's point about a further extension of the transition period, I think the British people have been pretty clear about this. They just want us to get on and leave, and we will not be extending again.

Chris Bryant (Rhondda) (Lab): Theatres, art galleries, music venues and concert halls are all really struggling, and without culture, we are nothing; our life is nothing and we are not an attraction for international visitors. Will the Secretary of State ensure that the amount of money that has so far been made available is at least doubled? Otherwise, we are simply not going to keep some of these major institutions, whether it is the Parc and Dare Theatre in Treorchy, the Royal Academy in London or the Old Vic. Will he seriously consider the idea of a 5% VAT rate for all arts organisations?

Oliver Dowden: The hon. Gentleman is absolutely right to highlight the rich value of culture both to individuals and to our wider economy in the creative industries. I have been engaging extensively with arts organisations and others. That is why I have appointed

Neil Mendoza as a cultural renewal commissioner to come up with proposals in this area. I am absolutely determined that, as we go through this crisis, we ensure that we retain the huge strength we have in this nation in the cultural sector.

Dr Rupa Huq (Ealing Central and Acton) (Lab): My constituents, Stuart and Laura McKay, sank their life savings into a holiday let in East Sussex. It was running successfully for a year, then coronavirus arrived. They are on zero income at the moment, and they do not qualify for any of the schemes because they are trading too newly. They ask whether the Government could introduce something to allow holiday lets for homes, to restart the sector, if we are all going to staycation? They say that, because of Dominic Cummings, they are not hopeful, but maybe the Secretary of State can prove them wrong.

Oliver Dowden: As I have said, I am keen that we get the tourism sector going as rapidly as possible. We have set the ambitious target of 4 July, and if we can do it consistent with public health, we will do so. Self-contained accommodation has a lower risk than other areas, so I would hope that that will be at the front of the queue.

Covid-19: Disinformation

8. **Jack Brereton** (Stoke-on-Trent South) (Con): What steps the Government are taking to tackle disinformation related to the covid-19 outbreak. [902921]

The Minister for Digital and Culture (Caroline Dinenage): At this time of national crisis, accurate information is of course more important than ever. The cross-Whitehall counter-disinformation unit was stood up in March this year, and it provides a comprehensive picture of disinformation on covid-19 and works with partners to ensure that appropriate action is taken.

Jack Brereton: I thank the Minister for her response. Does she agree that, while a number of national broadcasters and newspapers have undermined the coronavirus measures by constant reporting of rumours and opinions rather than fact, it is small local outlets such as the *Sentinel* in Stoke-on-Trent that have been invaluable in informing communities and ensuring that people are aware of the support available in their areas?

Caroline Dinenage: My hon. Friend is absolutely right. Local broadcasters and newspapers such as the excellent Stoke *Sentinel* have played a key role during this crisis, sharing accurate information but also offering vital support to individuals and bringing communities together. That is why I am really pleased that they have been eligible to access most of the Government's package of business support schemes.

Covid-19: Sporting Sector

9. **John Spellar** (Warley) (Lab): What steps he has taken to support the sporting sector during the covid-19 outbreak. [902923]

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Nigel Huddleston): Covid-19 has significantly impacted sport at all levels right across

the country. To fully understand the issues faced by the sector, I chair a fortnightly meeting with more than 25 sporting organisations representing millions of people who participate in sport. Sporting organisations have been supported by the Government through their job retention scheme, business loan scheme, business rates relief and business grants. In addition, Sport England has announced £210 million of funding to help sport and physical activity organisations with the effects of coronavirus.

John Spellar: With all these Ministers running in and out, it is less like a Westminster farce and more like a Whitehall farce, but I hope that the Minister will appreciate my tone slightly more than the Home Secretary did yesterday, because I want to congratulate him on his efforts in getting live sport back, which is not only a huge boost to morale across the country, but a major provider of jobs. To take one example, racing alone supports more than 80,000 jobs, but in addition, the betting industry supports 100,000 jobs and pays £3.2 billion in tax each year to the Treasury. Will he ensure an early return for a properly regulated, job-providing, successful, British-based gambling industry?

Nigel Huddleston: I do appreciate the right hon. Member's tone, and I agree with him. Indeed, we are very relieved. Millions of people across the country were very pleased to see racing back this week, and other sports are coming as well. It was great to see Newcastle races on Monday. We have Newmarket today. I would like to thank everybody involved in making sure that we are able to get sport back safely.

Alison McGovern (Wirral South) (Lab): Sport England's research tells us that one positive aspect of the lockdown is the increase in people doing physical activity, but, as we might expect, its data shows that the trend is not so strong for people who have limited access to outside space. What specific and permanent change will the Secretary of State make so that we can tackle that health inequality?

Nigel Huddleston: I thank the hon. Lady for that comment. She shares my passion to make sure that we get sport and physical activity really high on the agenda. There are all sorts of things we can do. At the young people's level, we will be revising the sport and activity action plan so that we can get young people engaged in 60 minutes of sporting activity and we will be looking again at the sport strategy, and I look forward to her comments in developing that as well.

Topical Questions

T1. [902931] **Saqib Bhatti** (Meriden) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Digital, Culture, Media and Sport (Oliver Dowden): The current advice has hit many sectors covered by the Department for Digital, Culture, Media and Sport the hardest. That is why, in addition to schemes announced by the Chancellor, we have provided specific support for charities, newspapers, tech start-ups and rugby league, and support to tackle loneliness. As we start to ease lockdown restrictions, through the cultural renewal taskforce we are working to support and guide people to safely resume activity. That has

included the resumption of live sport behind closed doors and getting cameras rolling again on films and TV programmes. We are working intensively with culture, heritage, arts and tourism to support them resuming as soon as it is safe to do so.

Saqib Bhatti: As it is national Volunteers' Week, I would like to commend the many volunteers in the third sector who have shown dedication throughout the covid-19 crisis, such as the Kingfisher food bank, which demonstrated relentless dedication to serving the local community throughout the lockdown, as I saw when I visited them. Will my right hon. Friend give an update on his support for the third sector? Will he consider launching a third sector covid recognition scheme to celebrate the heroic volunteers who have sacrificed so much to help us throughout this difficult period?

Oliver Dowden: I thank my hon. Friend for his question. He is absolutely right to highlight the huge role played by volunteers and, indeed, the wider third and voluntary sector, and I join him in marking Volunteers' Week. One of the big things we have done is provide £750 million to support charities and, indeed, just a couple of weeks ago I announced the start of the coronavirus community support fund, which provides £200 million for small and medium-sized charities. That went live on 22 May.

Jo Stevens (Cardiff Central) (Lab): Our valuable cultural sector is starting to collapse. It will be one of the last to reopen, and its desperate pleas for Government support have been ignored. Tens of thousands of workers excluded from the job retention scheme and the self-employed scheme have been completely ignored, but we then had a tiny glimmer of hope just over two weeks ago, when the commission for cultural recovery and renewal was announced, but since that date there has been silence. There is no information about participants in the working groups, no terms of reference, nothing on what has been or is being discussed and considered to help the sector, no timescales—nothing. This is yet another example of poor communication adding to the plummeting levels of trust and confidence in the Government. So, I ask the Secretary of State: why the complete lack of transparency?

Oliver Dowden: I do not really recognise the hon. Lady's characterisation. First, we have announced the members of the overall cultural renewal taskforce, but the important thing is the groups that sit underneath it, which provide the specific guidance. I am happy to run through all those groups and write to the hon. Lady subsequently, but just to give her a flavour, they include one on recreation and leisure, one on tourism, one on sport and one on library services. The point of each of those is to provide the guidance to help us open as rapidly as possible, consistent with the public health guidance. That is why I was delighted that at the beginning of this week, we announced that high-end film and TV could resume. The hon. Lady is absolutely right to highlight the need to support the cultural sector. I have engaged extensively with people from across the cultural sector and we are working to see what we can do to support them.

T3. [902934] Andy Carter (Warrington South) (Con): My right hon. Friend will know that covid-19 has had a dramatic effect on local advertising and the media

that that supports. Will he give an update on his Department's work to support commercial radio broadcasters, some of which have seen their revenues fall by more than 90% and are at risk of going off air permanently?

Oliver Dowden: My hon. Friend is absolutely right to highlight the important role that local radio plays. During this time of crisis, reliable news is more important than ever and local radio stations provide that. I know that my right hon. Friend the Minister for Media and Data has been working with them very closely, looking at issues such as the RAJAR rebate. We are determined to support them through this period.

T4. [902935] Taiwo Owatemi (Coventry North West) (Lab): Coventry City Council, local community groups and charities have been working exceptionally hard to support people across the city during this crisis. Many of those charities have used up their reserves after coming under an unprecedented amount of pressure and a decade of savage local government cuts. Will the Secretary of State commit to providing funding for the charity sector throughout the lockdown and in the time following the crisis?

Oliver Dowden: The short answer is yes. That is why we have provided a £750 million package and announced £200 million being administered by the national lottery to go specifically to small and medium-sized charities. The charity in the hon. Lady's constituency and others are very welcome to bid for that.

T5. [902936] Damian Collins (Folkestone and Hythe) (Con): The Secretary of State will know that many football clubs, particularly those playing professionally in leagues one and two are suffering considerable financial distress because of the lack of match-day revenue and no prospect of that resuming. If clubs start to go into administration in the next few weeks as a consequence of covid-19 and those pressures, what support will be available from the Government? At the moment, there seems to be no plan from either football or the Government to help them.

Oliver Dowden: I know how much my hon. Friend cares about this subject. I have taken great note of his letter on this and I would be happy to meet him to discuss it further. The most important first step is to get sport going behind closed doors because that helps secure revenue, so we have got the premier league and then the championship. I look to sports first to look after themselves and I am meeting extensively with the EFL, the premier league and the Football Association, but of course we will continue to work on that.

T6. [902938] Alison Thewliss (Glasgow Central) (SNP): A great number of constituents in Glasgow Central work in film and TV. They are freelancers on short-term PAYE contracts and have been left with absolutely nothing. I have had no reply from the Chancellor to my letter on that. Will the Secretary of State look into the matter and find the support for those people that will save the sector?

Oliver Dowden: The hon. Lady is absolutely right to highlight that sector. In my constituency, I have Elstree film studios and BBC Elstree where indeed I saw the

hon. Lady for “Strictly Come Dancing” when it was filming. The most important thing is to get the sector going again. That is why I was delighted that at the beginning of this week, we published guidance to allow high-end film and TV to resume production. Of course, I continue to engage with the Chancellor and others about wider support.

Alexander Stafford (Rother Valley) (Con): Does the Secretary of State agree that ahead of the post-covid-19 recovery, now is a prime opportunity to look at investing in arts and culture facilities for some of our left-behind communities, which have deep and rich cultural backgrounds, such as the colliery and performing arts heritage of Dinnington College and the town and surrounding mining communities?

Oliver Dowden: My hon. Friend is absolutely right to highlight the importance of supporting the whole of the United Kingdom. Culture is an important part of levelling up. I saw that at, for example, Walsall art gallery, which is a fantastic institution. Levelling up will be central to any proposal that we bring forward to support the sector.

Christine Jardine (Edinburgh West) (LD): At this time of year, my constituency is normally preparing for the Royal Highland show, which brings £65 million to the economy. We then have the Edinburgh festival in August, and there is also Edinburgh zoo. We have already lost the six nations championship. Communities like mine depend on the cultural and sporting events throughout the year which we have lost. Many workers are on short-term contracts and self-employed. Will the Government look at a way of supporting those communities post-covid-19 and how to re-establish those fundamentally important cultural events?

Oliver Dowden: I have great affection for the Edinburgh Festival. I took a show up there myself in my younger years. We provide an awful lot of support, for example, to the self-employed. The No.1 thing that we can do, though, is to get these activities back up and running again, because every time I speak to artists and others the thing that they want to do is to start performing again. As they start performing, we will look at how we can support them transitioning through this period of social distancing.

Jacob Young (Redcar) (Con): I thank my right hon. Friend for his answer to my hon. Friend the Member for Folkestone and Hythe (Damian Collins). When the FA took the decision to null the season for lower-league clubs it financially impacted clubs such as Redcar Athletic in my constituency. What is the Department doing to support these clubs and ensure that grassroots football remains in our communities?

Oliver Dowden: My hon. Friend is absolutely right to highlight the fact that grassroots football is central to local identity, and I am determined that we work with the EFL to ensure that money flows to those clubs. It is also worth noting that Sport England has brought forward £195 million, which will be able to support those clubs.

Liz Twist (Blaydon) (Lab): In Volunteers’ Week, I wish to say a huge thank you to all the volunteers working in charities and organisations in my community,

including Age UK Gateshead, the Rowlands Gill Live At Home Scheme and the Winlaton Centre. What will the Minister do to ensure that we can capture the learning and the enthusiasm from this sector in the future?

Oliver Dowden: I am delighted to join the hon. Lady in paying tribute to all those volunteers, and I think that the NHS volunteers responders has been a marvellous way of people volunteering and showing their support. Over time, we are getting more and more charities to sign up to that, so that people can volunteer. I hope that we can continue that spirit of volunteering, and I will be working closely with wider civil society to see how we can continue that post-covid.

Janet Daby (Lewisham East) (Lab): Local media outlets, such as the *South London Press*, are essential in providing up-to-date and accurate information to communities across the country. They struggle at the best of times, but this pandemic has posed unprecedented risks to their survival. What are the Government doing to ensure they are receiving the support that they so desperately need?

Oliver Dowden: Local newspapers are absolutely vital in bringing forward trusted information and our free press is a cornerstone of our liberties. That is why I have worked extensively with local newspapers—for example, to resolve issues around ad blocking, so they can get more ad revenue. The Cabinet Office has provided a lot of Government advertising, which has helped some of the shortfall in income for those charities, and we have looked at other issues such as business rate reliefs.

Mr Speaker: I shall now suspend the House for one minute while we have the changeover, so people can leave carefully and safely.

10.12 am

Sitting suspended.

10.13 am

On resuming—

ATTORNEY GENERAL

The Attorney General was asked—

Covid-19: Emergency Worker Assault Cases

1. **Craig Whittaker** (Calder Valley) (Con): What assessment she has made of the effectiveness of the handling by the CPS of emergency workers’ assault cases during the covid-19 outbreak. [902939]

6. **Lee Anderson** (Ashfield) (Con): What assessment she has made of the effectiveness of the handling by the CPS of emergency workers’ assault cases during the covid-19 outbreak. [902947]

The Attorney General (Suella Braverman): A disappointing feature of this pandemic is the number of assaults on emergency workers, but I am reassured by the robust approach that the Crown Prosecution Service has taken. During the first month of lockdown, the CPS prosecuted more than 300 cases of assaults against emergency

workers. It is clear that, when an individual threatens to infect an emergency worker by deliberately coughing or spitting, it will be treated extremely seriously by prosecutors.

Craig Whittaker: The scenes experienced here in London yesterday show us at first hand the total disregard that some people have for our emergency workers, not least by flouting the social distancing rules and showing a total disregard of the safety of our frontline officers. What is just as disturbing is that one of our own colleagues allegedly decided to disregard social distancing yesterday and put all the House staff at risk, not to mention his own colleagues. Can my right hon. Friend say what changes have been made to our CPS arrangements for charging offences against emergency workers?

The Attorney General: My hon. Friend raises an important point. I know people out there are feeling pain and anger. They must know that their lives matter—all lives matter—but violence and aggression are not the way forward. We are living through an unprecedented pandemic. The police are doing a heroic job in difficult circumstances and I urge people to follow the social distancing guidelines so that lives are saved. The Crown Prosecution Service issued an interim charging protocol earlier this year, which made it clear that covid-related offences are to be prioritised with an immediate charging decision, and I am glad that we have seen some robust approaches to such offences.

Lee Anderson: My constituents are extremely concerned about the increase in instances of assault against emergency workers and, after last night's disturbing scenes outside this building, it is no wonder why. Does the Minister agree that an effective method of tackling these crimes once the individual has served their custodial sentence would be restorative justice, whereby the CPS works locally with the police to ensure they use restorative justice? For minor crimes that do not carry a custodial sentence, out of court disposals could be used.

The Attorney General: My hon. Friend is right that those scenes of people attacking our heroic police officers were frankly sickening. It is obviously a matter for operationally independent police forces to use their flexibility and discretion as they see fit. My hon. Friend is right that out of court disposals can allow police to deal with low-level offending and first-time offending swiftly and efficiently. Whether that would be appropriate in those cases, I am not so sure personally: assaults on emergency workers are particularly callous. They are heroic men and women who are sacrificing their own health and safety in the service of others. It will always depend on the individual facts of the case and will always be a decision ultimately for the independent police force.

Ellie Reeves (Lewisham West and Penge) (Lab): Can the Attorney General confirm that in assault cases, as in all other covid-related offences, the law should apply equally to all, and that as superintendent of the CPS by tweeting her support for Dominic Cummings, she undermined the impartiality of her role and the rule of law?

The Attorney General: It is plain for any reasonable observer to see that there was no question whatever of my having provided any public legal view on the matter

to which the hon. Lady refers. To suggest that that was somehow a legal opinion is simply absurd. She should know that I have no role whatever to play in the day-to-day decisions on individual cases. I respect and have full confidence in the operational independence of the CPS and the police, and I would gently encourage her to share my support and share my confidence in them.

Sir Robert Neill (Bromley and Chislehurst) (Con): This is the first time I have had the chance in the Chamber to welcome the Attorney General to her post. I hope that she will take up the invitation to appear before the Justice Committee before the summer recess.

The Director of Public Prosecutions has rightly detailed to the Committee the way that charging protocols and priorities work, but there has been concern that when we drop below the serious cases of assaults on emergency workers, covid-related charges were made by the police in other cases without reference to the CPS at the initial point of charge, and people were charged under the wrong section or when the evidential test was not made. Will she ensure that CPS advice is made available to the police for all charging decisions for all covid-related cases under the regulations or otherwise, to ensure that we do not get a repetition of that unfortunate state of affairs?

The Attorney General: My hon. Friend makes me an invitation I simply cannot refuse, and I look forward to appearing before his Committee in due course. He will know that the Coronavirus Act 2020 and the associated regulations were brand new pieces of legislation introduced at pace and at a challenging time. The CPS has committed to reviewing all of its prosecutions brought under that legislation to ensure that the new laws are being applied correctly and appropriately in all cases. It has carried out a review and in a relatively small number of cases there was some confusion. The police and CPS have committed to instilling new guidance to ensure that mistakes do not get made again.

Bambos Charalambous (Enfield, Southgate) (Lab): Transport workers also provide essential services and on 22 March, while on duty at Victoria station, Belly Mujinga was spat at by a man who said that he was infected with covid-19. Eleven days later, she was dead from coronavirus. British Transport police have decided not to refer the matter to the Crown Prosecution Service for prosecution—not even for common assault—so can the Attorney General demand the investigation be reopened and demand swift action, so that there can be justice for Belly Mujinga's family?

The Attorney General: This was a tragic incident and it was appalling, frankly, that Belly Mujinga was abused for doing her job at Victoria station. My thoughts are with her friends and her family. British Transport police did conduct an investigation following reports that a man claiming to have covid-19 coughed and spat at Ms Mujinga and a colleague. Their investigation found no evidence that an offence had occurred of that type.

Covid-19: Virtual Hearings

2. **Scott Benton (Blackpool South) (Con):** What assessment she has made of the ability of the CPS to participate successfully in virtual hearings during the covid-19 outbreak.

[902941]

5. **Suzanne Webb** (Stourbridge) (Con): What assessment she has made of the ability of the CPS to participate successfully in virtual hearings during the covid-19 outbreak. [902945]

7. **Tom Randall** (Gedling) (Con): What assessment she has made of the ability of the CPS to participate successfully in virtual hearings during the covid-19 outbreak. [902949]

8. **Dr Ben Spencer** (Runnymede and Weybridge) (Con): What assessment she has made of the ability of the CPS to participate successfully in virtual hearings during the covid-19 outbreak. [902950]

The Solicitor General (Michael Ellis): Prior to the covid-19 outbreak, CPS lawyers had participated in only a handful of audio and video hearings. I am now pleased to say that since 2 April, CPS prosecutors have appeared in over 4,000 virtual hearings across magistrates and Crown courts.

Scott Benton: I am grateful for the response from my right hon. and learned Friend and I know that he will share my commitment to ensuring that all members of society can have equal access to justice and virtual hearings. In that regard, what steps is he taking to ensure that victims with hearing impairments are able to participate in remote hearings?

The Solicitor General: I thank my hon. Friend for that very important question. The CPS is working closely with the Courts and Tribunals Service and interpreters to ensure that victims, witnesses and defendants with hearing impairments of any sort can properly participate in virtual proceedings. It is important, and virtual hearings with hearing-impaired defendants have already taken place effectively. We will continue to monitor the situation.

Suzanne Webb: What learning can the justice system take from this period and will virtual hearings continue in future?

The Solicitor General: The CPS will and needs to engage in evaluation exercises on this subject with partners as part of its future working programme to assess the impact of video hearings. There is a lot to learn and we can identify benefits and learn lessons. Where there are advantages for all court users going forward, we would want to see those in place.

Tom Randall (Gedling) (Con): Justice delayed is often justice denied. What discussions has my right hon. and learned Friend had with the Lord Chancellor in order to deal with the backlog of cases in the system?

The Solicitor General: My hon. Friend is right to ask about the backlog and I am concerned about it. It is inevitable that there will be a backlog. Almost everything has been disrupted by this awful pandemic and the courts are no exception, but work is ongoing with the CPS, cross-Government partners and stakeholders to contribute to planning on recovery and clearing the backlog. I am pleased to say that the CPS East Midlands—his region—has been working closely with the judiciary, the courts service and other key partners to get the

Crown court in his area up and running as soon as possible. We need to focus on dealing with the backlog and I can assure the House and him that every effort will be made to do that.

Dr Spencer: One of the challenges of moving virtually is that it can act as a barrier to certain groups, and I am sure that my right hon. and learned Friend would agree that justice needs to be fair, open and available to all. What measures are in place to support people with vulnerabilities—such as people living with disabilities and people with health and mental health issues—in navigating the criminal justice system?

The Solicitor General: Vulnerable witnesses are entitled to a range of special measures already, which are being utilised and are still in operation during this outbreak, including screens to prevent the defendant from seeing a witness, live links, remote links, giving evidence in private, the prerecording of evidence and the removal of wigs and gowns. Measures are in place and are still in operation to make it easier for vulnerable witnesses and defendants, but I accept that there are challenges.

Joanna Cherry (Edinburgh South West) (SNP): Whether proceedings are virtual or otherwise, the Crown Prosecution Service must discharge its functions without fear or favour, and so must the Law Officers, given their responsibility for oversight of the CPS. Does the Solicitor General agree therefore that the Law Officers should in future refrain from joining in the sort of orchestrated political tweeting we saw about Mr Cummings's cross-country travels, given that such tweets may have the potential to prejudice any subsequent police investigation or prosecution?

The Solicitor General: I do not agree with the premise of the hon. and learned Lady's question. The fact of the matter is that she is seeking herself to politicise the situation. This is not a partisan issue; we all recognise, respect and cherish the independence of the Crown Prosecution Service, and that is a long tradition in this country.

Alex Cunningham (Stockton North) (Lab): May I congratulate my hon. Friend the Member for Lewisham West and Penge (Ellie Reeves) on her first physical appearance at the Dispatch Box as our shadow Attorney General?

There were 394 assaults on police officers in just the Thames Valley and Kent police force areas between March and April—more than the total number of prosecutions nationally. Given that assaults across the country must run into thousands, how is the CPS, bereft of resources, going to prosecute all those cases, virtual or otherwise?

The Solicitor General: I thank the hon. Gentleman for that question. I am pleased to say that the CPS is not bereft of resources. In fact, £85 million was sent to the CPS before this crisis broke out, which was 100% of its request for funds. Assaults against police officers and all emergency workers are taken extremely seriously by the courts. They are given priority by the Crown Prosecution Service, and we are dealing with those matters. The system is dealing with those matters robustly, and I think the evidence will show that.

Maria Eagle (Garston and Halewood) (Lab): The Solicitor General has just said that he realises that there are concerns about virtual hearings. Can he be a bit clearer about what steps the Government are now taking to ensure that vulnerable witnesses and vulnerable defendants in particular are properly protected during this period? Beyond accepting that there is an issue, what is being done to ensure that justice is done and seen to be done in virtual proceedings?

The Solicitor General: The hon. Lady is absolutely right to raise that point, which applies, as she says, to vulnerable defendants as well as witnesses—to all participants in these proceedings. Each individual court—each tribunal—is responsible for ensuring the best possible course of action in each individual case. A virtual hearing will not be appropriate in every case. Where there are particularly vulnerable persons involved, perhaps a virtual hearing will not be appropriate, but we do not micromanage that. We ask each individual judge to have that in mind when making decisions about virtual hearings, but where they take place, we want and expect them to do so in the confines of a situation where everyone feels comfortable and able to perform the functions required of them.

Rob Butler (Aylesbury) (Con): The CPS has done sterling work to ensure that offenders can still be brought to justice in the current crisis, but can my right hon. and learned Friend give me more details about how it has ensured that the best interests of victims, many of whom may never have experienced the courtroom system before, are being served?

The Solicitor General: Sometimes alternative mechanisms are in place. For example, remote hearings can take place using more than one courtroom, and it is sometimes possible for hearings to take place via technology from the home of various individuals. However, each individual circumstance will have to be looked at in assessing each individual, appropriate measure in each case. Caution is being exercised, but 4,000 virtual hearings have already taken place in the magistrates and Crown courts, and we expect to see more of them.

Covid-19: Government Support for Law Firms

4. [902944] **Catherine West** (Hornsey and Wood Green) (Lab): Legal aid practitioners play a key role in access to justice. What consideration have the Government given to hard-pressed legal aid lawyers who, for example, need more flexibility with their billing or business rate relief to keep going, so that when cases reopen in courts, they can pick that up?

The Solicitor General (Michael Ellis): The hon. Lady asks an important question about support for law firms during the outbreak, and the CPS has made changes to its systems for paying fees to advocates to help support them during this difficult time. I joined a virtual meeting of the Bar Council, and the Bar is conscious of and

content with the work that the Government have done—of course, there is always more that can be done—to relieve financial pressure. I see, and we are grateful for the fact, that the Inns of Court have been supporting junior barristers financially with ongoing funds. The Ministry of Justice is working closely with legal practitioners to understand the impact of covid-19, and streamlining the process for financial payments.

Antony Higginbotham (Burnley) (Con): One of the biggest problems we have in bringing prosecutions against those who assault our emergency services is a lack of evidence. Could the Solicitor General set out what steps are being taken to make sure that the CPS has access to such evidence, including making sure that our emergency services have better access to body cameras?

The Solicitor General: I am grateful for my hon. Friend's question, and we will certainly take on board what he says. Body cameras are of course an increasingly used piece of evidence. This does, in effect, often add a workload burden on the court system because there is so much video evidence—so much more virtual evidence—now coming into play. However, the Crown Prosecution Service has seen a dramatic increase in its funding from Her Majesty's Government, and we will be making sure that payment for members of the legal profession is expedited where we can do so.

Ellie Reeves (Lewisham West and Penge) (Lab): The coronavirus pandemic has exposed inequalities facing the black, Asian and minority ethnic community, and the legal sector has proved no exception: 55% of BAME barristers earn more than half of their income from legal aid, and 84% cannot survive a year without support. What urgent action will the Solicitor General take to reverse the Legal Aid, Sentencing and Punishment of Offenders Act 2012 and to restore funds to legal aid?

The Solicitor General: We are supporting the legal aid system, as we always have done. The reality is that we are expediting outstanding fee schemes where payments need to be made more quickly than normal; we have reduced the stage lengths before payments are made in the cases that are ongoing; and we have concluded main hearings and ongoing cases and made payment before hearings have been concluded. A multiple series of measures is being made to assist everyone at the Bar and, in fact, in all branches of the legal profession, including payments of up-front fixed fees of £500 for covid-19 matters. Every measure is being taken to support the legal profession, but I accept that there are challenges, as there are in many professions during this crisis.

Mr Speaker: Order. In order to allow the safe exit of hon. Members participating in this item of business and the safe arrival of those participating in the next, I am now suspending the House for five minutes.

10.32 am

Sitting suspended.

Public Health England Review: Covid-19 Disparities

10.37 am

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab) (*Urgent Question*): To ask the Minister for Women and Equalities if she will make a statement on the Public Health England review of disparities in risks and outcomes related to the covid-19 outbreak.

The Minister for Equalities (Kemi Badenoch): With your permission, Mr Speaker, I will make a statement.

As a black woman and the Equalities Minister, it would be odd if I did not comment on the recent events in the US and protests in London yesterday. Like all right-minded people, regardless of their race, I was profoundly disturbed by the brutal murder of George Floyd at the hands of the police. During these moments of heightened racial tension, we must not pander to anyone who seeks to inflame those tensions. Instead, we must work together to improve the lives of people from black and minority ethnic communities. It is in that spirit that we approach the assessment of the impact of covid-19 on ethnic minorities. If we want to resolve the disparities identified in the PHE report, it is critical that we accurately understand the causes, based on empirical analysis of the facts and not preconceived positions.

On Tuesday, my right hon. Friend the Secretary of State for Health and Social Care confirmed to the House that Public Health England has now completed its review of disparities in the risks and outcomes of covid-19. The review confirms that covid-19 has replicated, and in some cases increased, existing health inequalities related to risk factors including age, gender, ethnicity and geography, with higher diagnosis rates in deprived, densely populated urban areas. The review also confirmed that being black or from a minority ethnic background is a risk factor. That racial disparity has been shown to hold even after accounting for the effect of age, deprivation, region and sex.

I thank Public Health England for undertaking this important work so quickly. I know that its findings will be a cause for concern across the House, as they are for individuals and families across the country. The Government share that concern, which is why they are now reviewing the impact and effectiveness of their actions to lessen disparities in infection and death rates of covid-19, and to determine what further measures are necessary.

It is also clear that more needs to be done to understand the key drivers of those disparities and the relationships between different risk factors. The Government will commission further data research and analytical work by the Equalities Hub to clarify the reasons for the gaps in evidence highlighted by the report. Taking action without taking the necessary time and effort to understand the root causes of those disparities only risks worsening the situation. That is why I am taking this work forward with the Race Disparity Unit in the Cabinet Office, and the Department of Health and Social Care, and I will keep the House updated.

Gill Furniss: Thank you, Mr Speaker, for granting this urgent question. On 2 June, Public Health England published its long-awaited review of disparities in the risks and outcomes of covid-19 for BAME communities.

The review confirms what we already know: racial and health inequalities amplify the risk of covid-19. It found that those from BAME backgrounds were more than twice as likely to die from covid-19 than white people, and that BAME healthcare workers are at particular risk of infection. These lives matter, and it is time for the Government to take action on the devastating impact that this virus has had on BAME communities.

Public Health England's review fails to make a single recommendation on how to reduce those inequalities, protect workers on the front line, or save lives. That is despite the fact that its terms of reference include to "suggest recommendations" for further action. Will the Minister urgently explain why the review failed to do that? The Government have said that the Race Disparity Unit will publish recommendations on the findings from the review. When will those recommendations be published, alongside a plan for their implementation?

More than 1,000 individuals and organisations supplied evidence to the review. Many suggested that discrimination and racism increase the risk of covid-19 for BAME communities. Will the Minister explain why those views were not included in the review? Does she accept that structural racism has impacted the outcomes of covid-19? Does she agree that it is now time to address underlying socioeconomic inequalities facing BAME communities, and will she confirm that the Government will take action to do so? BAME workers on the frontline of this crisis are anxious for their lives. Will the Minister listen to Labour's demands to call on all employers to risk assess their BAME workforce? Coronavirus thrives on inequality, and there is no more important time to tackle racial injustices in our society and save lives during this crisis. It is now up to the Government to take action and show their commitment that black lives matter.

Kemi Badenoch: It is imperative that we understand the key drivers of those disparities, the relationships between different risk factors, and what we can do to close the gap. That way, we will ensure that we do not take action that is not warranted by the evidence. The hon. Lady is right: Public Health England did not make recommendations, because it was not able to do so. Some of the data needed is not routinely collected, but acquiring it would be extremely beneficial. As I said earlier, I will be taking forward work to fill the gaps in our understanding, and review existing policies or develop new ones where needed. It is important to remind ourselves that this review was conducted in a short period, and it sets out firm conclusions. As the author of the report said on Tuesday night, there is a great deal of background and detailed information that we think will be helpful. It is not easy to go directly from analysis to making recommendations, and we must widely disseminate and discuss the report before deciding what needs to be done.

Caroline Nokes (Romsey and Southampton North) (Con): The Race Disparity Unit is now in the Cabinet Office and at the heart of Government. My hon. Friend is right to say that it needs all the available data to make the correct recommendations. Will she reassure me, from the heart of Government, that this will not just be a matter for the Equalities Office or for the Department of Health and Social Care, but that it will include the Departments for Work and Pensions, for Transport and

[Caroline Nokes]

for Education? In all those areas we might expect to see real commitment to action that will make lives better for our BAME communities.

Kemi Badenoch: My right hon. Friend is right, and I thank her for that question. Equalities are not something that happens in the Equalities Office; equalities happen across Whitehall. Every Department has responsibility to ensure that it makes the right policies for all the people who are impacted by the activities that are carried out, and I will continue to work with them on that.

Joanna Cherry (Edinburgh South West) (SNP): I wish to reassure Scotland's BAME communities that the SNP takes this issue very seriously. On 20 May, the Scottish Government published Public Health Scotland's preliminary analysis, which suggested that the proportion of BAME patients among those seriously ill with covid is no higher than the proportion in the Scottish population generally. However, the Scottish Government are treating those findings with caution, given the findings in England and Wales. Further work is under way to deepen understanding of the risk factors and improve analysis.

It was good to hear the Prime Minister agree with my right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) yesterday that black lives matter. However, actions speak louder than words and some Government policies impact more strongly on BAME communities. What action will the UK Government take to review their no recourse to public funds policies, given that the Prime Minister revealed that he was unaware that thousands of people are locked out of available support due to those rules? In addition, why will the UK Government not lower the earnings threshold for statutory sick pay, which is forcing people in BAME communities out to work when it is not safe for them to be working?

Kemi Badenoch: On Public Health Scotland having different results from Public Health England, we are finding this in a range of reports and it is one reason why we are not rushing to recommendations. It is important to note that the PHE review did not take into account other factors such as comorbidities. On no recourse to public funds, we have taken extensive action to support those with recourse to public funds. The range of such actions includes: protections for renters from evictions; mortgage holidays for those who need them; support for those who are vulnerable and need assistance with access to medication and shopping; the coronavirus job retention scheme; and the self-employed income support scheme. Those with no recourse to public funds do have access to statutory sick pay, which the hon. and learned Lady mentioned. Furthermore, if an individual has been working in the UK and sufficient national insurance contributions have been made, they may be entitled to claim contributory employment and support allowance. We have also allocated £750 million of funding for charities, which are providing vital support to vulnerable people at this difficult time.

Richard Fuller (North East Bedfordshire) (Con): Sensitivity to disproportionate risk is greater when the leadership of institutions includes representation of those most at risk. That is an issue for corporations such as Transport for London and, in particular, Govia

Thameslink Railway, given what happened to Ms Mujinga. It is an issue for the NHS, where although there has historically been an over-representation of black and minority ethnic people among employees, they have been under-represented in the leadership of the NHS. In this instance, it is a case for the leadership of PHE, as I believe that not one of either the chief executive or his direct reports is drawn from the BAME communities. Will my hon. Friend look into how the Government can promote diversity in the leadership of our leading institutions?

Kemi Badenoch: I thank my hon. Friend for that question, which makes an important point. We do want to see diversity in leadership across institutions in this country, which is one reason why we asked Professor Kevin Fenton, who is a black surgeon, to lead on this review. This issue is close to my heart, and, as a black woman who is Equalities Minister, I will be looking into it as well. I can definitely take this forward and examine what is happening across our institutions.

Rachael Maskell (York Central) (Lab/Co-op): In 2010, Professor Marmot published his report on how structural inequalities predispose the poorest to the worst health outcomes. We know how race inequality is entwined with that. A decade on, the inequalities have grown. The PHE report has now highlighted the fatal consequences of that. Even today, low-paid workers are exposed to the greatest infection risks, and lockdown easement is reinforcing that. Will the Minister pause the easement plan until a full mitigation plan is in place to address these inequalities?

Kemi Badenoch: It is important to reiterate that any easement plan is being made in conjunction with scientists. The Government have reviewed and explained guidance extensively across all sorts of occupational areas. It is important that employers make risk assessments for their staff so that they are not unduly exposed to the virus.

Marco Longhi (Dudley North) (Con): As a former employer, and as a new employer in this place, I am acutely aware of the impact I can have on the welfare of my employees. Will my hon. Friend therefore say how important it is to engage with employers in the work that she does?

Kemi Badenoch: That is a very good point, and I thank my hon. Friend for his question. Engaging employers as well as employees will be essential. Professor Kevin Fenton of PHE has already undertaken extensive stakeholder engagement on this issue, and I intend to assist him in continuing that excellent work. I also intend to ensure that this approach continues to cover other factors such as age, sex, geography and deprivation.

Fleur Anderson (Putney) (Lab): The Spanish flu epidemic led to huge, widescale social reform, and this report points to the need to do the same. Almost three quarters of health and social care staff who have died as a result of covid-19 are from black and ethnic minorities. Why does the review fail to mention the occupational discrimination faced by BME healthcare staff, which has been highlighted by the British Medical Association and the Royal College of Nursing and needs urgent attention?

Kemi Badenoch: Again, it is important to remember that the purpose of the review was to look at specific factors. There are other factors that we will continue to look at. This is not the end of the process; it is the beginning of the process. I am going to take the information from the first stage, and that will be part of the work we will carry out in the programme. It must be said that we are working round the clock to protect everyone on the frontline during this pandemic for as long as it is required, and that will include BAME staff on the frontline.

Helen Hayes (Dulwich and West Norwood) (Lab): Belly Mujinga died tragically from coronavirus after being spat at while at work at Victoria station. She was at increased risk as a result of her ethnicity and underlying health conditions. Thousands of BAME frontline workers recognise the risks that Belly faced as the same risks that they continue to be exposed to, and her appalling death must lead to change. There must be justice for Belly Mujinga and her family by way of meaningful action to stop unnecessary BAME frontline deaths now. When will the Government instruct employers to put in place the comprehensive protections that are needed for all BAME staff and other vulnerable workers who need protection to stop them dying now?

Kemi Badenoch: I thank the hon. Lady for raising the case of Belly Mujinga. I am extremely saddened and shocked by what I have read about her death. I understand, contrary to what the hon. Lady says, that British Transport police are not taking further action in Belly Mujinga's case because senior detectives are confident that the incident at Victoria station did not lead to her contracting covid. Nevertheless, this was an appalling incident, and frontline workers like Ms Mujinga deserve to be treated with respect at work, especially during this challenging time. We know that there are a high number of BAME individuals working in healthcare, social care and transport, and it is vital that we understand more about their experiences during the next piece of work I am taking forward. It is important to reiterate that the Government have already done what the hon. Lady said, which is to ensure that employers know that they must risk-assess their employees before they put them out to work. We will continue to reiterate that message.

Selaine Saxby (North Devon) (Con): The report identified age as the greatest disparity. Can the Minister assure me that she is conscious of the sacrifices that older people are making and that she will do what she can to ensure that older people are treated equally as far as possible?

Kemi Badenoch: Yes. The largest disparity found was by age. People diagnosed who were 80 or older were 70 times more likely to die than those under 40. My hon. Friend is right, and that is something I will be doing.

Alison Thewliss (Glasgow Central) (SNP): As I said to the Secretary of State for Health and Social Care earlier this week, it is one thing to say that black lives matter and quite another to force black people and people from BAME backgrounds out to work who have no choice other than to go to work because they have no recourse to public funds. No recourse to public funds is a racist policy. Will she abolish it now?

Kemi Badenoch: I must push back on some of what the hon. Lady said. It is wrong to conflate all black people with recent immigrants and assume, which is what she just said, that we all have to pay a surcharge. That is wrong. I am a black woman who is out to work. My employer—[*Interruption.*] This House has done everything it can to make sure that I am following the guidelines and that all of us are. It is absolutely wrong to try to conflate lots of different issues and merge them into one, just so that it can get traction in the press. I go back—[*Interruption.*] I go back to what I said in my original statement. It is not right for us to use confected outrage. We need courage to say the right things, and we need to be courageous in order to calm down racial tensions, not inflame them just so that we have something to put on social media.

Mrs Maria Miller (Basingstoke) (Con): Every death in this pandemic is a tragedy, and we have to know how to better protect the most vulnerable, yet this Public Health England analysis is based on incomplete data for ethnic minority groups, because it does not include two key factors—occupation and comorbidities—in the deaths among ethnic minority groups. Why not, particularly given the undertakings given by the Office for National Statistics to the Women and Equalities Select Committee two years ago, when we did a report into the race disparity audit and when it was acknowledged that there were huge discrepancies and inconsistencies in the way data was collected for ethnic minority groups? Can the Minister address this?

Kemi Badenoch: My right hon. Friend is absolutely right. I would have hoped to see more, but I understand that Public Health England did not have all the data it needed. Some of the things not present included comorbidities, population density, public transport use, household composition and housing conditions. That is why it is important that I take this forward. All the things she has listed are things we will definitely be looking at in the next stages.

Dr Rupa Huq (Ealing Central and Acton) (Lab): Anyone in Westminster yesterday could not have failed to notice the Black Lives Matter protest, inspired by Minneapolis. The placard that sticks in my mind most said: "Being black should not be a death sentence". The Minister talked about having courage and being a black woman herself. She and I are both BME parents. Can we really look into our sons' eyes and say we acknowledged it? Surely we need action. It is not good enough. When will we see a detailed plan, with deliverables, objectives, dates and buy-in from all our diverse communities, so that this does not just look like a box-ticking exercise?

Kemi Badenoch: I agree that we cannot be seen to be doing a box-ticking exercise, but we also should not just accept statements such as "being black is a death sentence" in this country. It is not true, although it is true there are disparities and other factors that can make outcomes worse. Let us look at that, but let us not in this House use statements such as "being black is a death sentence". Young people out there hear that, do not understand the context and then continue to believe that they live in a society that is against them, when actually this is one of the best countries in the world in which to be a black person.

Rob Butler (Aylesbury) (Con): The report on disparities in the risks of contracting covid-19 is extremely concerning, so how will the Minister ensure that everybody is treated equally, regardless of ethnicity?

Kemi Badenoch: We are considering the experiences and circumstances of people across society so that, while the UK will be changed by this experience, we can emerge stronger and more united. All parts of the Government must take care to pay due regard to the equalities impacts of policy decisions in line with the public sector equalities duty and our commitment to promoting equalities.

Jason McCartney (Colne Valley) (Con): I join the Minister in her utter condemnation of the horrific murder of George Floyd. Black lives do matter! Does the Minister agree that the UK should be very proud of the huge contribution BAME workers have made during this crisis, both as key workers and in the health service? With that in mind, following this review, will she say once again what immediate action she is taking to address these disparities?

Kemi Badenoch: My hon. Friend is absolutely right. In a time of crisis and great worry for many of us, it has been heartening to see different communities working together hand in hand and people acknowledging the huge contributions people from BME backgrounds have made to this country? As I have said, however, we must take the right action; we must not rush into doing the things people are asking for if it turns out they are the wrong steps to take but look right. It is not about optics; it is about doing the right thing, and that is why we are not rushing. We will have a proper programme. We will look at all the studies that have come out, not just the Public Health England one, and produce an appropriate set of recommendations that have the confidence of various communities.

Dawn Butler (Brent Central) (Lab): The PHE report has no third-party submissions. Where are the missing submissions and will the Minister place them in the House of Commons Library? The Government have a reputation for whitewashing reports and hiding from the consequences of structural racism. The Minister says she is not going to rush. In 2016, the Conservative Prime Minister said she would tackle the burning injustices in society. What happened? Where is the social injustice office that was promised in 2016? There is not rushing, and then there is taking your time and avoiding the issue. The Windrush report was delayed and edited, and some parts were deleted. That is a worrying trend of this Government. The PHE report essentially says that there is nothing internal about why black, Asian and minority ethnic people are dying of covid at twice the rate of their white counterparts. There is nothing internal. That means that it is external, and it is accelerated by this Government.

Kemi Badenoch: I utterly reject what the hon. Lady has said. With permission, Mr Speaker, I think I need to clarify some confusion that seems to have arisen. The Government commissioned a review to analyse how different factors can impact on people's health outcomes from covid-19. That is what was published this week. Separately, PHE has been engaging with a significant

number of individuals and organisations within the BAME community over the past couple of months to hear their views. That was not a part of this. A lot of people think that that is something that should have been in the report. We will be building on, and expanding on, that engagement as we take this work forward, but that is different from the report that we have commissioned.

Mrs Flick Drummond (Meon Valley) (Con): I have read the report and I do understand that it has been rushed, but it does raise a number of issues, such as the effect of age and ethnicity. Further examination is also needed of other issues such as comorbidities, socioeconomic issues and multi-generational living, which is the case in Italy too. Does the Minister feel that the report has gone far enough?

Kemi Badenoch: The short answer is no. The report is a welcome first step, but it certainly has not gone far enough. We will take it to where we think it needs to get to.

Zarah Sultana (Coventry South) (Lab): The coronavirus does not discriminate, but the system in which it is spreading does. Higher rates of poverty, overcrowded housing, precarious work and jobs on the frontline mean that if you are black or Asian you are more likely to catch the virus and to be hit worse if you do. "Black lives matter" is not a slogan. We are owed more than confirmation that our communities are suffering; we are owed justice. Will the Minister commit to a race equality strategy covering all Whitehall Departments, so that we can rebuild by tackling the underlying inequalities and systemic injustice that coronavirus has so brutally laid bare?

Kemi Badenoch: All I can say to the hon. Lady is that the Government are doing every single thing they can to make sure we eliminate the disparities that we are seeing because of this disease. We must remember that, as we talk about different groups, there are many other groups that have been impacted based on age and even based on gender. We are looking at all of that. I am not going to take any lessons from the hon. Lady on race and what I should be doing on that. I think the Government have a record to be proud of. We will wait and see the outcomes of the following steps in the recommendations.

Sara Britcliffe (Hyndburn) (Con): What assurances can the Minister give my constituents in Hyndburn and Haslingden that the Government are recording covid-related deaths based on ethnic data? What steps is she taking in support of the NHS to ensure that BAME communities have the same positive health outcomes as all other communities?

Kemi Badenoch: This goes back to the point I made about making sure that everyone is treated equally. We need to look at some of the data that is being collected to make sure there is consistency across the board. That is something that has come out from the different reviews undertaken on this issue and we will continue to work on that.

Christine Jardine (Edinburgh West) (LD): The review, as we know, found that people of Chinese, Indian, Pakistani, other Asian, Caribbean and other black ethnicity

had between 10% and 50% higher risk of death when compared to white British, yet only 11 of the 89 pages explore the issue of racial inequalities in coronavirus deaths. We have also heard reports that there is a chapter, referring to individuals and stakeholder groups, which is not included. Can the Minister assure us that there is no reason why the people she referred to as being dealt with separately should not have been included in the report? Can she assure us that what we will see from the Government is the full unredacted evidence from individuals and stakeholder groups to address the imbalance in the evidence in this review?

Kemi Badenoch: Again—I will repeat this point—it is important that we understand the key drivers of the disparities. What we commissioned was a quantitative review. We want to be evidence-led. Stakeholder engagement is important, but we do not want to conflate the two things, and that is something that we will be taking forward in the future.

Dr Liam Fox (North Somerset) (Con): One of the biggest disparities in deaths from covid is the gender difference. The standardised mortality rate among men is 781 per 100,000; among women, it is 439 per 100,000. Across all communities, we are talking about fathers, brothers, sons, husbands, partners and friends. This affects the whole country. Will my hon. Friend ensure that resources are given to understanding why this gender difference is there and how we can tackle it in the future? I am sure that one thing the whole House can agree on is that all lives matter and they all matter equally.

Kemi Badenoch: That is absolutely correct; I agree with my right hon. Friend. At the risk of sounding clichéd, this is a Government that we want to work for everyone, but it is not yet fully clear what drives the differences in outcomes between males and females. Some could be driven by risks of acquiring infection due to behavioural and occupational factors—again, that is something that the PHE review was not able to look at—or by differences in how women and men develop symptoms and biological and immune differences. However, my right hon. Friend is absolutely right; this is something that does need to be looked into further, and we are actively working on that.

Ben Lake (Ceredigion) (PC): Twenty per cent. of all reported cases of covid-19 in prisons across England and Wales have been recorded in Welsh prisons, despite the fact that Welsh prisons hold just 6% of the total prison population. We know that a disproportionate number of those in the Welsh prison system are from black, Asian and minority ethnic communities. What plans do the Government have to work with the Welsh Government to address that racial disparity and the health implications arising from it for BME communities?

Kemi Badenoch: I thank the hon. Gentleman for his question. As he will know, the review was by Public Health England. I have not seen the Welsh figures that he talks about, but if he writes to me separately, I think I might be able to provide some more information after speaking to officials.

Felicity Buchan (Kensington) (Con): We talk a lot about levelling up, but normally in the context of the north versus the south. As my hon. Friend knows,

in our cities—in particular in London—we have huge inequalities. Will she assure me that we will look out for all those left behind?

Kemi Badenoch: My hon. Friend is right. Levelling up is not just about north and south; it is going to cut across lots of different areas. Responding to the challenges of covid-19 specifically does not mean that the Government have forgotten that. We remain committed to a levelling up of every region and nation, and even within regions and nations of the UK, and that can still be a critical part of how we get back to normal.

Kevin Brennan (Cardiff West) (Lab): Earlier, the Minister said that equalities is something that happens across Whitehall. Self-employed women, including BAME women, who have had maternity leave in the last three years lose out under the Chancellor's covid-19 self-employed income support scheme. That is overt pregnancy discrimination, pure and simple, by the Minister's Government. What is she doing to rectify it?

Kemi Badenoch: The Government have introduced an unprecedented scheme of packages to help all those people financially impacted by covid-19. As the hon. Gentleman knows, we are using average earnings data based over the last three years. That does mean that some groups are impacted, but because of how Her Majesty's Revenue and Customs collects information, that is not necessarily something that we can address. That is why we have other schemes in place, which people hopefully should be able to access.

Nicola Richards (West Bromwich East) (Con): The recent report does not include recommendations for people with underlying health conditions or by employment type. Will the Minister commit to looking into those factors further so that we can properly address the causes of the disproportionate effects of covid-19 on BAME communities?

Kemi Badenoch: Yes, is the short answer. We can look at that.

Scott Benton (Blackpool South) (Con): Blackpool contains some of the most deprived neighbourhoods in the whole of England, and in some of those communities the life expectancy for the poorest is 20 years below the national average. The PHE report makes it explicitly clear that deprived communities such as those in my constituency have been disproportionately affected by covid-19, a fact that is supported by our high local infection rate. Does my hon. Friend agree that it is imperative that the Government redouble our efforts to reduce health inequalities between the richest and the poorest?

Kemi Badenoch: Yes, absolutely. We will look very closely at the health inequalities aspects of the report. That is part of the work that I am going to be carrying forward.

Chris Bryant (Rhondda) (Lab): I commend the hon. Member for Blackpool South (Scott Benton) for what he has just said, because it is what I was about to say—although I am not going to sit down just yet, if that is all right. It is a simple fact that my constituency,

[Chris Bryant]

the Rhondda, has one of the highest death rates per 100,000 head of population in the country, and therefore in the world. Being poor is certainly an early death sentence—by some 20 years compared with richer parts of the country—and that is because it is the people who are subsisting on poor wages, few hours and unsafe labour in difficult working conditions, without proper protection, with miserly benefits, with statutory sick pay that does not enable people to put food on the table, relying on food banks, who are dying. Surely, one lesson that we must learn from coronavirus is that we must pay our key workers properly so that they can put food on the table and not rely on food banks.

Kemi Badenoch: I do not think anyone in the House can disagree with what the hon. Gentleman just said, and I do agree with him. We are putting forward policies to address some of these things. We are looking at some things in the short term that relate specifically to coronavirus, and he and I can have conversations about medium to long-term interventions in future.

Ms Nusrat Ghani (Wealden) (Con): The lack of leadership and transparency in Public Health England and NHS England has been shamefully exposed, with BAME health workers dying at a greater rate. Covid has showed us what it means when these institutions are not equal, with BAME workers saying that they did not have the same access to personal protective equipment as their white colleagues and felt pressured to work on the frontline. As both Public Health England and NHS England are independent, how will my hon. Friend hold them to account?

Kemi Badenoch: My hon. Friend is absolutely right to raise the concerns that we have been hearing anecdotally. This is something that needs to be handled sensitively, because on the one hand, we know that there are areas that need to be addressed, but on the other hand, I do not want anyone to think that we are criticising NHS workers for not looking after their own. It is something that needs to be handled absolutely sensitively, but we are on top of it. I thank my hon. Friend for raising that point.

Stephen Timms (East Ham) (Lab): Does the Minister agree with the report that there are additional barriers that make it harder for BAME communities to access key services? In particular, will she press her colleagues to suspend the “no recourse to public funds” restriction, which has prevented thousands of hard-working BAME families, many with children born in the UK, from claiming universal credit during this crisis?

Kemi Badenoch: I refer the right hon. Gentleman to the answer that I gave earlier. I know that a lot of people are concerned about this issue, and we have taken extensive action to support those with no recourse to public funds. We understand that there may be difficulties for failed asylum seekers who cannot return home, and we are continuing to provide free accommodation to those who would otherwise be destitute. That is just another example of how the Government are looking at these things intensely. We have not forgotten anyone.

Tom Randall (Gedling) (Con): The Cabinet Office Race Disparity Unit supports Departments in driving change where disparities are found. Will the Minister ensure that the unit is dedicated to understanding how to close the gap in respect of coronavirus?

Kemi Badenoch: Yes, my hon. Friend is absolutely right. We need to look at a whole range of areas. I go back to what I said earlier about this being not the end of the review process but the beginning. I urge Members from all parties, if there are areas that they want us to look at, to please write to me so that we can make sure that we include them.

Patrick Grady (Glasgow North) (SNP): Does the Minister not understand that “no recourse to public funds” reinforces the various structural inequalities that the Black Lives Matter campaign is trying to call out? It is not leaving my constituents looking for mortgage holidays; it is leaving them destitute. That is not just unequal; it is inhumane. So will the Government please review this situation and allow people to get the support that they so desperately need?

Kemi Badenoch: I will repeat the point I made earlier: we should not conflate black people with people who do not have any recourse to public funds. It is a very—I am not going to say the words “disingenuous argument”, Mr Speaker, but I do think that this is something that we need to be very clear about and not muddy the waters in terms of what is going on.

Mark Fletcher (Bolsover) (Con): I have received many, many letters from constituents across the Bolsover constituency saying how proud they are of how many BAME people have contributed to our health service and to our care system. Does the Minister agree that they have made a fantastic contribution and that we should welcome that?

Kemi Badenoch: Absolutely. We do welcome that. It is very heartening, as I said earlier, to see that communities all across the country are not just saying, but showing, how much we value the contribution that black and minority ethnic workers—key workers in particular—provide to our society.

Mr Speaker: Lloyd Russell-Moyle—not here, so I call Jane Stevenson.

Jane Stevenson (Wolverhampton North East) (Con): I am a very proud Wulfrunian and I am proud that many of my fellow Wulfrunians have roots all over the world. Does the Minister agree that people are now concerned about this report, and that we need to keep pushing hand-washing and social distancing? Does she also agree that it is up to Members in this place to set an example to the BAME communities?

Kemi Badenoch: My hon. Friend is absolutely right and raises a very important point. People do look to this House to set an example across the country, and those of us in this House must not just demonstrate that we agree with the guidance, but show that we are following the rules as well.

Maria Eagle (Garston and Halewood) (Lab): The research shows, among many disturbing findings about race disparities, that diagnosis rates are higher in deprived and densely populated urban areas, and that our great cities such as Liverpool have been hardest hit by the virus. Does the Minister accept that the reason why we must research covid disparities is so that effective action can be taken to address them? Will she undertake to ensure right now that the Government allocate resources to combat covid in such a way as to address these inequalities—she can do that now—rather than on a crude per capita basis that completely ignores the realities of who is hardest hit and why?

Kemi Badenoch: We are distributing funds in many different ways. I have spoken to, for example, the mayors of combined authorities, and they have raised this issue with me as a Treasury Minister, and we will continue to look at it.

Paul Bristow (Peterborough) (Con): The report does reveal correlations between the virus and certain other conditions. Diabetes is mentioned on around 20% of death certificates, but that rises to almost half of the certificates for black and Asian deaths. Does the Minister agree that these links with other health conditions—comorbidities—need to be studied thoroughly?

Kemi Badenoch: Yes, my hon. Friend is right. Within some medical circles, there is an expectation that when we do account for co-morbidities—I believe that there was an article in *The Times* which referenced the SAGE report—some of these differences do reduce to zero. That is why we are not rushing to take into account what one specific report is saying; we are looking at what has been said by all the different reports, such as the one from Public Health Scotland, to make sure that we find out exactly what is going on.

Wendy Chamberlain (North East Fife) (LD): I have received a great deal of correspondence from constituents who are rightly angry at the Government's delay in publishing this report. Given the lack of recommendations, guidelines or action plan, will the Minister also now commit to establishing a post-covid-19 equality strategy to take forward work to develop policies to tackle health inequalities post covid-19?

Kemi Badenoch: I think the hon. Lady is asking for what we are doing at the moment. That is what we are planning to do and that is what we will be looking into. On her accusation that the Government delayed this report, it is simply not true. We asked for a report for the end of May, and that report was brought before the House at the first available opportunity, Mr Speaker, which I am sure you will appreciate.

Alexander Stafford (Rother Valley) (Con): Health inequalities are also related to historical work conditions and industrial diseases, such as the high rates of silicosis and chronic bronchitis, as seen among some of my Rother Valley residents, many of whom are former miners. Does the Minister agree that these inequalities should be looked at as well in the context of the covid-19 outbreak?

Kemi Badenoch: Yes, as I said before, there are a range of things that we will need to consider. We want to be evidence-led. I shall raise this with the various bodies, not just Public Health England, to make sure that, more than anything else, we are being led by the science.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Almost three quarters of health and social care staff who were battling this virus on our behalf but who subsequently died as a result of covid-19 were black, Asian and minority ethnic, so I am hoping against hope that one of the few positives to take from this national crisis is that those espousing hatred against minorities and migrants will now be ignored, and that will lead to less racism and greater community cohesion. Can the Minister explain why the Public Health England review failed to mention the occupational discrimination faced by BAME healthcare staff, which has been identified by both the British Medical Association and the Royal College of Nursing?

Kemi Badenoch: The hon. Gentleman is right. It goes back to what I said earlier. Public Health England did not necessarily have the data, because data is being looked at from different quarters and different institutions have different data. That data is something that I really want to see, because I think it will go some way to explain the gaps, and I will be taking that forward to see whether we can get the information out.

Mr Mark Harper (Forest of Dean) (Con): May I draw to my hon. Friend's attention the information published this week by the Care Quality Commission on 2 June, which highlighted the much higher death rate among people with learning disabilities, both from covid and non-covid causes? There was a 134% increase over the past year. I ask her to talk to her Health and Social Care Department colleagues about what that implies for access to testing for working age people in the care sector.

Kemi Badenoch: I am grateful to my right hon. Friend for that question. He raises an interesting point. We are aware that some of the risk factors associated with poorer outcomes are more prevalent in certain groups of the population, and that does include people with learning disabilities, so he is right to raise that, and I will speak to my colleagues in the Department of Health and Social Care on that issue again.

Andrew Griffith (Arundel and South Downs) (Con): All lives matter. They matter now and they mattered in March and April, when many of my constituents could not get a test when they needed one. Will the Minister talk to her colleagues about changing the attitude of Public Health England towards working with the private sector to mobilise testing capacity?

Kemi Badenoch: My hon. Friend is absolutely right. We need all hands on deck on this issue, and we definitely do not want silo working where people believe that only the public sector will be able to help sort the issue. We want them to be working hand in hand with the private sector. For other key workers—in supermarkets, heavy goods vehicle drivers and so on—we have seen that the private sector has done a fantastic job in helping us weather this crisis, and I would like to see more of that happening within the health space.

Jo Gideon (Stoke-on-Trent Central) (Con): The report identifies death rates in the most deprived areas as being more than double those in the least deprived. Does the Minister agree that growing capacity in community development is essential in ensuring equality of opportunity and levelling up in cities such as Stoke-on-Trent?

Kemi Badenoch: Yes, I do agree with my hon. Friend. I do not think there is anything further to add. Levelling up is a priority for the Government, and I will never get tired of saying that. It is not something that I look at just in my equalities role, but also in my Treasury role, and I look forward to working with her on those issues.

Mary Kelly Foy (City of Durham) (Lab): In February of this year, Professor Marmot published his review of health inequalities a decade after his original report. He made several recommendations, the first being for the creation of a cross-government, cross-party strategy led by the Prime Minister to address those health inequalities. Given that covid-19 has shown how far we are from achieving a fair and equal country, will the Minister say whether the Government will incorporate that recommendation as a key part of the recovery from coronavirus?

Kemi Badenoch: I am afraid I am not sure I have seen the specific report that the hon. Lady is referring to, but if she writes to me, I can give a much more comprehensive response than at the Dispatch Box. Without seeing the recommendation she is referring to, I am not sure I can fully comment, but I look forward to seeing that letter, and hopefully it will have things that we can include in there.

11.23 am

Sitting suspended.

Abortion Regulations: Northern Ireland

11.28 am

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP) (*Urgent Question*): To ask the Secretary of State for Northern Ireland if he will make a statement on the abortion regulations for Northern Ireland.

The Minister of State, Northern Ireland Office (Mr Robin Walker): As the Minister responsible for this policy area, I shall answer the question.

The Government originally laid the Abortion (Northern Ireland) Regulations 2020 in Parliament on 25 March on the provision of abortion services in Northern Ireland. The regulations came into force on 31 March 2020 and became law on access to abortion services in Northern Ireland. The regulations were originally required to be debated by 17 May to remain in force as law. However, the unprecedented situation created by covid-19 has impacted on parliamentary processes, and virtual voting systems were not yet fully implemented in time for the regulations to be debated in both Houses. Therefore the Abortion (Northern Ireland) (No. 2) Regulations 2020 were laid and came into force on 14 May, revoking the earlier regulations. That gives Parliament an extra 28 days to consider and scrutinise the regulations properly, given the nature of this policy.

This approach has ensured that the law on abortion in Northern Ireland itself, a requirement specified by the House in the Northern Ireland (Executive Formation etc) Act 2019, continues to apply with no risk, gap or legal uncertainty, and services can continue on the same basis in Northern Ireland as they are currently operating. The regulations are due to be debated in the House in a Delegated Legislation Committee on Monday 8 June and in the Lords after that. I understand that a committee has been empanelled to consider the regulations. I welcome the fact that the right hon. Gentleman's party will be represented on that committee so that its voice can be heard. That will be the appropriate time for a full debate on the regulations.

Sir Jeffrey M. Donaldson: I thank the Minister for his response. When this House voted for section 9 of the Northern Ireland (Executive Formation etc) Act, it was argued that Parliament had the right to legislate on abortion in Northern Ireland in the absence of a functioning Assembly. However, that Assembly has now been restored for almost five months, so it is absolutely not the right way forward for Parliament to vote on the regulations. That point is greatly strengthened by the fact that not only has the Assembly been restored, but on Tuesday this week it voted in a motion by an absolute majority to reject these unamendable regulations. An absolute majority of the Assembly of 90 Members voted to reject them. The will of the people of Northern Ireland has spoken.

The Government have said that their hands are tied because the law is clear: they must bring the regulations forward for a vote in Northern Ireland. However, having taken legal advice at the highest level, I discovered that the law is not at all clear on that. There is actually as good a legal argument that the Government are under no such obligation. In that regard, I note the submissions of huge importance to the Secondary Legislation Scrutiny Committee from two QCs who also argue that the

Secretary of State is under no obligation to press the regulations to a vote. To do so will fundamentally breach the devolution settlement and cause a constitutional predicament of the Government's own making.

The Secretary of State would also be well advised not to bring the regulations to a vote because they sanction abortion for non-fatal disability up to birth, something that around 75 Members of the Assembly this week voted against. It is unthinkable that the Government should present such a discriminatory provision, which was not even required by CEDAW.

As Heidi Crowter, the very powerful disability rights campaigner with Down's syndrome has said:

"I would now call on the Government not to ask MPs and peers to vote for regulations that contain discriminatory provisions that tell people like me that we should not exist."

I today would do the same. The Government should withdraw the regulations, respect the fact that devolution has been restored and, rather than seek to further undermine devolution, allow the Northern Ireland Assembly its rightful place to legislate on its own abortion law.

Mr Walker: I recognise that this is an issue on which the right hon. Gentleman and his party, as well as many others in Northern Ireland, have deeply held views, and I know that it is an extremely sensitive issue that many across the House have a deep interest in. I do not intend to rehearse matters of detail that we will rightly address in the Committee that has been convened to scrutinise the legislation.

The Government were placed under a statutory duty to deliver abortion law for Northern Ireland by implementing the recommendations of the CEDAW report. That duty came into effect, given that the Executive was not restored by 21 October 2019. That followed many months, if not years, of the issues receiving ongoing attention at Westminster on human rights grounds, including parliamentary questions, Committee inquiries, amendments to other legislation requiring the Government to report, and so on, leading to this particular amendment being voted through with a significant majority.

The statutory duty in section 9 of the EF Act did not fall away with the restoration of the Executive, nor with the making of the initial regulations that came into force on 31 March 2020. That is why we have had to re-lay the new regulations. Even if the regulations had not been approved by Parliament in time, or the deadline had not been met, the Government would still be under a statutory duty to introduce new regulations.

We have always been clear, when we consulted on this, that the consultation was about how we would deliver an abortion framework for Northern Ireland in line with the statutory duty that Parliament placed the Government under. It was not on whether the Secretary of State should be exercising this duty in the first place. That matter was decided by this sovereign Parliament. We think that, following the consultation and the publication of the Government's response to that consultation, we have struck the appropriate balance in providing a framework that can be effectively commissioned in Northern Ireland and meet the needs of women and girls, as well as providing certainty and clarity for the medical professionals providing the service. We have always been clear that, in doing so, we would be respectful of the restored devolved institutions.

We hope that the regulations provide a solid framework for abortion services to be provided within Northern Ireland, although I appreciate that this remains a devolved issue and the Assembly can amend the regulations in future, subject to the usual Assembly and other procedures, including compliance with the European convention on human rights. Repealing section 9, which I know some in the right hon. Gentleman's party have asked for, has never been a viable solution. This would have required primary legislation before Westminster, which would have been subject to a free vote on grounds of conscience, but we would still have a legal obligation to propose an alternative human rights-compliant model by 31 March to ensure we complied with convention rights.

Similarly, if the Executive and Assembly were to legislate for an alternative approach, it would still be required to be human rights and convention-compliant. I recognise that the Assembly did debate one aspect of the regulations on Tuesday—severe foetal impairment—and passed a motion stating that it does not support the provision allowing for abortions in cases of severe foetal impairment without time limit. While I respect the Assembly's right to state its position on this, it does not have any bearing on the legal obligations that have been placed on us by this Parliament. Unfortunately, the motion that the Assembly debated and backed proposed no solution that would deliver a CEDAW-compliant regime in this regard.

The sensitive issue of severe foetal impairment has long been debated over many years right across the UK, and I recognise the strength of feeling on all sides of the debate, many of which have been expressed in this House over recent years. The Government are, however, under a clear statutory duty to allow for access to abortions in cases of both severe foetal impairment and fatal foetal abnormalities, and this is what we have delivered. This is also consistent with the provision in the rest of the UK under the Abortion Act 1967. We consider the regulations in this regard to be compatible with the requirements under the United Nations convention on the rights of persons with disabilities.

We recognise that these are difficult decisions, particularly so far as fatal foetal abnormalities or severe foetal impairment are concerned, which often occur late in wanted pregnancies, and it is right that women have the time to be able to make individual informed decisions, based on their own health and wider circumstances, in consultation with medical professionals. Putting in place proper support and provision of information to support women in making these informed decisions, including where women want to carry such pregnancies to term, is an operational issue for the Department of Health in Northern Ireland to take forward, as part of commissioning and overseeing abortion services as a new health service, consistent with the regulations. We have written to the Department on this point and stand ready to support it.

The Government stand ready to provide whatever support and guidance we can to both the Northern Ireland Minister of Health and the Department of Health to assist them in progressing work to set up these abortion services in line with the new legislative framework. I look forward to debating the detail of that framework next week.

Fiona Bruce (Congleton) (Con): Progressing these regulations now that Stormont has returned and following Tuesday's decision there would show a profound lack of

[Fiona Bruce]

respect for the people of Northern Ireland and their elected representatives, and the rushed manner in which they were proceeded with here has thrown up deep flaws. Sex-selective abortion is not lawful here. It has been described by the Government here as abhorrent, yet the Northern Ireland regulations allow abortion for any reason up to 12 weeks, with no prohibition on sex-selective abortions. It is now possible to tell the sex of an unborn child between seven and 10 weeks. Women could even travel here from Northern Ireland for a sex-selective abortion. Does the Minister think this Parliament really intended this, and does it not show why these rushed regulations should be scrapped and the issue properly returned to Stormont?

Mr Walker: I respect the strength of feeling that my hon. Friend has always deployed on this issue. The UK Government take the issue of sex-selective abortions very seriously. They publish an annual analysis on the male to female birth ratio for England and Wales to see if there is any evidence for this. The most recent analysis was published in October 2019, and it found no evidence that sex-selective abortions are occurring in Great Britain. The regulations for Northern Ireland do not make any reference to sex-selective abortion and they follow the same approach as the UK on this issue.

Louise Haigh (Sheffield, Heeley) (Lab): This urgent question this morning is on an extremely sensitive subject—perhaps the most sensitive of subjects that we as legislators can debate—and I, as the Minister has done, acknowledge the strength of feeling already expressed today and earlier this week in Stormont. But the task now for Westminster is implementing a law that already stands. In 2019, this place passed the Northern Ireland (Executive Formation etc) Act, which has taken legal effect. Abortion is now legal in Northern Ireland, and women there are entitled to the same rights and services as women in all other parts of the United Kingdom. We are now tasked with implementing the regulations setting out the legal framework that will bring Northern Ireland into line with the rest of the UK.

Although abortion is legal in Northern Ireland today, there is limited provision available and more needs to be done to get a full service up and running, so will the Minister commit to working with the Department of Health in Northern Ireland to ensure the full implementation of services as set out in the legal framework and to fulfil the UK's international human rights obligations? As he has said, that responsibility remains with the Secretary of State for Northern Ireland.

Labour supported the recommendations of the United Nations convention on the elimination of all forms of discrimination against women—CEDAW—and we are supportive of the regulations to be debated on Monday that provide safe, legal and accessible abortion services to women in Northern Ireland. We heard last year that the CEDAW report deemed that abortion law in Northern Ireland created a “grave and systematic” violation of rights, and in our own Supreme Court in 2018, the position was deemed untenable. It was seen to be treating women like vehicles and was found to be incompatible with article 8 of the European convention on human rights. We cannot pick and choose which parts of CEDAW or our international human rights obligations we do or

do not like, and CEDAW explicitly recommended legislation on severe foetal impairment. That is not today's debate, however.

As we look forwards, not backwards, will the Minister commit to a timeline for the full provision of services? Regarding signposting and the availability of current services, will he confirm what steps he has taken to ensure that public information is available, and will he further confirm that telemedicine, which is available in England, Wales and Scotland during this pandemic, will be made available to the women of Northern Ireland?

Mr Walker: I am grateful to the shadow Secretary of State for setting out the position so clearly from the perspective of the Labour party. I recognise that it is a responsibility of the United Kingdom Government to deliver on our international human rights obligations. She is absolutely right in that respect. With regard to implementation, clearly this is now a responsibility for the Department of Health in Northern Ireland, and it is something on which we have written to that Department. We have written to other Departments that have responsibilities in this regard to ensure that the full detail of what was recommended in the CEDAW report is addressed, and the details of that are set out in the Government's response to the consultation.

In terms of timelines, we all recognise that there have been additional pressures placed on services, and health services in particular, by the covid situation, so while it is the case that the full range of services are not available in Northern Ireland, we will continue to fund and support the travel for those—hopefully very few—women who will need to travel to the rest of the UK for terminations. The hon. Lady is right to say that we have an ongoing responsibility on this, and we will engage with that. We will continue to engage with the Department of Health to ensure that the full provisions are delivered on.

Huw Merriman (Bexhill and Battle) (Con): I thank the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) for bringing this urgent question. Although I agree with him on most things, he will know that this is not one of them. My views have been founded on the experiences I had when meeting women in particular in Northern Ireland and the experiences that they had to go through in order for the law to be changed. We had to work very hard in this Chamber to get the law changed, but it has been changed. I would respectfully mention that it was not just a question of the Assembly and the Executive not being formed in Northern Ireland; it was also a question of treaty obligations not being followed, and it was the role of Parliament to ensure that they were followed. Regardless, I want to ask the Minister this question. I appreciate his saying that we will follow the law, but will he put more pressure than just written pressure on the Department of Health? There are women beyond the 10-week gestation period who are getting no service provision at all, and that means that the law that we in this place moved to an Act is not being followed. That surely cannot be right.

Mr Walker: I recognise the strength of feeling that my hon. Friend expresses, and his experience of meeting directly with some of the women affected by this. As part of the consultation process, I have also met some of those people, and their stories are in many cases harrowing, so he makes a powerful case. Absolutely, yes,

we will continue not just to write to the Department of Health but to provide all the support that we can in getting it to implement this. It is important to recognise that this law is already in force and in effect, but this House will debate it in Committee in the coming week, and I hope that it will then be absolutely clear that the House fully supports these regulations and wants to see them observed. That in itself will send a message to the Executive.

Jim Shannon (Strangford) (DUP): Could the Minister of State further outline the reasoning behind the refusal to repeal the Act and instead allow the Northern Ireland Assembly to take the reins? Before the initial vote in this place, Ministers and Members underlined that this should be a devolved matter but that if the Assembly had not reconvened, Westminster would step in. Now that the Assembly is convened, this week the people of Northern Ireland have spoken through their elected representatives, and they have spoken in a largely ignored consultation process. Now we are speaking about this again in this House. Will the Minister revert to the democratically approved method? Let the Northern Ireland representatives and the people of Northern Ireland decide. That is really where it should be done—not here.

Mr Walker: I have great sympathy for where the hon. Gentleman is coming from, in terms of the fact that the Assembly should have decided on this issue some time ago. It was a responsibility incumbent on the Assembly before it broke up to address this issue in a way that would satisfy our human rights obligations. Unfortunately, it did not, and to date it has still not agreed a way forward on this issue. As he will know, the legislation passed by this House set a deadline of 21 October for the Assembly to be back in place, beyond which the responsibility to legislate was placed on to this House, and that is the law by which we are bound.

With regard to the suggestion that the hon. Gentleman and others have made to simply repeal section 9 of the Act, that would not excise from the Government its wider human rights obligations or the responsibility of this House to deliver on our human rights commitments. We would still have a responsibility to deliver on this, unless the Northern Ireland Assembly had taken it upon itself to do so. I would point out that the Northern Ireland Assembly can reform and take forward these regulations, so long as it does so in a way that is compliant with our human rights obligations and CEDAW.

Julian Smith (Skipton and Ripon) (Con): It is worth saying that these regulations do reflect the very sensitive situation in Northern Ireland on conscientious objection and the locations that abortions can be performed in. I support the Minister of State in saying that we did give an option, at every stage since the Act was passed last year, for politicians to get back into power and shape these reforms. I urge him to keep pushing forward and have the best interests of women and girls at the forefront of his mind.

Mr Walker: My right hon. Friend is absolutely right that we have to keep the best interests of women and girls at the forefront of our minds throughout this process. He is also right about the sensitivity with which we have approached this process. I should perhaps thank him for the fact that I am here at the Dispatch Box, as he was the person who gave me responsibility

for this. Throughout the process, he has shown extreme sensitivity to the concerns of women and girls in Northern Ireland and the deeply held views on both sides of the debate. It is absolutely right that we should do that.

Rachael Maskell (York Central) (Lab/Co-op): The Northern Ireland Assembly has expressed a view, with a clear majority not supporting the proposed regulations on abortion. For another legislature to impose these abortion regulations cuts right across the Assembly and the principles set out in the Good Friday agreement and shows an imperialist contempt for devolution. It is time for real pragmatism. It is not beyond the wit of this House to be respectful of the devolution deal and to enable the Northern Ireland Assembly to move this legislation forward. Why will the Minister not do that?

Mr Walker: As I made clear in my response to the hon. Member for Strangford (Jim Shannon), the Northern Ireland Assembly can take this issue forward, but it needs to do so on a basis that is CEDAW compliant and consistent with our human rights obligations. This House does have a standing in that respect, to ensure that we live up to those human rights obligations. Many of the hon. Lady's colleagues have recognised that and supported the legislation, which required us to take further action. It is important that we move forward in a way that is respectful of the devolved settlement but also recognises our fundamental commitment to human rights, including the rights of women and girls.

Bob Stewart (Beckenham) (Con): I was under the impression that these regulations were no more liberal than those in the rest of Great Britain. I am a bit worried by some of the questioning, which might imply they are not. Can my hon. Friend reassure me that the regulations will simply be a reflection of what is happening in England, Scotland and Wales?

Mr Walker: My hon. and gallant Friend makes a very important point. I direct him to the Government's detailed response to the consultation, in which we set out the importance of using the legal basis that has been established in England, Scotland, Wales for this process and ensuring that we stick to it as closely as possible, particularly on issues such as conscientious objection. There is a fundamental difference in how the regulations have had to be built up because of the way the EF Act repealed the illegality of abortion before putting in place the new framework. Whereas the Abortion Act 1967 works on the basis that abortion is illegal unless carried out under that Act, in Northern Ireland we have had to build up a framework and then say that everything outside that framework is illegal. That is the reason for the main differences between this and the framework in England and Wales. However, our approach throughout the design of this framework is to ensure that the outcomes are as consistent as possible.

Wendy Chamberlain (North East Fife) (LD): I am speaking on behalf of, and in agreement with, my hon. Friend the Member for North Down (Stephen Farry), who was unable to travel here today at short notice. He has asked me to note that there is considerable support among people and elected representatives in Northern Ireland for CEDAW-compliant regulations. Does the Minister now agree that the priority must be to ensure the full commissioning of services, rather than the current piecemeal interim provision?

Mr Walker: The hon. Lady is absolutely right, and I know that the hon. Member for North Down (Stephen Farry) would have expressed that view had he been in the House today. It is vital that we get the services in place as quickly as possible. We recognise the additional pressures facing the Department of Health as a result of covid and we want to support it with that, but it is right that we should end a situation whereby women and girls from Northern Ireland have to undergo travel to access these services. Putting in place a proper CEDAW-compliant system will do that.

Danny Kruger (Devizes) (Con): These regulations enshrine a more liberal abortion regime in Northern Ireland than in the rest of the United Kingdom, against the wishes of the people of Northern Ireland and against the spirit and principle of devolution. I am grateful to the Minister for his engagement on this issue so far, and I appreciate that he feels that the Government are under an obligation to bring these regulations forward, but is he aware of the eminent legal opinion that the Secretary of State has already met his obligations under the emergency powers Act, and that now the Assembly is restored he is free to withdraw those regulations? That is something that the hon. Member for Walthamstow (Stella Creasy)—who is otherwise engaged—recognised in the debate on her amendment to the legislation last year, when she said that if Stormont was up and running, it would be absolutely not the right thing to do to impose regulations on Northern Ireland from London. She was right then, and will my hon. Friend heed the call from Northern Ireland to allow Stormont to decide whether it wants a more liberal regime than in the rest of the UK?

Mr Walker: I absolutely respect my hon. Friend's views, but I disagree with him about the regime being more liberal than in the rest of the UK. We set out the detail of that in our response to the consultation and the detailed reasoning that the Government have provided in that respect. However, it is in the hands of the Assembly to propose reforms and a way forward on the regulations, so long as it can do so in a way that is CEDAW compliant. I would be very happy for it to take that opportunity. There is nothing to prohibit it doing so, and it is a matter of regret that, having been in place for a number of months before the regulations came into force, it has not. However, my firm understanding of the advice that the Government have received is that the legal obligations on us to ensure a human rights-compliant model in every part of the UK, including Northern Ireland, remain in place.

Ian Paisley (North Antrim) (DUP): The Minister has to be absolutely clear about this. CEDAW does not require legislation for a full-term terminations. CEDAW does not require regulations for disability terminations. CEDAW does not require regulations for sex-selection terminations. That is that what is going to happen in Northern Ireland as a result of what has occurred in this place. On Tuesday, 78 MLAs, from a total of 90, rejected the CEDAW recommendations in a series of votes in the Assembly, whether the Minister likes it or not. They were right to do that, and if the Minister really wants to respect the Assembly, and indeed this place, he should urge the Assembly to go back, give it the space it needs and allow it to legislate on these matters and come to its own conclusions. That is the

democratic thing to do, the right thing to do and the appropriate thing to do, and it is in line with what the hon. Member for Walthamstow (Stella Creasy) said when she addressed the House on 9 July last year. I urge the Minister to allow that to happen and not brush this hideous vista under the carpet.

Mr Walker: Again, I respect the hon. Gentleman's view, but the Government have been clear about what we are legally required to do under the EF Act. That has not changed. We have to bring in a set of regulations that comply with CEDAW, which specified that in cases of severe foetal impairment there would have to be the ability to have terminations. As the hon. Gentleman will recognise, many of those cases become apparent only late in term. It was therefore necessary to address that CEDAW requirement in the way that we have. However, I encourage the Assembly to engage with this issue and ensure that it can in future assess details of the framework and look at aspects of the issue to meet the rights obligations constructively. Any consensus that can be built in the Assembly on those matters would be extremely welcome.

Mrs Maria Miller (Basingstoke) (Con): I again welcome the Government's work to ensure that, after many decades, women in Northern Ireland have proper access to abortion, as women in the rest of the UK do. I particularly thank the Minister for the way in which he is handling the matter. I think the whole House greatly appreciates that. The Government are quite properly protecting those women's human rights and rights under international conventions. I thank the women who have had the courage to speak out about their experiences, which has shed so much light on these issues.

Last year, the Women and Equalities Committee identified a lack of medical facilities and clinical expertise on abortion in Northern Ireland because of the climate of fear on the matter in the Province. How will the Minister ensure that, in the absence in Northern Ireland of a separate, independent regulatory body overseeing the provision of health services, the regulations are put into practice? Will the Department of Health in Northern Ireland have a clear legal duty to ensure that facilities are in place? How will my hon. Friend ensure that they are in place in rural areas as well as towns, and that he gets independent advice on whether our international obligations are being acted upon?

Mr Walker: My right hon. Friend, who played a significant role as Chair of the Women and Equalities Committee in the genesis of all this, makes important points. She will recognise that many aspects of implementation are in the hands of the Northern Ireland Department of Health, but she raises some extremely important matters, all of which we discussed during the consultation with some of the key medical professional bodies with which we engaged. She mentioned facilities and training. Those are important aspects of what will need to be delivered, but those responsibilities now fall on the Northern Ireland Department of Health. I assure my right hon. Friend that we will provide them with the support that they need. I know that my colleagues in the Department for Health and Social Care are also keen to lean in and provide any support on that front. We want this to move forward quickly. We recognise that the focus on covid-19 has presented specific challenges in

the short term, but we want to ensure that the full range of services is available as soon as possible so that we can meet the challenge of providing human rights-compliant services to women and girls in Northern Ireland.

Carla Lockhart (Upper Bann) (DUP): “It makes me feel like I shouldn’t exist.” Those are the words of Heidi Crowter, who was born with Down’s syndrome. The Government, whether we like it or not, continue to ride roughshod over the devolved Administration in Northern Ireland. They are discriminating against people who have non-fatal disabilities and going far beyond their legal requirement. They have implemented the most liberal abortion laws in the whole of Europe. Will the Minister recognise the severe offence that the regulations cause to people with disabilities and also that the clear will of the devolved institutions is that the regulations are not wanted in Northern Ireland? What is the Minister’s message today to Heidi Crowter, who says that she feels she should not exist in this society if the regulations go ahead? *[Interruption.]* As I stand in this House, speaking on something I feel passionately about, I hear a little baby cry. I heard my own baby cry at 5 o’clock this morning—quite early. Both lives matter. It is not just about women’s health, but about both lives. It is not the Government’s right to impose such liberal abortion laws on Northern Ireland that will see abortion up to birth for disability.

Mr Walker: The hon. Lady speaks very powerfully, as she always does, on this issue. Of course, nobody in the House wants to regulate or legislate in any way to the detriment of people with disabilities. We rightly have a huge body of legislation in this country to protect the rights of people with disabilities. It is not for the Government—and it is not the approach we take in the rest of the UK—to list specific conditions that it may or not be decided constitute severe foetal impairment.

This is an individual decision for each woman to make following medical assessments, the clear provision of information and proper support for medical professionals and others. In this respect, the law that we are introducing in Northern Ireland reflects the law in the rest of GB. Addressing SFI was a specific requirement of the CEDAW report, which is why it is included in the regulations.

Dr Andrew Murrison (South West Wiltshire) (Con): I congratulate the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) on securing this urgent question. He knows that I agree with him on most things, but I respectfully disagree with him on this. Does the Minister agree that the laws we had to pass here in July and the regulations and framework that his Department has produced better align Northern Ireland with the rest of the United Kingdom in this respect and indeed with the Republic of Ireland and that, like same-sex marriage, we know from the data available that they accord pretty much with the overwhelming view of the people of Northern Ireland?

Mr Walker: I agree with my right hon. Friend, who speaks with considerable experience in these matters, from his time as a Minister and Chair of the Select Committee. As we have set out in our consultation response, it is important that wherever possible we make sure the outcomes of the regulations in Northern Ireland are aligned with the outcomes in the rest of GB.

It is important both because it is the right thing to do fundamentally—as a Unionist I believe it is the right thing to do—and because the approach in the rest of the UK has been legally tested and found to be compliant with the relevant human rights law. For those reasons, he is right to make that point.

Stella Creasy (Walthamstow) (Lab/Co-op): We all recognise that this is a difficult issue for many and that there are strongly held views on all sides of this debate, but one reason the House stood up for the human rights of all women in the United Kingdom was that just because it was difficult did not mean their rights should be denied, and devolution does not absolve us of our responsibility to uphold the human rights of every UK citizen. I respect the Minister’s argument—*[Interruption.]*—as does my daughter—that human rights are at the heart of this and that the Assembly should come up with alternative proposals if it does not like the regulations, because not to propose regulations would mean further delay and possibly women making unsafe choices in Northern Ireland because there is not clarity about the services available to them.

I want to press the Minister on something he said. He recognises that travelling is not a sustainable option and that many women cannot travel—indeed, in the current crisis it is unacceptable. When we talk about these cases, let us also talk about the case of Sarah Jane Ewart, an incredibly brave woman who had to come forward. Her baby had a fatal foetal abnormality, and at the moment there is no provision to support anybody else in her tragic, horrific position in Northern Ireland. The Minister says he wants to see the Department of Health in Northern Ireland providing these services. What is his plan if the Northern Ireland Assembly continues to say it will not commission these services? How do we uphold the rights in CEDAW that we have said every woman in the United Kingdom is entitled to be covered by?

Mr Walker: The hon. Lady makes an important point. I recognise that, along with thanking the former Secretary of State, I can probably thank her for the fact that I am here answering this urgent question. It is important that we end the need to travel, which is what these regulations properly implemented should do. She will recognise that that cannot necessarily be done instantly, because of issues with facilities, training and other such things that my right hon. Friend the former Chair of the Select Committee has raised. We recognise that fact in continuing to fund and support travel in the interim. As I have said, however, we will work with the Department of Health in Northern Ireland, provide it with the support it needs and continue to engage with the relevant medical bodies to make sure that this process can be completed as quickly as possible. I join her in once again urging the Assembly to engage and support this actively in order to make sure we have a set of measures in place that can deliver for women and girls in Northern Ireland.

Caroline Nokes (Romsey and Southampton North) (Con): I thank my hon. Friend for the sensitive and careful way he has approached these regulations. Does he agree that for every eminent legal opinion there is always an opposing view and that the right place to scrutinise that is in Committee, where these regulations will shortly be, and that the right thing for the Government

[Caroline Nokes]

to do is to uphold the CEDAW regulations, be compliant with our human rights obligations and do the right thing by all women and girls in the United Kingdom?

Mr Walker: I can only say yes.

Scott Benton (Blackpool South) (Con): To follow on from the comments from the hon. Member for Upper Bann (Carla Lockhart), which I completely endorse, there is an incredibly moving account by a 24-year-old lady, Heidi Crowter. Heidi said that the proposed regulations make her feel “unloved” as they permit abortion up to birth if a child has been diagnosed with Down’s syndrome, but only up to 24 weeks if the baby has no disability. This House has a responsibility to send out a clear signal that all lives matter and all lives have an intrinsic human value. On listening to Heidi’s account, will the Government not reconsider these regulations and ensure that they do not allow abortion on the grounds of non-fatal abnormalities?

Mr Walker: My hon. Friend makes his case very powerfully, as does Heidi Crowter. I want to be very clear that this Government believe in supporting the rights of people with disabilities and do not in any way see these regulations as impinging on those. The regulations mirror the law in the rest of the UK, where abortions are permitted in cases of severe foetal impairment and fatal foetal abnormality, with no time limit. The Abortion Act does not define what conditions fit within this meaning, but similarly, it is an individual’s decision based on proper medical assessments and advice and other relevant provision of information and support.

Marco Longhi (Dudley North) (Con): Recognising the extremely sensitive and important issue that this is, will my hon. Friend provide an assurance as to the robustness of consultation on both sides of this debate?

Mr Walker: My hon. Friend raises a really important point. This was a long and serious consultation in which we engaged with a huge variety of groups, from some of the medical professionals and royal colleges concerned to a number of the campaign groups and church groups from Northern Ireland, and all the parties were approached as part of this consultation. It is very important that we have listened to the views of all sides, but we were always clear, in opening the consultation, that this was about how we did this and not whether we did it, because there was a legal requirement on us to do it.

Mr Deputy Speaker (Mr Nigel Evans): I thank the Minister as we move on to the next urgent question. Exceptionally, if not uniquely, it will be responded to by the same Minister, so we will pause for up to a minute while those who wish to leave the Chamber can do so while safely distancing, and others can occupy their positions.

Victims of the Troubles: Payment Scheme

12.8 pm

Louise Haigh (Sheffield, Heeley) (Lab) (*Urgent Question*): To ask the Secretary of State for Northern Ireland if he will make a statement on the implementation of the payment scheme for victims of the troubles.

The Minister of State, Northern Ireland Office (Mr Robin Walker): The Secretary of State has asked me to pass on his apologies for not being able to answer this urgent question in person, as he is currently in Northern Ireland engaging in discussion on these and other matters and was unable to return to the House in time for it. I hope that the House will not mind, therefore, if I answer on his behalf. He has written to the hon. Lady, my hon. Friend the Member for North Dorset (Simon Hoare), the Chair of the Northern Ireland Affairs Committee, and the Victims’ Commissioner on this matter today.

Last summer, the House agreed that in the continuing absence of an Executive, the Government should make regulations establishing a troubles victims payment scheme. There was cross-party support for establishing the scheme, which was intended to provide much needed acknowledgement and a measure of additional financial support to those most seriously injured during the troubles. We made regulations establishing a victims payment scheme in January and did so, yes, to fulfil our legal obligation under the Northern Ireland (Executive Formation etc) Act 2019, but also because we are committed to doing what we can to progress a scheme that has been too long delayed by political disagreements. Having spoken personally to a number of victims’ groups and the Victims’ Commissioner in recent weeks, I am very aware of how long many people have waited for an acknowledgement of the physical distress and emotional trauma caused by injuries to themselves or loved ones during the troubles.

Much has been made in the media of the suggestion that funding is holding up the establishment of this scheme, but that is not the case. Funding is not preventing the Executive from being able to take the vital steps to unlock implementation; rather, the key step to unblocking the process is the designation of a Northern Ireland Executive Department to provide administrative support to the Victims’ Payments Board. I am afraid to say that despite this decision being the subject of discussion by Executive Ministers for some time and one on which the Secretary of State is currently engaging them in Northern Ireland, they have not yet designated a Department to lead on the implementation of this scheme. The Justice Minister is prepared to lead on the scheme, but Sinn Féin has been clear that it wants to reopen the criteria by which eligibility for the scheme will be determined. That is already set in legislation and provides a fair basis for helping those who suffered most throughout the troubles. It is therefore imperative that Sinn Féin, along with all the parties, enables the scheme to move forward, as the time for delay is gone.

The Government take this matter very seriously, and we are extremely disappointed by the current delay. It is because of the high priority we place on this issue that the Secretary of State has written to and had meetings with the First Minister and Deputy First Minister.

We have been offering and providing all appropriate support to help progress the implementation of this scheme. I assure all right hon. and hon. Members that the UK Government are committed to seeing this matter progress; victims have waited too long for these payments. The Northern Ireland Executive committed to finding a way forward on this issue in 2014. The UK Government have provided that way forward, through the regulations made in January, following public consultation. The Executive must now set aside their political differences and deliver for victims.

Louise Haigh: Thank you for granting this urgent question on this important and sensitive topic, Mr Deputy Speaker. I thank the Minister for his response, and the Secretary of State for speaking to me last night and writing to me about the issue this morning. Last year, we were proud to join cross-party efforts to introduce the victims' payment scheme, as has been laid out by the Minister, to provide a measure of support and, crucially, acknowledgement to those whose lives were devastated by the troubles. I wish to pay a particular tribute to my noble Friend Lord Peter Hain; to the former Secretary of State for Northern Ireland, the right hon. Member for Skipton and Ripon (Julian Smith), who is in his place; and to the many victims and groups in Northern Ireland who have been campaigning for this for so many decades, not least the WAVE Trauma Centre. Clearly, nothing will ever take away a lifetime fundamentally altered by sickening acts of violence, but ensuring victims can live in dignity and still must be our overriding principle. I know it is one the Minister is deeply committed to, and I do not, for a moment, doubt his personal commitment to making sure those promises made to victims in Northern Ireland are now honoured. However, last Friday the deadline for the payments that victims are entitled to in law came and went.

The legal obligation under that law, passed here in Westminster, to start processing payments was not met, and victims in Northern Ireland and across the rest of the UK have looked on in horror. Many victims have waited a lifetime for some measure of support, and there is simply no excuse for victims to be so cruelly denied that support once again. They are victims such as Alex Bunting, who lost his leg when the IRA planted a bomb in his taxi in 1991, in a case of mistaken identity, and who has since campaigned on behalf of all victims of the troubles, from all communities. They are victims such as Paul Gallagher, whom I have met on two occasions. He was shot by loyalist gunmen who were waiting to attack an ex-republican prisoner who lived nearby but who tired of waiting for their target and fired into the Gallaghers' living room with a submachine gun, leaving him permanently disabled. Despite that horrifying experience, Paul has described the past week, in which he has seen something he has fought so hard to see achieved not delivered, as the worst week of his life. It is hard to overestimate how re-traumatising this experience has been for many victims. All of us, as politicians, have a moral and legal responsibility now to get this scheme over the line. The legislation has been passed, the debates have been had and no one should be standing in its way. The legislation, as passed, allows a judicial panel to determine on the more controversial cases, so any attempts to frustrate this or reopen questions over eligibility are not only disrespectful to victims, but utterly misplaced.

In that spirit, I would like to ask the Minister a number of questions. He said that funding is not at issue, but the First Minister has said:

"It is unseemly that these deserving people are being let down due to the Government not releasing funding."

So can he confirm what funding is with the Executive now and in place in order to implement this scheme? Can he further explain to the House whose responsibility it is to issue guidance and whether the Secretary of State will issue draft guidance to a Department when it is designated? It is very welcome to hear that the Department of Justice stands ready to be designated.

Will the Minister further confirm that the regulations are explicitly permissive and allow significant scope for the judicial board to consider cases on an individual basis, and that controversial cases should not be holding up payments to victims as a whole? What discussions have been held with the Lord Chief Justice and the Northern Ireland Judicial Appointments Commissioner to ensure that once a department is designated, victims can have confidence that the payment board and president will be in place very quickly? Finally, does he accept that way victims have been treated, finding out about delays to the scheme almost by accident has, in the words of Judith Thompson, the Commissioner for Victims and Survivors, literally added insult to injury? This cannot be another false dawn for the victims of the troubles. Surely it is now time for all of us, Westminster and Stormont, to meet our moral and legal obligations, and finally to deliver the pension and acknowledgement that so many have waited so long for.

Mr Walker: I am grateful to the hon. Lady for the chance to answer this urgent question, and it is an area on which the Government and Opposition have worked closely and constructively in the past. I share the sense of frustration that is palpable in her question, as does the Secretary of State, and she gave powerful examples of some of the victims who have been affected by the process. We want this scheme to be in place as soon as possible, and to ensure that people begin to see some acknowledgement of the suffering they have undergone.

The UK Government have complied fully with their legal duties by establishing a victims payment scheme in January. We welcomed the opportunity to do so, as we wanted progress on the scheme that has been delayed by political disagreements for too long. It is important to remember that this is a devolved matter, which the Executive were to take forward under the Stormont House agreement, and which they are legally obliged to implement under the provisions of the 2020 regulations.

We take the recent delays in the implementation of the scheme extremely seriously. As I said, the Secretary of State has spoken to the First Minister and Deputy First Minister to express his concern, and there have been multiple discussions with the parties in Northern Ireland. He will continue to raise this issue in his regular engagements with them, until such time as all parties, including Sinn Féin, have agreed a way forward.

We will continue to prioritise supporting the Executive in their delivery of the scheme for victims who have already waited too long. Officials from the Northern Ireland Office already provide support to the Executive Office on implementation, by advising officials about the intended effect of policy thinking behind the regulations. We stand ready to provide that guidance to

[Mr Robin Walker]

the relevant Northern Ireland Department as soon as it is designated—this is a matter that that designation issue will unlock.

I appreciate the points that were raised about funding, but I wish to be clear that funding for the scheme is, and always was, to come from the block grant. This is a devolved matter, and devolved matters are traditionally funded from the block grant. Northern Ireland receives a generous financial settlement each year from the UK Government. It receives £12.6 billion for the block grant, and since January it has received £2 billion for the “New Decade, New Approach” programme, £1.2 billion in covid-19 support, and £216 million in the March Budget.

The Executive have tried to rely on a technical funding argument that because the UK Government decided the shape of the scheme, they should fund it. They also argued that it is our responsibility because the incidents took place largely during periods of direct rule. We are clear, however, that the Executive committed to establishing a scheme like this one in 2014, and the UK Government acted exceptionally in the absence of the Executive to legislate for it. Those were unprecedented times.

In the 2014 Stormont House agreement, the parties in Northern Ireland agreed that further work should be undertaken to seek an acceptable way forward and deliver on a scheme such as this. In the absence of an Executive, the UK Government consulted widely on our approach, including with the Northern Ireland parties, and in January we legislated to establish the scheme. We acted in a devolved area in exceptional circumstances—we have already heard about that today—and it is for the devolved Administration to fund the scheme. I agree with the hon. Lady that any attempt to reopen questions that have already been settled about the definition of victims, or the role of the independent panel, are totally unnecessary and would upset the vast majority of victims who we want to help with this scheme.

In conclusion, I reiterate the Secretary of State’s total commitment to seeing the Executive make progress on opening this scheme. The Executive are responsible for delivering this much needed scheme, and they must communicate a timetable for opening it urgently. The current delay and lack of clarity cannot be allowed to continue. Victims and survivors have waited too long, and the scheme must open as soon as reasonably practical.

Mr Deputy Speaker (Mr Nigel Evans): Order. I ask Members to keep their questions as concise as they can, because we have a lot of business today.

Dr Andrew Murrison (South West Wiltshire) (Con): I commend the Government for the progress that they have made on this matter. I draw the Minister’s attention to the forthcoming report by Mr William Shawcross. Can he say how much tax has been received by Her Majesty’s Government on transactions involving Gaddafi-related frozen assets? Does he agree that it is morally questionable for the Treasury to be benefiting from those assets while Northern Ireland’s victims of Gaddafi-sponsored terrorism are being short-changed?

Mr Walker: I pay tribute to the work that my right hon. Friend did on this as a Minister. The Government take this issue extremely seriously, which is why the

Foreign Secretary appointed William Shawcross as special representative on UK victims of Gaddafi-sponsored terrorism. Mr Shawcross’s role will help to inform the Government’s approach to this issue. His report was recently received by the Foreign and Commonwealth Office and is currently under consideration. I do not have the answer to the detailed question that my right hon. Friend asks, but I think this will be a matter for the Foreign Office to take forward.

Bob Stewart (Beckenham) (Con): I congratulate my hon. Friend and the Secretary of State on sorting out this problem of victims’ compensation, but may I ask my hon. Friend whether he is applying equal vigour to veterans who are still subject to vexatious claims from courts in Northern Ireland?

Mr Walker: My hon. and gallant Friend makes a very important point. Of course we are pressing forward with legacy proposals to make sure that veterans and victims alike can have certainty. We should focus on getting information for victims and make sure that people do have certainty, and we should not see vexatious claims of any nature. He is absolutely right that, as we move forward in providing proper treatment and support for victims, we must also take into account the position of those who served so well to protect many more people from becoming victims.

Kevin Brennan (Cardiff West) (Lab): I welcome my hon. Friend the Member for Sheffield, Heeley (Louise Haigh) to her role on the Front Bench and pay tribute to her predecessor, my hon. Friend the Member for Rochdale (Tony Lloyd), who did such a wonderful job in that position. I am sure she will do an excellent job too.

May I follow up on what the right hon. Member for South West Wiltshire (Dr Murrison) said? The Minister says that a technical funding argument is an excuse for holding up justice for victims in this instance. That sounds particularly empty as an excuse. Can he not be more specific about when we can expect to see the scheme opened?

Mr Walker: If I may correct the hon. Gentleman, I do not think I said it was an excuse. I think I made it very clear that it is not an excuse. This is a case of the Executive needing to get on and designate the Department, and then this can go ahead. There is no technical reason why any discussions about funding should hold this up. We need to move forward with the process. We have put the legislation in place, and it is in the hands of the Executive to nominate a Department to take that forward so that we can get on and do it.

Karen Bradley (Staffordshire Moorlands) (Con): I join the hon. Member for Cardiff West (Kevin Brennan) in paying tribute both to the hon. Member for Sheffield, Heeley (Louise Haigh) in her new role and to her predecessor, the hon. Member for Rochdale (Tony Lloyd), who in my time as Secretary of State provided fair, reasonable and very constructive scrutiny of the work that I was doing. He was particularly keen that we should see progress in this area, and he raised it on a regular basis. I agreed with him that we needed to see progress made, and I commend my right hon. and hon. Friends the Minister and the Secretary of State for

making that progress. However, does the Minister agree that too much time has been wasted arguing over small technicalities when, actually, the politicians need to put first the humanity of those victims—entirely innocent victims—who suffered? They have waited far too long for this money. They need it now.

Mr Walker: My right hon. Friend obviously speaks with considerable experience. She is absolutely right. We need to get on with this. We need to make sure that this is delivered as soon as possible. The kinds of arguments that she refers to have held this process up for far too long and have been settled. They are settled in the legislation. We now need to get on and make sure that the money starts flowing.

Sammy Wilson (East Antrim) (DUP): It is not just frustrating; it is scandalous that the scheme and its implementation are being held up by Sinn Féin, who were so often responsible for the injuries that many victims experienced. Many of them have been left not just physically scarred but financially impoverished as a result of the damage that was done to them. But it is not just the designation that Sinn Féin is holding up; the financing of the scheme will be equally important. Despite what the Minister said, there was always an understanding that this would be financed outside the block grant. The scheme was widened by his predecessor, which made it more expensive, and there are many people outside Northern Ireland who will be able to qualify for the payments. It stands to reason that historical commitments and the financial obligations that are now in the scheme should result in at least some additional financial support being given to the Executive to ensure that payments can be made.

Mr Walker: I welcome the right hon. Gentleman's call for these issues to be resolved and for the Executive to move forward on this. I recognise that the First Minister has made it absolutely clear that she is determined to move forward on this issue, so I think that is also welcome. With regard to the commitment to a victims payment scheme, it came out of the Stormont House agreement and was a commitment from the parties. The UK Government will absolutely meet their obligations with regard to financial support to the Executive which were made in New Decade, New Approach, and we continue to provide funding to the Executive on a range of issues, including legacy issues. Where he and I will perhaps part company is on the issue of it having been previously established that there would be a Treasury contribution. I think it is very clear that this is a devolved responsibility to take forward. It is vital that we build consensus on the way forward so that the Executive can deliver on that.

Dr Julian Lewis (New Forest East) (Con): The Minister made mention of attempts to re-designate who would be classified as victims. Do such attempts include the likes of Gerry Adams, whose convictions for trying to escape from the Maze prison have recently been controversially quashed by the Supreme Court on the basis of a dubious technicality?

Mr Walker: My right hon. Friend tempts me to comment on individual cases, which of course I cannot. Let me take this opportunity to reiterate the point made by the hon. Member for Sheffield, Heeley (Louise Haigh).

To reopen this question, which has been settled through consultation and legislation, would be a huge retrograde step. The issue is settled. We should now move forward and make sure we get on with providing compensation.

Wendy Chamberlain (North East Fife) (LD): Again, I am speaking on behalf of and in agreement with the hon. Member for North Down (Stephen Farry), who is unable to be here today. I thank the Minister for acknowledging the position of the Northern Ireland Justice Minister, Naomi Long, and her willingness to designate and administer the scheme. Does the Minister agree that the ongoing controversy around a victims' pension illustrates the need for a comprehensive approach to legacy that promotes reconciliation?

Mr Walker: Yes, the hon. Lady is absolutely right. I think it is agreed on all sides of the debate in Northern Ireland that we need to get on and address legacy issues. I welcome the fact that Ministers from a range of parties have already indicated their willingness to move forward with this. We need to make sure that the last obstacles are removed.

Julian Smith (Skipton and Ripon) (Con): The Department of Justice stands ready to administer the scheme. The panel that has been set up will look at each case in its entirety and make an all-round judgment on it. My big worry is the victims who are, in many cases, in ill health and a difficult mental health situation. They are desperate for this to be resolved. I urge my hon. Friend to continue to press the Executive, to tell the Justice Department to get on with it, get the scheme going—the money will come—and get this thing started.

Mr Walker: Again, my right hon. Friend speaks with huge experience and is one of the people who has contributed most to this issue being as advanced as it is. I totally share his frustration and desire to see it resolved, and to see it move forward. I agree with him that by far the most important people in all this are the victims themselves.

Jim Shannon (Strangford) (DUP): Will the Minister outline exactly how he intends to operate the scheme, regardless of the machinations of Sinn Féin? How will he ensure that a scheme that is designated to acknowledge and support those who suffered innocently during the troubles is not used to traumatised them yet again through the despicable abuse of office by Sinn Féin? Will the Minister of State commit to take steps to rectify that abuse immediately?

Mr Walker: As I said in my statement, the Secretary of State is out there meeting with the parties and talking to the party leaders to address that very issue. I agree with the hon. Gentleman about the huge importance of moving forward with this issue, addressing it and removing any blockages. It is absolutely essential that we get on and deliver it in the interests of the victims. The last remaining hurdle is the issue of designation, which we need to make sure is crossed. It requires the Executive to reach an agreement, but I think it is very clear where the challenges to reaching the agreement lie.

Tom Randall (Gedling) (Con): Does my hon. Friend agree that while we rightly remember those who lost their lives in the troubles, we perhaps do not talk

[Tom Randall]

enough about or remember those who were injured during the troubles and those who continue to live with the impact of those incidents every day?

Mr Walker: My hon. Friend makes a really important point, and it is one of the points that we were seeking to address in the way we approached the victims' payment scheme when it was consulted on and when it was set out. It is so true that there are so many people who suffered injuries, both physical and psychological, during the troubles who deserve our acknowledgement and support. That is one of the reasons why we want to get this scheme active as soon as possible.

Carla Lockhart (Upper Bann) (DUP): In my constituency of Upper Bann, hundreds of homes still bear the scars of the terrorist campaign that brought much needless bloodshed and loss of life to our community. The suffering of those victims of terrorism cannot continue amidst this wrangle. I welcome the Minister's recognition that Sinn Féin is the stumbling block on this matter, but does he recognise that the legislation passed in this House enables victims throughout the UK to receive this pension? Has he done any costings for the full implementation of the scheme, and will he expect the Northern Ireland Executive to pay for those outside Northern Ireland and across the UK?

Mr Walker: The hon. Lady is right that the response to the consultation set out that this would cover victims across the UK, and that is built into the approach. She will recognise that the vast majority of victims—I think she made the point herself in terms of her own constituency—will be in Northern Ireland or from Northern Ireland. The basis of this scheme was what was agreed in the 2014 Stormont House agreement, and it was on that basis that it was something for the Executive to take forward. Of course, the UK Government want to support the Executive with that process, and we will continue to work closely with them to make sure it is delivered as effectively as possible across the whole of the UK.

Mr Richard Holden (North West Durham) (Con): I commend the Government for the positive work they have done in this area, particularly my right hon. Friend the Member for Skipton and Ripon (Julian Smith). As a former special adviser at the Ministry of Defence, I am very aware of the difficulties involved in the discussions relating to Northern Ireland. Does the Minister agree that it is right that we support all victims from all sides of the troubles, particularly as they approach old age, and does he share my hope that this will enable families and communities in Northern Ireland to move on from this difficult time?

Mr Walker: My hon. Friend is spot on, and it is really important to recognise that the way in which this scheme has been set out has taken account of all shades of opinion. It has engaged with all communities and with victims' groups on all sides, and our response to the consultation reflects that. It is one of the reasons why any hurdle at this stage is really unacceptable, and we should be getting on and delivering it.

Ian Paisley (North Antrim) (DUP): I congratulate the shadow Secretary of State on getting this important matter on to the Floor of the House today. There was

no Northern Ireland Government from 1972 until 1998. These victims were made during a period of extended direct rule, and these victims were made all across the United Kingdom. I welcome the letter today that the Minister has referred to: it blames Sinn Féin. For the first time, the Government have called Sinn Féin out on an issue. I welcome them doing that, but it would be completely incompatible with reality if—as I understand Mr Shawcross has recommended—payments were made to victims of Gaddafi-sponsored terrorism and yet our victims, who have a piece of legislation made in this place, cannot have money drawn down to them that they are completely entitled to. So I plead with the Minister to stop using Sinn Féin as an excuse now, break the logjam, push Sinn Féin out of the way and administer this money to victims all across the United Kingdom immediately.

Mr Walker: As always, the hon. Gentleman makes his case very powerfully, but he will recognise that the Executive committed to delivering a scheme of this nature six years ago and received a generous financial contribution connected to New Decade, New Approach and other provisions. It has revenue-raising capabilities, and it must make funding available for this scheme, which everyone agrees should exist. As I said earlier, the Shawcross report is being analysed by my colleagues at the Foreign Office, and I cannot go into any detail on its contents at this stage. But we all agree that we want to move this forward, and we all agree that the money should be made available as quickly as possible. That money can be made available as soon as the designated Department is sorted.

Mr Mark Harper (Forest of Dean) (Con): In media interviews this morning, I think Sinn Féin seemed to accept that this is its responsibility, but tried to blame what it calls "discriminatory" rules. I have looked at the regulations, and the only thing that is ruled out in statute, as the hon. Member for Sheffield, Heeley (Louise Haigh) has suggested, is if you yourself were involved in committing the terrorist offence that led to you being injured, and I think everyone would accept that that is reasonable. All other cases of convictions are for a judicially appointed panel to decide. That probably goes further than many would like, but it is necessary, I suspect, for reconciliation purposes. Therefore, is it not right that Sinn Féin recognises that this is a balanced settlement and that it should get out of the way and facilitate payments to victims on both sides of the communities in Northern Ireland for everyone's benefit?

Mr Walker: Yes, my right hon. Friend is spot on, as he so often is. He is very much echoing the point made by those on the Opposition Front Bench that we should not be reopening arguments that have been settled and settled with great impartiality—settled with a really serious consultation process to look at how this could be done in as fair and impartial way as possible, and with a judicial element to that which protects the independence of decision making. I think we have found a way forward here, which is sensible and which can command support of all communities, and we should take it.

Mr Deputy Speaker (Mr Nigel Evans): Thank you, Minister.

We now come to the potter's wheel moment—for those of us of a certain age, and I am looking at Julian Lewis. For the safe exit and the safe arrival of Members, and also for any necessary hygiene, I am suspending the session for five minutes.

12.36 pm

Sitting suspended.

Business of the House

12.41 pm

Valerie Vaz (Walsall South) (Lab): Will the Leader of the House give us the forthcoming business?

The Leader of the House of Commons (Mr Jacob Rees-Mogg): The business for the week commencing 8 June will include:

MONDAY 8 JUNE—Second Reading of the Divorce, Dissolution and Separation Bill [*Lords*].

TUESDAY 9 JUNE—Second Reading of the Counter-Terrorism and Sentencing Bill.

WEDNESDAY 10 JUNE—Motion to approve a statutory instrument relating to the draft Court of Appeal (Recording and Broadcasting) (Amendment) Order 2020, followed by a motion to approve a statutory instrument relating to the draft Civil Aviation (Insurance) (Amendment) (EU Exit) Regulations 2020, followed by a motion to approve a statutory instrument relating to the draft Water Industry (Specified Infrastructure Projects) (English Undertakers) (Amendment) Regulations 2020, followed by a motion relating to the Adoption and Children (Coronavirus) (Amendment) Regulations 2020.

THURSDAY 11 JUNE—Remaining stages of the Birmingham Commonwealth Games Bill [*Lords*].

FRIDAY 12 JUNE—The House is not expected to be sitting.

Valerie Vaz: I thank the Leader of the House for the business, and for finding time for the debate on the adoption and children regulations.

There were two pictures of long queues: one was of us in Parliament; the other was outside a furniture store, with better social distancing than we had. When someone gets to the top of one queue, they get a cushion and perhaps some meatballs; with us, someone might even get infected. I notice that the Prime Minister and the Minister for the Cabinet Office were not voting with us all, but the Leader of the Opposition was there. That image of our Parliament is going to live with this Government forever—time wasting, shambolic, breaking the rules, putting people's lives at risk.

I do not know whether the Leader of the House has seen the notice around Parliament saying, "Avoid crowded areas and don't move around the estate", both of which the Leader of the House has ignored when he switched off the hybrid Parliament. His response to my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) was to talk about the Chamber, but my hon. Friend was talking about the 400 of us who were waiting in and confined in Westminster Hall. Parliament is a local setting where there is a risk of an outbreak. Those are the Government's own rules.

The Government are putting the House staff, the Doorkeepers and all of us at risk. They are alarmed that one of the Government's own Ministers—the Secretary of State for Business, Energy and Industrial Strategy—has now contracted the disease. I was here yesterday evening when he was taken ill, and we wish the right hon. Member for Reading West (Alok Sharma) well.

This is discriminatory towards hon. Members. The Leader of the House has disenfranchised hon. Members. Quite frankly, it is disgraceful and it has brought Parliament

[Valerie Vaz]

into disrepute. Our position is that a hybrid virtual Parliament and remote voting should continue, at least until the R level has reduced and the alert level has gone down. Meanwhile, the other place is actually moving towards a digital voting system.

The other big returners this week were the schools. How is that going? Headteachers are saying that it was highly variable. A school had to close because seven teachers had contracted the virus. Could we have a statement next week on what the position is with each of the schools and what the next steps are for them? I saw the Leader of the House chatting with the Secretary of State for Education—actually, they were not social distancing—so perhaps he could encourage him to come to the Chamber next week.

I asked the Leader of the House on Tuesday whether a risk assessment had been undertaken on the effect on black, Asian and minority ethnic staff of their return to work. Has that been done? We now have a Public Health England report that seems to be floating from one Department to another. The Secretary of State for Health and Social Care has passed it to the Secretary of State for International Trade like a hot potato. We heard during the urgent question today that the Cabinet Office will now be taking it forward. My right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) is acting like a responsible mayoral candidate and has set up his own inquiry in the west Midlands, where there are concerning figures about the number of BAME people who have died. He is not excluding submissions like the Government have. We need an urgent statement on which Department has responsibility for this report and the terms of reference.

Another inquiry was promised by the Prime Minister. On 26 February, he pledged to the House, in response to my hon. Friend the Member for Jarrow (Kate Osborne), that an independent inquiry into the Horizon IT scandal would be set up. It has left sub-postmasters devastated. They were innocent, and some of them have killed themselves. When will the Government release details of the timetable and the scope of the inquiry?

I do not know whether the Leader of the House has had time to make any further inquiries about Nazanin, Kylie and Anousheh. It is Gabriella's sixth birthday. I do not think she has had a single birthday where both her parents have been there. All these innocent families are caught up for no reason.

The Leader of the House talks about the accountability of the Government. That is what we would like, so why are responses to written questions coming back saying,

"The information you have requested is not assured to the standard required by ONS for publication and as it would be too costly to do so, we are unable to provide it"?

That is a bit rich, when the chair of the UK Statistics Authority has raised concerns about the Government's own reporting of testing data, which appears to contain a substantial number of as yet unpublished results, based on statistics for which no citation is available. I suggest that those Members who have contacted me because they have not had a response to their written questions write directly to the Leader of the House, and he will take it up with the appropriate Department.

Finally, I want to say to the staff of this House: I am sorry that the Government put you through the risk on Tuesday, and thank you for all your help and courtesy—

that goes to everyone, including the Doorkeepers and the Clerks, who were sitting at the Table as we filed past to vote.

Mr Rees-Mogg: May I start by responding to the important question that the right hon. Lady raises every week about Nazanin Zaghari-Ratcliffe? Of course, the Government continue to be in touch, and the consular officials are working. It is good news that Mrs Zaghari-Ratcliffe is still on temporary release, but I have no further news to report. I continue to welcome the right hon. Lady's regular mention of this distressing case, because it ensures that pressure is kept up. I will continue to pass on what she says to the Foreign Office, so that the governmental systems are ensuring that representation is properly made for a British citizen.

The right hon. Lady asks why we were queuing when our constituents were queuing. I think it is fairly obvious why we were queuing: we were queuing because we have our democratic duty to do. We have a legislative agenda to get through. We made commitments to the British people in December to get Bills through Parliament. The Domestic Abuse Bill is a very important one. The Northern Ireland legacy Bill is another important one. There is also the Fisheries Bill and the Fire Safety Bill—I could go on and on. We have really important legislation to get through that we committed to the British people to get through. How many of those Bills do the Opposition want to abandon? Probably all of them, because they are the Opposition, and of course it is their job to try to stop us getting our legislation through.

We should lead by example. Across the country, people are going back to work. The right hon. Lady mentioned schools. How can we look teachers in our constituencies in the eye when we are asking them to go back to work and saying that we are not willing to? We have to be back here delivering on the legislative programme, but also being held to account. It is fascinating that the Opposition seem so reluctant to hold the Government to account, but it is right that we should be held to account, and that is done effectively by being in this Chamber. It is important that while we are here, we follow the social distancing rules. Look around the Chamber and through the whole Palace: there are marks showing the distance people should keep. In Westminster Hall, it was made remarkably easy, because the size of the flagstones was large enough to meet the requirements. Certainly I was standing at a safe distance from people. Most Members were. Most Members were standing at a safe distance, and it was marked out for them to do so.

As regards people who cannot attend the House, they will be able to be facilitated. There was a motion we put down yesterday but, as it happens, it was blocked by a Labour Member. It would have facilitated remote appearances by people who on medical advice could not appear. As it happens, we took the definition of who could appear from an amendment tabled by the Opposition, and then the Opposition blocked it. Let us hope we have a bit more success later today, but we are obviously willing to discuss who should be in those categories to try to facilitate people who are unable to come.

The Government's position is that those who need to go back to work should go back to work, and it is obvious that people in Parliament need to come back to work for the business of this House to work properly. [Interruption.] The hon. Member for Chesterfield

(Mr Perkins) chunters away inaudibly. I am sure if he tries to catch Mr Deputy Speaker's eye, he may get a question in, which is the proper way of running this process. People can send in an application—*[Interruption.]* The hon. Member for Rhondda (Chris Bryant) always chunters away, but it is noticeable that it was his chuntering last night that stopped people who have to stay away from appearing remotely. I hope he is suitably ashamed of himself today, and it is noticeable that he says one thing and does another.

Chris Bryant (Rhondda) (Lab): The Leader of the House is accusing me of hypocrisy.

Mr Rees-Mogg: No, I certainly have not accused the hon. Gentleman of hypocrisy; I would not dream of doing that.

Let me come to the issue of schools and a statement by my right hon. Friend the Secretary of State. He does not need any encouragement to come to this House. He is hoping to make a statement early next week. It is obviously important that the House is updated, but it is also really important for our children's futures that they are going back to school and that, as with us, is the process of normalisation that we are getting under way.

With regard to coronavirus and the BAME community, the Minister for Equalities, my hon. Friend the Member for Saffron Walden (Kemi Badenoch), is leading the work on that with Public Health England.

As regards written parliamentary questions, I am taking that up with Departments. We are looking at which Departments are issuing the most holding replies. I make a general point that I would continue to have sympathy with the Department of Health and Social Care, which has been exceptionally busy in leading the response to this crisis. Other Departments, I think, have more reason to be fully up to date with their written parliamentary questions.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): I really do not want to take this past half-past 1, so Members should please make their points as concise as they can, starting with Sir David Amess.

Sir David Amess (Southend West) (Con): Will my right hon. Friend find time for a debate on the reopening of places of worship? Yesterday we heard the exchanges at Prime Minister's Question Time, but as we are easing lockdown and will allow social distancing in shops, surely to goodness we can allow social distancing in places of worship, which at this particular time mean even more to so many people.

Mr Rees-Mogg: I am very grateful to my hon. Friend for raising this question. I have heard what His Eminence the Cardinal Archbishop of Westminster has had to say, and he is a very important figure in this debate. He has called for places of worship to open, and they do indeed offer a great deal of spiritual succour to many people. The Government are working with the Churches to get them reopened as soon as is practicable. Having religious succour is going to be important for those who have faith.

Patrick Grady (Glasgow North) (SNP): Once again, my hon. Friend the Member for Edinburgh East (Tommy Sheppard) has been denied the opportunity to do his

job because the Government have removed his ability to participate remotely. Much of the drama this week could have been avoided by simply letting this week continue under the hybrid arrangements. The usual channels could have used the recess period to come to an agreement about the way forward. We understand that the Government want to get their business done, but we have a right to hold them to account, and that is being denied to us. I hope that there will be progress on the motions on the Order Paper this evening, because too many of Scotland's MPs are being actively excluded by the lack of remote participation. Many, including our shadow Leader of the House, are doubly excluded because they speak on behalf of the party as well as of their constituents, and they can currently do neither. None of the events this week that the shadow Leader of the House mentioned has been edifying, and none of them has helped to strengthen the Government's precious Union. The Leader of the House might want to think about that.

We have still been left with more questions than answers. There needs to be one clear definition of who can participate remotely and apply for a proxy vote, and it has to take into account the circumstances not just of the Member but of the household they live in. There will also need to be answers about how track and trace applies to the House. All of us hope that the Business Secretary recovers quickly from his illness, but do Members who take ill in the Chamber self-isolate in London or return to their constituencies? Do the Government have a continuity plan in place for the operation of the House if—*quod avertat Deus*—there is another serious outbreak here in Westminster?

Much of the business that has been announced for next week has little relevance to Scotland, but the Leader of the House can be assured that we will use whatever opportunities we can to hold the Government to account. He will need to find time for the Foreign Secretary to make a statement about the Government's relationship with the United States of America and what steps they are taking to ensure that tear gas, rubber bullets and riot gear produced in or sold from the UK are not being used to oppress peaceful protesters in the States. That is a huge concern to many constituents.

Finally, I would like to echo the thanks to all the staff and support services of the House who are working under immense pressure and in difficult circumstances, particularly the chaplains, who are providing pastoral support. Father Pat continues to celebrate the Wednesday evening mass, and yesterday marked the martyrdom of the Ugandan martyrs. Black lives have mattered for a very long time, and that is a legacy that we all have to be aware of.

Mr Rees-Mogg: May I begin by thanking the hon. Gentleman for the support that he has given to us in getting our motions through to allow for remote participation for those who, for medical reasons, cannot come and to allow for proxy voting? I would point out that I indicated to the House on 20 May that we would be making facilities available for those who could not come to the House to appear remotely, and I mentioned on Tuesday that I was not ruling out proxy voting, so the Government has always been willing to listen to what hon. and right hon. Members have to say—*[Interruption.]* If people sometimes listened rather than just heckling, they might actually find out the reality of the situation.

[Mr Rees-Mogg]

The relationship of this country with the United States is always of great importance, and the Foreign Secretary is a regular attender of the House to be questioned on these matters. Foreign Office questions are later in the month, but this is a matter of continuing interest in the House widely and will always be discussed.

I share the hon. Gentleman's view that we should pay tribute to chaplains. He mentioned Black Lives Matter, and I would say that the Holy Father reminded us all yesterday that racism is a sin. It is important to bear in mind that it is a sin; it is something that is fundamentally wrong and wicked. The Holy Father also encouraged us to pray for the soul of Mr Floyd, and I would encourage hon. and right hon. Members to do that.

Mr Richard Holden (North West Durham) (Con): Can the Leader of the House tell us what steps are being taken to ensure that we deliver on our important legislative agenda, as we have been tasked to do by the British people? In particular, will he ensure that everything possible is being done to deliver the Domestic Abuse Bill, the Fisheries Bill, the Trade Bill and the Northern Ireland and counter-terrorism legislation in the coming weeks?

Mr Rees-Mogg: My hon. Friend is absolutely right to make the important point that we need to deliver our legislative agenda, and that is why we need to be back physically. We were getting no Bill Committees or statutory instrument Committees, and the routine work of legislation simply was not taking place with a virtual Parliament. The Chamber was taking place in a limited way, but we had not got to the Public Bill Committees and we were running way behind on the business that we needed to attend to. Under the virtual system, we went down to a third of the time debating public Bills that we had had in the week before we had to go away, earlier in March. We therefore needed to get back to make sufficient progress with these important Bills.

Ian Mearns (Gateshead) (Lab): I understand that we are due to have some time for estimates day debates in early July, so Members across the House need to be thinking about submitting applications for the subject matter, and the Departments that they want the estimates day debates to be about, to the Backbench Business Committee by no later than a fortnight tomorrow, Friday 19 June.

We are reassembled here in the House of Commons this week so that the Government can carry forward their legislative programme and, as the Leader pointed out, to hold the Government to account. However, I note with regret on behalf of the Committee that the business statement did not include any Backbench Business debates next week.

With no Backbench time, we, as elected Members, are mainly able to hold the Government to account only through debates on subjects of the Government's own choosing. May we therefore have a debate, in Government time, on the way in which our parliamentary agenda is constructed, and the need to uphold the spirit of Standing Orders with regard to the allocation of time for Back Bench-generated debates, to be able to hold the Government to account on subject matters of Back-Bench Members' choosing?

Mr Rees-Mogg: I thank the hon. Gentleman for reminding hon. and right hon. Members about the estimate day debates, and to put in for subjects that they will want to discuss. It is right that Members should be able to hold the Government to account, which is why we are having the considerable additional time that we achieve by being back physically. The virtual Parliament meant that there was significantly less time for debate and scrutiny.

Adjournment debates are now back, so we are beginning to bring things back. Unfortunately, the period when we were not operating at full capacity has meant that the Government's agenda is behind schedule, but I am well aware of the Standing Orders and I am very keen that Backbench business should be facilitated in due course.

Mark Fletcher (Bolsover) (Con): Following the Prime Minister's positive comments yesterday, will my right hon. Friend find time for a Government debate on how we can use green, low-carbon industries to help to power up our economy in areas such as Bolsover and in towns such as South Normanton to provide new skilled jobs in the future?

Mr Rees-Mogg: Yes, I commend my hon. Friend for ensuring that his own constituency is properly represented in this way. It is clear that the UK, along with the rest of the world, is facing considerable economic disruption as a result of the coronavirus, and the Government are developing a strategy for an ambitious programme for our economic recovery from the global pandemic.

The Government are committed to investing in green industries, and I assure my hon. Friend that this is one of their highest priorities. I believe it is important to invest in new and sustainable technologies, which will help to boost employment, grow our economy and protect the environment in future. I hope that that will particularly be the case in Bolsover.

Gordon Henderson (Sittingbourne and Sheppey) (Con): Will my right hon. Friend find time for a debate on the decision by Natural England to object to any proposal that would stop the erosion of cliffs on the Isle of Sheppey? I warned Natural England of the likely consequences if nothing were done to solve the problem, but my pleas for a change of policy fell on deaf ears. Its refusal to act has resulted in a family's home crashing into the sea, leaving them with nothing more than the clothes on their backs.

In addition, 10 other families have been evacuated because their homes are in danger. They, too, could lose everything that they own. My hope is that a debate on the Floor of the House might embarrass Natural England into changing its mind, and allow something to be done to help my constituents, who feel abandoned by the authorities.

Mr Rees-Mogg: I thank my hon. Friend for raising that deeply distressing matter in the House on behalf of his constituents. It is hard to think of anything worse than having to move out of one's house, or being left just with the clothes that one was wearing at the time one's house fell into the sea, because something had not been done that would have prevented that from happening. I therefore share my hon. Friend's concerns about the effect of coastal erosion on seaside communities, particularly those in his constituency.

I point out that the Environment Secretary will be in the House to take questions on 25 June, which I believe will be a useful opportunity to address the matter to the Secretary of State, but my hon. Friend is right to use the procedures of this House to ensure that quangos are held to account, as well as Government Ministers directly.

Kevin Brennan (Cardiff West) (Lab): I recently had the pleasure of voting while strolling outdoors in the company of the Leader of the House for 43 minutes when he was simultaneously being barracked by his own colleagues for the arrangement that has put in place for voting. I am glad that he responded to my intervention on him on Tuesday about proxy voting, but why will he not simply allow Members to self-certify and thus treat them as “honourable” Members? The Prime Minister calls for British common sense, but from the Leader of the House we get no House of Commons sense.

Mr Rees-Mogg: I am grateful to the hon. Gentleman for raising that point. The precise details of how people get a proxy vote is for agreement between Mr Speaker and the leaders of the three main parties—the Prime Minister, the Leader of the Opposition and the leader of the Scottish National party. That is the provision in the Standing Orders relating to proxy voting—that is how it has been done for paternity and maternity leave—and what the level of certification would have to be within that. Maternity and paternity leave requires specific certification. The hon. Gentleman makes a valid point about whether that is necessary in this case.

Aaron Bell (Newcastle-under-Lyme) (Con): The social distancing guidelines of 2 metres unfortunately threaten the future viability of pubs, bars and restaurants in my constituency of Newcastle-under-Lyme and across the country. I appreciate that they are based on scientific advice, but from the evidence we have heard in the Science and Technology Committee and from international comparisons, it is apparent that there is a gradient of risk. In my opinion, it is for the House to assess the appropriate level of risk, so please may we have a debate about the guidelines?

Mr Rees-Mogg: I am sure that my hon. Friend has also seen an article in *The Lancet*, which went through those issues in considerable detail and was widely reported. Obviously, the Government keep under review all the measures that they have implemented to continue to reduce the flow of this terrible disease. We also need to play our part in not making it worse by not allowing us to go back to square one. People should therefore currently follow the guidance to stay 6 feet apart. The Scientific Advisory Group for Emergencies has been clear that the easing of social distancing has to go slowly. Politicians ultimately have to make decisions but they need to be advised before they make them.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I place on record my association with the shadow Leader of the House's concerns about the wisdom of our physical attendance here today.

Today is the 30th anniversary of the massacre in Tiananmen Square. It would be appropriate if the Government marked that by announcing time for a statement or a debate on what the pathway to citizenship

for British national (overseas) passport holders in Hong Kong will actually look like. Just yesterday, remarkable statements came from a senior executive in HSBC and from Standard Chartered Bank, apparently supporting the Chinese terror legislation. Goodness only knows what pressure was put on those banks to bring about that remarkable statement, but it makes it clear that we need to hear sooner rather than later exactly what the Government intend.

Mr Rees-Mogg: I am grateful to the right hon. Gentleman for reminding us of the anniversary of Tiananmen Square, though I must confess that I had not personally forgotten it. It is a reminder of what communist totalitarian regimes are capable of. The Prime Minister has made it clear that we will stand by our duty to the British nationals overseas—the holders of BNO passports and those who are eligible for them. They will be entitled to come here for a longer period and there will be a pathway to citizenship for them. The behaviour of the Hongkong and Shanghai Banking Corporation is of course a matter for that corporation, but it may be that it is more closely allied to the Chinese Government than to Her Majesty's Government.

Dean Russell (Watford) (Con): Will the Leader of the House please tell the House what impact covid-19 has had on the progress of the Government's legislative agenda and what measures he is taking to ensure that the Government deliver on all the manifesto commitments that we were elected to deliver just six months ago?

Mr Rees-Mogg: As I said, during virtual proceedings we were not able to have any Public Bill Committees or secondary legislation Committees. That has meant that there is a blockage in our legislative agenda and we were running at about one third of the time available for our Bills to go through the necessary procedures. Those Bills are important—they affect people's lives: the Domestic Abuse Bill, the Northern Ireland legacies Bill, the Fire Safety Bill, the Trade Bill. A whole number of Bills deliver on the promises we gave to the British people and that is why we have to be back here to ensure that we as politicians do what we said we would do.

Jim Shannon (Strangford) (DUP): Will the Leader of the House agree to a statement or a debate to honour those who have returned to service in the NHS? I am talking about those who have retired—doctors, nurses, care assistants, pharmacists, occupational therapists, lab technicians and workers in every other essential area? Every one of us here knows of workers who waded into this battle when, by rights, they could have stayed where they were, having paid their dues and retired. Does the Leader of the House not agree that special note must be made of those who knew what they were going to face but who waded in regardless of their own health?

Mr Rees-Mogg: Yes, indeed. The hon. Gentleman is absolutely right to pay tribute to those who, at a risk to themselves, decided to go back to serve on the frontline, helping people in ill-health and ensuring that as many people as possible could recover from the coronavirus. He is right to suggest that and to raise it on the Floor of the House. I cannot promise him time for a specific debate, but it may well be that he can get an Adjournment debate to discuss this matter and bring it to wider attention.

Douglas Ross (Moray) (Con): Can we have a debate to highlight the great work that our teachers have been doing across the country during this pandemic? Such a debate would allow me to put on record the thanks of Keith Grammar School pupils past and present for the great work their now former rector, Jamus Macpherson, has done. Sadly, Jamus has had to retire early due to ill health. Will the Leader of the House join me in thanking Jamus for his service? As a former pupil of Keith Grammar School, he has led it incredibly well for the past eight years, and we wish him and his family well for the future.

Mr Rees-Mogg: I very much join my hon. Friend in thanking the recently retired rector of Keith Grammar School for his dedication and commitment to educating the children of Moray for many years. School leaders and staff have done a fantastic job, preparing to open more widely and welcome more children back, implementing a range of protective measures and reassuring families about how children will be supported. The safety of hard-working staff in schools is absolutely paramount, as it is for the children. Teachers, along with all other essential workers, deserve praise and recognition for their efforts throughout the pandemic. May I say that all of us—every single one of us—remembers a teacher who was influential in our own lives, and I pay a tribute to my own former headmaster, Sir Eric Anderson, who died recently. He was a wonderful and inspirational schoolmaster.

Dr Rupa Huq (Ealing Central and Acton) (Lab): On the first Thursday that we are not clapping for carers, would the Leader of the House agree with me that all key workers who are keeping our country going yet dying at a disproportionate rate should not be exposed to unnecessary risk? Will he schedule a debate in Government time on one category of workers—transport workers—who cannot work from home, unlike MPs who have seen that we can? In that way, lessons can be learned, action can be taken and we can ensure that the lives of Belly Mujinga, the ticket officer at Victoria Station who died after being spat at, and Ranjith Chandrapala, the bus driver serving Ealing Hospital who died of covid-19 at Ealing Hospital, have not been in vain.

Mr Rees-Mogg: Oh, Mr Deputy Speaker, may I thank the hon. Lady for raising that question and for the tribute that she paid to transport workers who have carried on throughout the crisis, ensuring that key workers can get to their places of work? They have performed a noble and important service and they deserve to be recognised. It is important to remember the number and variety of people who have kept our country going during this pandemic. I cannot promise her time for debate, but her comments are absolutely welcome and the right ones to be making, so I thank her.

Greg Smith (Buckingham) (Con): The ability to work from home and to home school has been frustrated for many of my constituents in villages such as Addington by poor broadband speeds. Can I ask my right hon. Friend to prioritise time to bring forward this Government's excellent commitment around delivering gigabit broadband for the hardest-to-reach areas first?

Mr Rees-Mogg: My hon. Friend raises a crucial matter. While many people up and down the country have managed to work from home successfully thanks

to new technology, it is important to remember that many others have faced challenges. The Government are committed to delivering nationwide gigabit-capable broadband coverage as soon as possible. I hope that this will be able to assist his constituents and others who have found it difficult to work from home using local broadband. Gigabit-capable coverage now stands at 19% and we welcome the pick-up in build rates from industry over the past year. However, we still have far to go to achieve nationwide coverage. We understand the challenges in achieving this, particularly in the hardest-to-reach areas. As a result, we committed in the Budget £5 billion of taxpayers' money to ensure that these areas are not left behind. We will continue to take action to remove the barriers to commercial network roll-out.

Clive Efford (Eltham) (Lab): Tuesday's voting was chaotic and brought this House into disrepute. The end of the queue was moved from one vote to another, which left Members wandering around not knowing where to join the end of the queue and inevitably breaking the social distancing rules. The organisation of this lies at the door of the Leader of the House. He was determined to bring us back, yet the organisation was chaotic. We need to end this Mogg conga that we have to participate in; we need to move into the real world, and allow virtual voting and virtual participation in this House. What does it say to our constituents if this House has to lock down again because of the chaotic organisation of the Leader of the House?

Mr Rees-Mogg: What does it say to our constituents that we are too grand to queue?

Dr Julian Lewis (New Forest East) (Con): May we have a statement in Government time about the situation of zoos and wildlife parks, which are desperate to reopen and should not be kept waiting until 4 July?

Is there a possibility that the Leader of the House, the shadow Leader of the House and the Speaker might come together to decide whether there is any way in which we, as a House, can show solidarity and support for Britain's black community in the shocking aftermath of the slow-motion murder of George Floyd on the streets of our democratic ally, the United States?

Mr Rees-Mogg: I will, if I may, answer the second question first. It was such a shocking scene, and I can only repeat what the Holy Father said, which is that racism is a sin, and murder is a mortal sin, and anyone seeing those pictures must watch them in horror. It is difficult to change from that subject to talking about zoos, although they are important to the people who run them. I understand the point my right hon. Friend has made and I will ensure that it is taken up with my colleagues in government.

Liz Twist (Blaydon) (Lab): This week, I heard that the BBC's "Politics North" will not be returning before the summer recess—no return date has been given for it—nor will the award-winning current affairs show "Inside Out". Regional television news has been performing very strongly during the current pandemic, and it is vital that communities in the north-east and across the country are given a regional voice and that our politicians can be held to account. So may we have a debate in Government time on the reduction in these vital services and the future of regional programming?

Mr Rees-Mogg: I understand that “Points West”, the programme in my constituency in Somerset and the region, is more watched, proportionately speaking, than “EastEnders”, which is an indication of how popular these programmes are and the local service that they provide. David Garmston, the local broadcaster in Somerset, is one of the most popular figures around. It is very important that local television is kept up. However, it is a matter for the BBC as to how it allocates resources, and this may be a subject worth raising in an Adjournment debate.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): The Leader of the House and I have more in common than he might want to believe, in that we are both traditionalists on how this House should operate, and I have missed the cut and thrust of debate. However, he is tin-eared and not following his own Government’s advice, which is to work at home if possible. Up and down the country, businesses and organisations are making massive compromises and working in different ways, yet he seems to think it is okay to exclude Members of this House from full participation and to put our constituents up and down the country at risk as we all come together, from all four corners of the UK, and then go back out again, while we are still at risk from this virus. Will he not reconsider and allow us to continue our good work but do it remotely?

Mr Rees-Mogg: Indeed we may have more in common than most people know; we were at Oxford together, and when I arrived the hon. Lady was a most distinguished officer of the Oxford Union, somebody I looked up to and continue to look up to as a distinguished figure. I followed in her footsteps and later became an officer of that same Oxford Union. However, I would deny the charge of “tin-earedness”; I think we are in line with what the country is doing. We are coming back to work because we could not do it properly while not being here. I would ask again: which of the important Bills do Opposition Members not want? Do they not want the Domestic Abuse Bill? Do they not want the Fire Safety Bill? Do they not want to stand up for our fishing communities with the Fisheries Bill? Do they not want the Northern Ireland legacy Bill? What is it that they wish to abandon? Which parts of our country do they wish to let down? We must come back because we have a job to do.

Lee Anderson (Ashfield) (Con): The Leader of the House will be aware that some Brexit myths and untruths are currently being peddled by certain sections of the media. Will the Leader of the House please reassure me and the constituents of Ashfield that there will be no extension to the transition period?

Mr Rees-Mogg: I am very grateful to my hon. Friend for asking this vital question, and I am sure we can agree that ensuring we leave the transition period successfully in full by the end of this year is one of the Government’s—and, even more importantly, the British people’s—highest priorities. An extension of the transition period would be in neither the UK’s nor the Europeans’ interest. Both parties want and need to conclude a deal this year to complete the transition period. An extension to the transition period would bind us into future EU legislation without us having any say in designing it, but still having to foot the bill for payments to the EU budget.

We must be able to design our own rules, because that is in our own best interests, without the constraints of EU regulation. I would like to assure my hon. Friend and the people of Ashfield that the Government are delivering on their promise. Will we have an extension? To quote Margaret Thatcher, “No, no, no.”

Mr Toby Perkins (Chesterfield) (Lab): The people of Chesterfield were incredibly happy when Derbyshire clinical commissioning group set up a coronavirus testing unit in the car park of the Proact stadium in Chesterfield, but weeks after it was set up, the vast majority of people from Chesterfield are unable to get a test there, because it is only for key workers, meaning that Chesterfield residents have to travel 30 or 40 miles to get a test. I have been attempting to pursue this, but it seems to be a local example of the national failure. All this testing capacity is going home after an hour every day and people are unable to get a test. Can we have a debate in Government time on the Government’s entire testing strategy so that people can bring local examples and help the Government to really get on top of testing?

Mr Rees-Mogg: The testing strategy has achieved 205,000 tests as of the 30 May in terms of capacity, and that is important. It is the largest diagnostic testing programme in our history, and from scratch it has in a number of weeks got to more than 4 million tests having been undertaken. So that is a significant success, and my right hon. Friend the Secretary of State for Health and Social Care has driven this personally, and has, to my mind, done absolutely brilliantly in managing to force something through that would not have happened without his individual and personal determination. However, the hon. Gentleman makes an important point, and this is one of the ways in which this House being here is always so useful, because specific constituency examples where things can be improved can be brought to the attention of the House. I will certainly pass on to my right hon. Friend the point that the hon. Gentleman has made.

Duncan Baker (North Norfolk) (Con): Can the Government find time to debate the appropriate mechanisms for connection of the new wave of offshore wind turbines and farms to the national grid and include consideration of an offshore ring main?

That is particularly important to my constituency of North Norfolk, where many cable corridors are being built across the rural countryside, causing enormous disruption to residents. Surely it is now high time that the Government review the current method of connection to the grid.

Mr Rees-Mogg: I am not sure whether “the current connection” was a pun or not, but it was certainly a very good one—

Chris Bryant: A current pun.

Mr Rees-Mogg: In case that was not heard by *Hansard*, it is worth recording for the record that the hon. Member for Rhondda (Chris Bryant) said it was a current pun. I think that is very good: at least it was not a Bath bun.

I thank my hon. Friend for his question, and I know that offshore wind farms play a significant role in his constituency. I assure him that the Government want to foster as successful an offshore wind industry as possible.

[Mr Rees-Mogg]

Thanks to the Government's intelligent approach to delivering offshore wind, I am pleased to say that we have managed to offer significant savings for the consumer while also increasing the supply of green energy. Department for Business, Energy and Industrial Strategy officials are working together with organisations such as Ofgem and the National Grid electricity system operator to consider the appropriate framework for offshore transmission to support increased ambition for offshore wind. I recommend that my hon. Friend take this matter up at the next oral questions with BEIS on 16 June.

Alison Thewliss (Glasgow Central) (SNP): The Leader of the House says that Bills cannot progress, but that is not quite accurate. Bills can progress if there is the will for them to do so. Digital sittings could allow for that to happen in the same way that Select Committees are happening. I am in the Finance Bill Committee upstairs this morning and this afternoon. This could easily happen if the measures were put in place to do so, and it is a decision by the Leader of the House not to put those forward. Will the right honourable vector explain why he wants to put not just us but the low-paid catering and cleaning staff of this House, our constituents and anybody else we might meet between here and our own constituencies at risk?

Mr Rees-Mogg: The cleaning staff were coming in anyway, and it is worth remembering that the cleaning staff were coming into this House when we were not. Frankly, the idea that others should work when we do not have to is one that I find unimpressive. Bill Committees were not established while we had a virtual Parliament. Second Reading of the Finance Bill is normally an unlimited debate, and that has been used by Opposition parties over the years to debate for many hours, sometimes with great distinction in what they had to say—

Chris Bryant: Not normally.

Mr Rees-Mogg: Sometimes, and that allows proper scrutiny to take place. We did the Finance Bill in four hours, with an interruption after two hours. That is nothing like the proper level of scrutiny. Both from the Opposition's point of view in holding the Government to account, and from the Government's point of view in getting their important Bills through, the hybrid Parliament was not working.

Jason McCartney (Colne Valley) (Con): A really dry spell has left the Pennine moors as dry as a tinderbox, and sadly, there have been moorland fires in the past few days at Digley reservoir and Dovestone, adjacent to my constituency. I would like to put on record my thanks to the firefighters, the mountain rescue teams and all the volunteers who tackled those fires. These moors are not only a beautiful habitat; they have captured and stored tonnes of carbon, so they are also important for our environment. Can we have a debate on having enforceable fire bans, to help protect our moorlands, and consider bans on the sale of disposable barbecues?

Mr Rees-Mogg: It is obviously important that members of the public treat our beautiful countryside with respect and care. It was a great shame to see the news of fires on the moorlands near my hon. Friend's constituency, and

he is right to praise the local fire brigade for the way it tackled the blaze. Everyone should follow the countryside code and not light fires or use disposable barbecues, which can be devastating to people, property and habitats. That does not mean, however, that we should ban everything, and I am always very cautious about having further bans. We have seen devastating wildfires erupt around the world in recent years, and I am sure he will agree that this shows the importance of taking care of our countryside in the most intelligent and prudent way.

Wendy Chamberlain (North East Fife) (LD): St Andrews University is the largest employer in my constituency. It is already facing the financial impact of covid-19 and an effective cap on Scottish student numbers. Now, on the basis of the funding package available only to English universities, it faces a cap on the number of English students it can admit. A written statement has been published on the matter, but this cap has been applied with no consultation with Scottish universities. Does the Leader of the House agree that the Government should make time available for a debate on the cap, which impacts not only Scottish universities but higher education institutions in the other devolved nations?

Mr Rees-Mogg: The hon. Lady raises an important point about the difficulties that universities across the United Kingdom will be facing. It is an obvious problem with what is happening and with the need temporarily to restrict numbers because of the consequences of the coronavirus. As I said earlier, the Secretary of State for Education will come to the House, hopefully next week, and I am sure that the hon. Lady will be able to raise her concerns then.

Selaine Saxby (North Devon) (Con): As we have noticed on being back in the Chamber this week, many of us across the House are in desperate need of a trip to the hairdresser. As we begin to look at measures for such businesses to reopen in July, when can the House expect an update, so that hairdressers, hotels and other hospitality businesses can adequately prepare to reopen with social distancing measures in place?

Mr Rees-Mogg: When I was a child I remember there being a song called "Long Haired Lover from Liverpool". I have never aimed, in my whole career, to end up looking like the long-haired lover from Liverpool, but I fear I am heading in that direction. I have never had longer hair and I am beginning to wonder whether I ought to ask nanny if she can find a pudding bowl and put it on and see if something can be done as an emergency measure.

Chris Bryant (Rhondda) (Lab) Is she part of the household?

Mr Rees-Mogg: Of course nanny is part of the household. What a daft question. But I am pleased to tell my hon. Friend that the Government are working with industry representatives to develop safe ways for some industries, such as hairdressers, to reopen at the earliest point. I think many of us will feel there is a burden lifted from our shoulders when the hairdressers are reopened.

Mr Deputy Speaker (Mr Nigel Evans): Sadly, Leader of the House, not all of us have a nanny.

Maria Eagle (Garston and Halewood) (Lab): Talking of Liverpool, at the beginning of the covid crisis the Government instructed local authorities, including Liverpool City Council, to do whatever it takes to facilitate the lockdown, rather than worry about how much it costs to take the measures they were taking. However, Liverpool City Council and Knowsley Borough Council have since been allocated only half of the costs they have incurred, despite being one of the hardest hit hotspots in the country. May we have a debate in Government time on why the Government have broken that clear promise to the local authorities in my constituency about giving back the full costs of covid?

Mr Rees-Mogg: The Government have spent £3.2 billion of taxpayers' money to help councils. We made a grant payment in May of £1.6 billion as an unfenced amount to councils and we have provided a further £600 million to fund infection control in care homes via councils, so the Government have provided a lot of taxpayer-funded support for councils across the country and therefore have lived up to their commitment.

Danny Kruger (Devizes) (Con): I welcome the work the Government are doing at a national level on the track and trace strategy, but there is only so much that phone apps and national call centres run by Deloitte and Serco can do. Does my right hon. Friend agree that the role of local councils, local public health professionals and community groups is equally important, and that, in military terms, we need human intelligence as well as signals intelligence to defeat this enemy, and that means boots on the ground? Will he find time for a debate about the relationship between Public Health England and local authorities?

Mr Rees-Mogg: I thank my hon. Friend for his characteristically wise question. I agree with him about the important role of the local community in tackling the coronavirus. I hope I can reassure my hon. Friend that a huge local and national effort is under way to ensure our track and trace system is as effective as possible. Our 25,000 contact tracers will be in touch with anyone who tests positive for coronavirus and they will need to share information about their recent interaction. I am encouraged that councils have been producing local outbreak plans to contain outbreaks in their area. All upper tier local authorities are producing their plans this month. So I think local and national are working together, but his question is certainly a wise one.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): This week marks 36 years since the then Indian Prime Minister, Indira Gandhi, ordered her abhorrent attack on the most revered Sikh shrine, the Golden Temple complex in Amritsar. It eventually led, under a media blackout, to the destruction of historic structures, the genocide of the Sikhs and the burning of the Sikh reference library. That is why Sikhs can never forget 1984. I am sure the Leader of the House will agree with me that it is atrocious that many still struggle for justice. Perhaps he can explain to me why, despite recent revelations and given the huge demand from within the British Sikh community and the support of the Labour party and other Opposition parties, an independent inquiry to establish the extent of the Thatcher Government's involvement in the attack has still not been held? May we have a debate on that?

Mr Rees-Mogg: It is an important anniversary to remember. The question the hon. Gentleman raises is one he could raise in an Adjournment debate, but I have every confidence that Margaret Thatcher, one of the greatest leaders this country has ever had, would always have behaved properly.

Rob Butler (Aylesbury) (Con): Like many Government Members, I greatly welcome the decision for Members to return to Parliament to deliver on the Government's legislative agenda. That reflects the way we are encouraging people across the country to return to work and restart the economy where it is safe to do so. However, it is important to bear in mind the particular requirements for those for whom that is not necessarily feasible, including some disabled people. I wonder whether my right hon. Friend could advise me, perhaps by way of a statement, how such adjustments will be made here and how I can ensure that they are made in my constituency.

Mr Rees-Mogg: I would encourage all Members able to do so to return to Parliament. The limitations of virtual proceedings have meant the Government have not been able to make sufficient progress on their legislative programme, which has had a real-world impact: the Domestic Abuse Bill, the Northern Ireland legacy Bill, the Counter-Terrorism and Sentencing Bill. Members will agree that these Bills are of huge importance to the British people. We in Parliament are responsible for passing essential legislation that improves the lives of people across the United Kingdom. I recognise that health is a deeply personal matter, and MPs with health concerns will need to decide what is appropriate for them. My hon. Friend will be aware that the Government have tabled motions to allow virtual participation in interrogative sessions for Members unable to attend for personal, medical or public health reasons, and to extend proxy voting to those same hon. Members, but I am always open, and always have been, to listening to any suggestions that right hon. and hon. Members have to make.

Ms Angela Eagle (Wallasey) (Lab): The Leader of the House is rapidly building a strong claim to the title of the worst holder of the job in living memory. He is supposed to be the voice of the Commons in government as well as a member of the Government, and he is failing dismally at that task. He illegally shut down Parliament, then he unilaterally abolished the perfectly fair system of electronic voting and hybrid proceedings developed to ensure at least some scrutiny of the Government during the pandemic. His *pièce de résistance* was the absurd spectacle he created on Tuesday, the coronavirus conga, which put at risk the health of Members and staff in this place. The discomfort of the Secretary of State for Business, Energy and Industrial Strategy, the right hon. Member for Reading West (Alok Sharma), last night perfectly illustrates the risks his arrogance have created for Members and staff in the House. Can he show some bravery and make time next week for us to debate his disastrous record and perhaps even call for his resignation?

Mr Rees-Mogg: The hon. Lady so overstates that she undervalues. What she has said is so overcooked and exaggerated: we poor Members, we could not queue for a little time to do our public duty. How hard was it? It was very amusing reading in *The Times* how some

[Mr Rees-Mogg]

Members were quite incapable of walking in the right direction, though I think that more their problem than mine.

Mr Deputy Speaker (Mr Nigel Evans): I inform the House that I intend to move on to the next business immediately, and then we will have a five-minute break before the following business.

Chris Bryant (Rhondda) (Lab): And a point of order.

Mr Deputy Speaker: And a point of order.

If necessary, if the next business is objected to, we will be counting Members in all parts of the House, including upstairs in the Galleries.

I now call the right hon. Member for Orkney and Shetland (Mr Carmichael) to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. He has three minutes in which to make such an application.

House Business during the Pandemic

Application for emergency debate (Standing Order No. 24)

1.38 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): I seek leave to propose that the House debate a specific and important matter requiring urgent consideration, namely the conduct of House business during the covid-19 pandemic.

I place on the record my appreciation, and that of all Members, for the efforts of Mr Speaker and his Office in keeping us all safe—Members and employees of the House—during this most difficult time. Of course, we debated this matter and divided on it on Tuesday. The sight of Members queuing for that Division was a truly memorable one. As we shuffled round the lawn in Palace Yard waiting to join the queue in Westminster Hall, I could not help but feel that it looked more like exercise hour in a category C prison for white collar criminals than the mother of Parliaments. The implications of the Government's decision to insist on our physical attendance should have been clear to everyone at that point. Anyone who still harboured any doubts should have had them dispelled by the sight of the Secretary of State for Business, Energy and Industrial Strategy as he struggled to get through his time at the Dispatch Box yesterday.

It is my earnest prayer that the Secretary of State does not test positive for covid-19, but the result of his test is not really the issue. He illustrated perfectly the way in which we are all subject to pressures to carry on when we should not. Doing so when we are physically present in Westminster exposes ourselves, our families and our constituents to risk. I have no idea how many people the Secretary of State may have had contact with on Tuesday, but it does seem likely that some of them will have returned home after the conclusion of business, blissfully unaware that they could have been in contact with someone who may have been infectious. That is how infection spreads.

The Leader of the House also told us on Tuesday that he would bring forward a motion to allow Members who are shielding to participate remotely. It was later announced that this would be extended to allow such Members to vote by proxy. That did not go ahead yesterday, and the Government have today tabled a different and more restrictive motion on proxy voting that would exclude its being made available to those who are shielding for the benefit of close family members. There has still been no time made available to debate these motions, so the House is given a choice of take it or leave it—as high-handed a fit of pique as any of us are ever likely to see.

One of the first rules of politics is that when you are in a hole, you should stop digging. A debate under Standing Order No. 24 will allow the Government, and the Leader of the House in particular, to explain to the world why they refuse to put down their shovel.

Mr Deputy Speaker (Mr Nigel Evans): The right hon. Member asks leave to propose a debate on a specific and important matter that should have urgent consideration, namely the matter of the arrangements for the conduct of House business during the covid-19 pandemic.

Mr Speaker is satisfied that the matter raised is proper to be discussed under Standing Order No. 24. Has the right hon. Member the leave of the House?

Application agreed to.

Several hon. Members *rose*—

Mr Deputy Speaker: Hon. Members do not need to stand, but I take note that there are clearly more than 40 here.

The right hon. Member has obtained the leave of the House. The debate will be held on Monday, and a further statement about timings will be made later in this sitting.

Points of Order

1.42 pm

Chris Bryant (Rhondda) (Lab): On a point of order, Mr Deputy Speaker.

Mr Deputy Speaker (Mr Nigel Evans): I will take the point of order, but will those leaving the Chamber please be very careful to respect social distancing.

Chris Bryant: I am very grateful, Mr Deputy Speaker. As nanny would say, the Leader of the House has been a very naughty boy. He knows perfectly well that all I have been trying to do this week is to make sure that Members who have to shield or are shielding other members of their household—or, for that matter, those who have childcare responsibilities that make it very difficult for them to come to Parliament—should be able to continue to participate both in debates and questions and to participate in votes. He knows perfectly well that that is what I have been trying to do for the last three days, so I take it ill that he should choose to misrepresent my views.

There are two motions on the Order Paper today in the name of the Leader of the House, and they have two different ideas of who should be allowed to participate: two different ways of determining who is allowed to participate by proxy voting and who is allowed to take part remotely in questions and statements in the House. The Prime Minister said yesterday, in answer to a question in the press conference, that

“obviously employers have to be reasonable and if someone can’t get childcare then that is clearly a reason for them not to be able to go back to work.”

I still do not understand why the Prime Minister applies that to the whole of the country, but not to Parliament.

I have tabled an amendment to the second motion, which relates to being able to participate in debates. I understand that, if we were to get to the moment of interruption and I had not withdrawn that amendment, the motion would not be able to go forward and people would not be able to take part next week. I have no desire to prevent that; I want to make sure that everybody can participate fully. I think the vast majority of the country would like that, and actually the vast majority of the House as well, so I will be withdrawing my amendment.

Mr Deputy Speaker: I am grateful to the hon. Gentleman for clarifying that he is now withdrawing his amendment. On the first part of his point of order, I know that the Leader of the House has respect for the Chair, but I suspect that he has more attention towards nanny. I shall therefore make every endeavour to ensure that the Leader of the House and nanny are made aware of the first part of the point of order.

Alison Thewliss (Glasgow Central) (SNP): On a point of order, Mr Deputy Speaker. The Leader of the House made reference to cleaners having to be in this building anyway. I feel that the way he did that was incredibly dismissive of the work that those people do for us in this building. May I ask you whether it is your understanding that those cleaners are put at infinitely more risk by the presence of hundreds of additional people in this building than they would be if we were not here?

Mr Deputy Speaker: I thank the hon. Lady for her point of order. I think everybody in this House appreciates the incredible work of those who support us in what we do, from the cleaners right through to all the other support staff who are here, but I will make absolutely certain that the Leader of the House is made aware of her comments.

1.45 pm

Sitting suspended.

Sentencing (Pre-Consolidation Amendments) Bill

Considered in Committee

MR NIGEL EVANS *IN THE CHAIR*

The Second Deputy Chairman of Ways and Means (Mr Nigel Evans): Order. I should explain, as was explained yesterday, that although the Chair of the Committee would normally sit in the Clerk's chair during Committee stage, in these exceptional circumstances, and in order to comply with social distancing requirements, I will remain in the Speaker's Chair, although I will be carrying out the role not of Deputy Speaker, but of Chairman of the Committee.

Clause 1

CONSOLIDATION OF SENTENCING LEGISLATION:
AMENDMENT OF LAW FOR OLD OFFENCES

Question proposed, That the clause stand part of the Bill.

The Second Deputy Chairman of Ways and Means: With this it will be convenient to consider clauses 2 to 5 stand part, and schedules 1 and 2 stand part.

1.51 pm

The Parliamentary Under-Secretary of State for the Home Department (Chris Philp): The Bill seeks to pave the way for the consolidation of sentencing procedural law in the forthcoming sentencing code. Currently, when passing sentence, a sentencing judge must consider the sentencing law that was applicable at the time of the offence. Given the number of different pieces of sentencing legislation passed over the years, that is often a complicated exercise. When reviewing that area, the Law Commission discovered 1,300 pages of legislation governing sentencing in this country. When it conducted a review in 2012, it discovered that errors were made in sentencing in 36% of cases, we think as a consequence of the extraordinary complexity of having to work out which piece of sentencing law applied at the time of the offence. Therefore, given the concept behind the sentencing code and its essential precursor, the Bill will ensure that a single set of sentencing legislation is applicable at the time of sentence, to which sentencing judges may refer.

The Law Commission was asked to look at this issue in September 2014. After Herculean labours it reported back in late 2018, but as a consequence of various general elections and other constitutional disruption, only in 2020 do we finally enact this Bill. I put on record my thanks to the Law Commissioners for their work, and particularly Professor David Ormerod, QC, for the enormous amount of work he has done in preparing the sentencing code for which this Bill paves the way.

As I understand it there are no amendments to the Bill's five clauses, but I will briefly speak to each clause—I will be extremely concise. There are two substantive clauses. Clause 1(3) contains a clean sweep provision that removes those historical layers of sentencing law legislation to which I referred, so that when the sentencing code is enacted, which will be soon, sentencing courts will no longer need to refer to the historical versions of sentencing law in place at the time of the offence, and can instead refer to the sentencing code that was in force at the time of sentence.

We are, of course, extremely mindful of the well-established common law right that no offender should be subject to a heavier penalty at the point of sentence than was in force at the time of the offence. That right is enshrined in article 7 of the European convention on human rights, but the common law right long predates that. Therefore, in recognition of that important principle, there are a series of exemptions to ensure that no offender will suffer a heavier penalty than would otherwise have been the case. Those are expressed in clause 1(4) and (5), and in a wider list of exemptions enumerated in schedule 1.

Clause 2, the second substantive clause, essentially makes a series of amendments and modifications to existing sentencing legislation. Those are enumerated in schedule 2, which is quite long, and they essentially correct minor errors, streamlining sentencing procedural law. For example, they change language to avoid inconsistency and update statutory references. Because any consolidation must operate on the current law, we need to make those changes to enable the consolidation to happen in a technically correct way. They are therefore all essentially technical amendments to ensure that legislation works in the way that is intended.

I stress that the provisions of neither clause 1 nor clause 2 make any substantive changes to sentencing law. They do not increase or reduce the penalties for any particular offence; they simply clarify the way that sentencing law is available to judges to use when they pass sentence. It is a procedural simplification. Nothing in the Bill changes the actual level of sentences that are available to the courts to pass down.

Clause 3 is a technical interpretation clause, clarifying what is meant by the various definitions and phrases used in the Bill. Clause 4 provides regulation-making powers in the Bill, if any changes need to be made that are necessary for the implementation of the sentencing code and for no other purpose. Any such statutory instruments would be made by the affirmative procedure.

Finally, clause 5 sets out the commencement provisions. Although, of course, the regulation-making powers will have effect upon gaining Royal Assent, the wider force of the Bill takes effect only when the sentencing code has been passed. The sentencing Bill enacting the code will be before the House relatively shortly.

I do not wish to detain the Committee any longer discussing clauses to which no amendments have been tabled, but I hope that gives the Committee a flavour of the clauses' operative effect. This is a piece of extremely important legislation that I think the entire legal community will strongly welcome. It is a shame that it could not have been introduced any earlier, but we are doing so today, and it will greatly improve the operation of criminal sentencing in this jurisdiction. I urge the Committee to agree that clauses 1 to 5 stand part of the Bill.

Alex Cunningham (Stockton North) (Lab): This is the first piece of legislation that I am leading on as a shadow Justice Minister, and I am sure that it will be the first of many over the coming months, particularly given the Government's legislative programme and the need for action in so many parts of our justice system. It is very clear to me, and to others, that the Government are facing a series of crises, from the impact of the coronavirus in prisons to the huge backlog of cases in

the Courts and Tribunals Service, which had reached over 1 million, months before the pandemic. Much action is clearly needed.

I join the Minister in thanking the Law Commission and others who have been working so diligently on preparing this material. As has already been said, this is a largely technical and uncontroversial Bill and we have tabled no amendments. We agree that we cannot continue with complicated and complex guidance on sentencing, which is resulting in unfair sentences that are causing further problems, such as costs and delays in justice processes. Our current system is in no way perfect, by any measure. A near-dysfunctional mess of mixed legislation and amendments has, over time, led to wrong sentencing decisions resulting in lengthy and costly appeals, adding more and more stress to what is an overburdened justice and court system, as I referred to earlier. There must be a standard approach to provide clarity.

Offenders receiving unlawful sentences is unacceptable. That could mean offenders receiving more lenient sentences than the law says they should receive, or it could mean an excessive prison sentence outside of the guidelines for the particular offence committed. The Minister pointed out earlier that the survey showed that 36% of sentences were seen to be wrong. That is unacceptable in a just judicial system.

2 pm

I am pleased that, however slowly, progress is being made. By making the justice system clearer, we can hopefully clear the backlog that has built up over a decade of cuts to courts and legal services, and I for one look forward to hearing the Minister's strategy to do so. The removal of historic layers of legislation will provide greater clarity for professionals. No longer should complexity be a barrier to ensuring that justice has been truly served. Of course, it is not just about being more straightforward for those who work in justice; that also ensures public confidence in our justice system. Those who are facing the justice system need the clarity and understanding that often is not available due to the complications of amendments to sentencing over the years. It feels that we have a long way to go, but we have taken the first steps to restoring faith and efficiency in our justice system.

It is important that we work with stakeholders, and I am pleased that the sentencing code being considered in the other place has received widespread support, including from legal practitioners, judges and academics. Those stakeholders know at first hand the difference that such changes will make for the lives of other people. I hope that the Minister will welcome our working with those who have experience in justice matters in relation to future Bills. Consideration must also be given to the scenario of amendments being made to sentencing law in the future and ensuring that the principle of the sentencing code is followed properly. I will try not to talk too much about the code, and save that for when the Bill is before the House.

I have some questions for the Minister, which I hope he will be able to answer to provide clarity for me and colleagues. As we have finally got the Bill to this stage, will the Minister update the House on the progress of the Sentencing Bill, which follows this one? It had its First Reading on 5 March this year in the other place, but we are still waiting for a date for Second Reading. Will he confirm that the Bill is to be referred to a Joint

Committee on Consolidation? When will its membership be agreed and when will it sit? Will he also confirm when the Sentencing Bill is likely to have its Second Reading in the House of Commons and the expected timeframe for it to be completed? A few minutes ago, he said that he expected that to be soon, but it has some way to go yet in the other place.

I ask that specifically because before the Sentencing Bill and therefore the code come into force, other legislation, including the Counter-Terrorism and Sentencing Bill, which has its Second Reading in this House next week, cannot be enacted. Will the Minister confirm that that is the case? Does he agree that any further delay would be problematic and would not best serve justice in this country?

In conclusion, we on this side of the House fully support the Government's intention in concluding the Law Commission's work, and we will not oppose the contents of the Bill. I look forward to the Minister's responses and working with him moving forward, ensuring that our legislation and regulations are fit for purpose and serve the best interests of the public.

Sir Robert Neill (Bromley and Chislehurst) (Con): I am delighted to see the hon. Member for Stockton North (Alex Cunningham) in his place on the Opposition Front Bench. I know that the Justice Committee, which I have the honour to Chair, will look forward to engaging with him and the Minister as we go forward on these issues. May I adopt a number of the questions that he has raised with the Minister, which are not partisan but important questions of procedure?

As the Minister rightly said, this is an important and technical Bill. It is warmly welcomed and, I think, universally supported among practitioners and, I hope, by the broader public too. It is therefore important that the substantial Bill makes progress as soon as possible. I join both Front Benchers in paying tribute to the work of the Law Commission. I might mention that again on Third Reading, as I know the Lord Chancellor will wish to do. I particularly want to mention the work of Professor David Ormerod, who was the criminal law commissioner for a period and recently retired. He has done exceptional work in this regard and has been almost the principal driver behind the measure and the code itself.

I particularly welcome the introduction of the "clean sweep" provisions in clause 1. That is novel, but it is much to be commended, and I hope that this will not be the only occasion on which it is used. Incorporation by reference, which is the style of legislative amendment we tend to have now in this country, can create inconsistencies and anomalies, and it is quite a bold measure to have a consolidation platform of this kind. I am glad to hear the Minister say that it is not intended that anything should undermine either the common law or article 7 rights that there shall not be retroactively greater punishment than would have been available at the time.

I particularly welcome the Minister's reference to the need for linguistic clarity and consistency in sentencing legislation. That has been a real difficulty for those of us who have practised and sat in the criminal courts over the years. At the moment, about eight statutes have to be referred to, depending on the nature of the offence, and experienced professional judges can get this wrong

as much as anyone else. I ask him for assurance that the Government as a whole will bear in mind the need for linguistic consistency in any further sentencing measures that may come forward. Many Bills may have sentencing provisions attached to them, and it is important that, having got consistency through clause 1, we do not lose that by a departure from that approach in future legislation, not all of which will necessarily come from the Ministry of Justice. I hope that the Government will take those points on board.

I think it will be generally welcomed by those who sat as recorders in the Crown courts, sometimes dealing with matters being sent up from the magistrates court on appeal, that the Bill will enable us to remove the current inconsistency of language between the law that must be applied in resentencing in the magistrates court as opposed to the Crown court. Although the effect is the same, and the rule on greater retrospectivity not being permitted remains the same, the language of the provisions relating to the Crown court and the magistrates court is different. That causes confusion when judges are sitting as recorders, or judges and recorders are sitting with magistrates on the Crown court dealing with an appeal from the magistrates court where they have to apply the magistrates court provisions. Anything that removes that anomaly is to be welcomed.

I think we all hope that the Bill is enacted as swiftly as possible. I note the observations of the noble Lord Judge, on behalf of the Joint Committee in the upper House, about the importance of the Bill and of it being a living instrument. Will the Minister reassure us that it is intended that all future Government legislation touching on criminal justice and sentencing matters will adhere to the principle behind the code?

Florence Eshalomi (Vauxhall) (Lab/Co-op): I concur with the hon. Member for Bromley and Chislehurst (Sir Robert Neill). This is an uncontroversial Bill that has support right across the House, and as such, I do not wish to detain the Committee for long. However, I want to return to a subject raised by my colleagues on Second Reading, and I would be grateful if the Minister could respond today.

My hon. Friend the Member for Hammersmith (Andy Slaughter) raised the shocking statistic mentioned in the Library briefing that 36% of 262 cases sampled by the Law Commission involved unlawful sentences. This has potential serious repercussions for the administration of justice in our courts. One suggestion made by my hon. Friend was for the Government to publish a list of common mistakes made, to draw to the attention of the judiciary. The Minister said he would investigate that idea, so could he update us on his investigation or any work being done to draw up that idea?

Rob Butler (Aylesbury) (Con): I should state at the outset that, before coming to this place, I was a magistrate for 12 years and consequently sentenced a large number of offenders. For some 18 months, I was the magistrate member of the Sentencing Council. While there, I was party to briefings by the Law Commission on the proposed sentencing code that is indirectly the subject of today's legislation.

The sentencing code is greatly to be welcomed, and thus so is this legislation. It must be right that sentencing law is as clear and straightforward as possible, in the

interests of justice for all parties in a case, including, naturally, not only the offender being sentenced, but the victim of the crime, for whom clarity and certainty can be a comfort. It follows that it must be right to take the necessary steps towards achieving that aim by amending existing legislation to facilitate the enactment and operation of the proposed sentencing code. The clean sweep approach covered in clause 1 is a significant step that will help avoid errors and appeals resulting from historic or redundant aspects of legislation being incorrectly reflected in a sentencing exercise. I welcome the improvement that that will bring to initial sentencing decisions and am reassured that the concomitant safeguards against retroactivity will protect human rights.

Although the details of other clauses of this Bill may not seem to merit great discussion in and of themselves, they do form part of a significant and important process to improve a vital element of the criminal justice system. In the interests of brevity, I will reserve any other remarks for Third Reading. However, I ask the Minister to do all he can to ensure that the magistracy is properly trained once these provisions come into place, along with the sentencing code, to ensure that they are able to apply to all correctly and appropriately.

Chris Philp: Let me start by also welcoming the hon. Member for Stockton North (Alex Cunningham) to his place on the Opposition Front Bench. Like him, I am looking forward to many exchanges in the coming weeks and months as we debate the volume of legislation coming through and other matters connected to our courts system. He mentioned the issue of the case load before the courts. Of course, the outstanding case load before the Crown court prior to coronavirus was significantly lower than it has been in the past, particularly in the 2000s, but we want to get it down even further. Naturally, coronavirus is causing a number of challenges in the courts, but he will know that we are reintroducing jury trials. That commenced on 18 May and they are now operating in seven courts. We intend to expand that as quickly as we safely can; we hope that a number of courts that have been closed will reopen as soon as they are safely able to do so. He will also be aware that we are expediting the roll-out of the cloud video platform, which will allow many, many hearings to take place on the platform which otherwise, owing to social distancing, would not be possible. This probably is not the time to rehearse everything in detail, but let me reassure him that a huge amount of work is being undertaken by the Ministry of Justice and by Her Majesty's Courts and Tribunals Service to make sure that our courts system functions in the way that we want and that we avoid the accumulation of large backlogs as a result of the coronavirus epidemic.

The hon. Gentleman asked particular questions on the timing of the Sentencing Bill enacting the sentencing code. As I said, we are hoping to bring that forward in this House as soon as we can. I regret to say that I cannot give him a precise time, as it is still subject to agreement by business managers, but we want to bring it forward as quickly as we can. We will also make sure that regardless of the sequencing between that Sentencing Bill and the Counter-Terrorism and Sentencing Bill, they technically fit together. I was glad to hear him, in essence, welcoming the Counter-Terrorism and Sentencing Bill, which we will be discussing shortly; I hope it is one of those topics where we can approach it across the

House in a bi-partisan spirit of co-operation. Matters touching on national security and protecting the public from terrorism are topics where, in general, we are able to work together, and I very much hope that will apply to that Bill as well.

My hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), the Chairman of the Justice Committee, echoed my thanks to Professor David Ormerod, which I wholeheartedly endorse and repeat. I wish to give my hon. Friend the assurance he requested that the approach he laid out here in terms of clarity, consistency and consolidation is a principle that we would wish to apply in the future.

It is no good doing the consolidation exercise once and simply having a snapshot. We want it to be, as he put it, a living instrument that will be applied into the future so that the consistency and clarity that the Bill and the sentencing code will bring are not frozen in time but rolled forward and applied in the future too. I can therefore give him the assurance that he asked for.

The hon. Member for Vauxhall (Florence Eshalomi) raised a question following up an intervention, which I recall, from her colleague the hon. Member for Hammersmith (Andy Slaughter) on Second Reading, which happened in a Committee Room a few weeks ago. I think I said that publishing guidelines on common errors that might be avoided was a matter probably best handled by the Judicial College, or possibly the Judicial Office. I will follow up again with them to check in on progress in that area.

In a similar spirit, my hon. Friend the Member for Aylesbury (Rob Butler), who is of course extremely experienced in this area, as he mentioned, drew attention to the importance of training. Again, once the sentencing code is enacted, the Ministry of Justice will work with the Judicial Office, the Judicial College and of course the Magistrates Leadership Executive to ensure that the training measures are in place so that the judiciary who are using the code are able to do so to best effect.

I thank Members who contributed to the debate for their very constructive and thoughtful comments. Again, I commend clauses 1 to 5 to the Committee.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 to 5 ordered to stand part of the Bill.

Schedules 1 and 2 agreed to.

The Deputy Speaker resumed the Chair.

Bill reported, without amendment.

Third Reading

2.17 pm

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): I beg to move, That the Bill be now read the Third time.

In listening to the short but meaningful debate in Committee, I was struck by the number of contributions that dealt properly with the detail of this important measure. I speak with a high degree of personal experience, having expended many work hours as a practitioner and, indeed, as a part-time judge myself in trying to make sure that the relevant legal provision that applied to the particular sentencing exercise was complied with.

[Robert Buckland]

I thought to myself many times that the time I expended on making sure that the letter of the law was adhered to should have been time in which I could have been considering either the merits of the sentencing exercise or, indeed, the fate of the defendant whose sentence was about to be passed. That has to be the focus of the sentencing exercise: the justice of the case and the merits of the decision—an important, often life-changing decision—to be made by a judge or a magistrate about the sentence to be passed upon an individual defendant. Therefore, what we are doing in this House today is not a mere academic exercise; it affects the real lives of real people.

That is why for several years, as a Minister, as a Law Officer, as a Minister of State in the Department that I continue to serve in, and now as Secretary of State, I have pressed for this measure to be advanced before both Houses of Parliament, and I am particularly delighted to speak on Third Reading in its support. As we have heard, this measure paves the way for what will be the biggest consolidation in sentencing law ever undertaken in the history of the criminal law in England and Wales. What it will allow is the sentencing code, which is currently before the other place. It is that code that will bring together the procedural provisions on which the courts have to rely during sentencing. It will, for the first time, provide a coherent and unified structure. I firmly believe that it will assist greatly in reducing the risk of error, appeals on errors of law and, of course, delay in the sentencing process.

I know that judges in the Court of Appeal as well as practitioners the length and breadth of England and Wales will be relieved and delighted to know that this measure is making a swift passage. Having spent many hours delving through the pages of Archbold and Blackstone, the bibles of criminal practitioners, I can say that it was with a sinking heart each year that, when I had a new edition of those worthy tomes, I found that the sentencing chapter had got even longer and more complicated.

Now here is something that we, as parliamentarians, can do to make that job a more sensible one. The measure will also improve confidence that the public need to have in sentencing, because clearer law—accessible law—leads to greater understanding. One of the big issues about sentencing that has perplexed me for many years has been that gulf between what the practitioner and the lawyer might understand and how it is explained to the public. It is not good enough, which is why this measure is not only desirable, but essential.

Thanks have already been tendered to staff at the Law Commission and, indeed, to parliamentary counsel who have worked extremely hard on this complex area of law over the past five years. This is an exceptional achievement, Madam Deputy Speaker. I add my personal thanks to Professor David Ormerod, whose work on this and other measures has been of singular importance in improving the quality of our criminal law. Without their efforts I do not believe that we would have got here today.

This Bill lays the groundwork. It creates the foundations for what will be a consolidation process that will then allow the sentencing code to apply. It is, therefore, not just as the Secretary of State, but as a former practitioner

and judge who has personal experience and, if you like, skin in the game that I rise with particular pleasure to commend this Bill to the House on Third Reading.

2.23 pm

Alex Cunningham: I very much welcomed the Minister's comments in Committee and his attitude on how we can work together to create good law in this place as part of his and my brief. The same, of course, applies to the Lord Chancellor, but we will continue to do our best to hold the Government properly to account.

Everyone across the House can, I believe, welcome the progress of this Bill today. Its provisions have long been called for by the professions, and we all hope that the simplification brought in by this and the Sentencing Bill and code itself will put an end to the high proportion of wrong decisions made on sentencing. Likewise, we hope to see an end to the tremendous workload created in the Court of Appeal, dealing with the mistakes, and an end to the many cases where people are not being handed the sentences that they actually deserve.

I very much welcomed the fact that the Lord Chancellor focused on the defendant, because they are the people who are at the sharp end when it comes to sentencing. We should never ever lose sight of the fact that, when we are dealing with these matters, we are dealing with people's lives.

This Bill coupled with the Sentencing Bill, which creates the actual sentencing code, should make that whole system more efficient and assist in dealing with the backlog of cases which have only been added to during the current pandemic. I recognise that the Government are struggling with the escalating backlog in courts and tribunals. As I said, over 1 million cases are awaiting process in courts and tribunals, and that was at the end of 2019, before we had the effects of coronavirus. As Ministers know, this has been caused by the huge court closure programme, the lack of interpreters, and other problems, but there is no doubt that today's legislation will contribute to better and speedier justice and reduce congestion and backlog in the courts over the coming years. As I said, I look forward in the coming weeks to learning how Ministers will address the huge backlog and whether the Minister will review the court closure programme and shorter sitting hours of many courts.

Virtual courts are part of the answer and the Minister in Committee addressed that, but they do not work in all contexts. We have seen cases halted because the system did not work in a fair and just way. The Opposition believe that the adoption of virtual proceedings, which have been heavily used during covid-19, should never have a detrimental effect on the people participating, including defendants. I would appreciate clarity from Ministers—perhaps not now, but on another occasion—about whether they are concerned about the discrepancy in sentencing between physical and virtual proceedings, whether today's new legislation will help to rectify that, and whether they will address this issue. I ask that specifically because I believe that while the sentencing code is much needed and welcomed, we must consider other issues that have an impact on sentencing and the environment that the sentencing code will operate in. I hope that Ministers will be able to have a clear conversation with us on virtual justice and the impact on sentencing, as it is an issue that the Opposition most certainly will raise time and again.

In conclusion, we know that this Bill and the Sentencing Bill are designed to simplify sentencing and enable the Government and individual lawmakers to do their jobs even better. It would therefore be useful to understand the plans that the Government now have for more general law reform. I look forward to future indications from Ministers about how they plan to do just that—reform further—but today, we are pleased to support the Bill's passage and take that much needed step to improve the justice process for all.

2.27 pm

Sir Robert Neill: I warmly congratulate my right hon. and learned Friend the Lord Chancellor on the Bill and on his speech. In that very succinct and elegant speech, he made the case for why it is a thoroughly good thing to have a lawyer as Lord Chancellor as well as anyone, I think, could ever make it. He is absolutely right and, at risk of referring to my interests in the Register of Members' Financial Interests, every one of us who has practised in the field of criminal law knows the minefield that has developed in sentencing over the years. That is true in many respects, both in the technicalities to be circumvented and because, for both the advocate and the sentencer—never mind the defendant and the victims—it is, without any doubt, most stressful in human and emotional terms as well. Anything that brings clarity and consistency to sentencing is of great public importance.

In that regard, I welcome the tribute that the Lord Chancellor paid to the work of the Law Commission. It has been referred to, but on Third Reading I say again that we on the Justice Committee have always greatly valued the engagement of the Law Commission and, in the criminal justice field in particular, the work of Professor Ormerod, who is fundamental to this reform. His work on the Law Commission has rendered very great and significant public service indeed, and it is right that we put that on record.

The reforms have been well debated, but they are extremely welcome. I hope that this will also remind us of the value of the Law Commission as an institution and of the value of the Sentencing Council, which, when I started to practise, did not exist in its current form. We have developed and made our system of sentencing law sophisticated but not always simple—perhaps we can now have both. In particular, it is essential that the Law Commission is supported and properly resourced by Government, and I know that it will be at the current time.

There have been periods in the past when there was some concern even about the Law Commission's very modest budgets and the support given to the Sentencing Council and others being put under pressure. I am reassured that that is not the case now.

As a country and a society, we get extraordinarily good value for money from the Law Commission. It is an undervalued institution in our public life and perhaps insufficiently recognised, though not by those involved in this debate. Against that background, it is a matter of more general regret that there has been a marked slowness—not unique to any one Government or Parliament—in introducing in legislation the Law Commission's many thoughtful and considered recommendations on a raft of law reform. Criminal law is but one aspect that it deals with. In recent years, the rate of implementation of Law Commission recommendations has declined.

Since 2010, of the 52 concluded projects listed in the table with its latest report, only 16 have been implemented either in full or in part. A succession of the Law Commission's chairs have raised that over the years.

Although it is always a battle to get parliamentary time, I hope that, having got this important piece of work on to the statute book, we can ensure that, given the level of expertise available to us right across the law through the Law Commission, we do it the courtesy and justice of taking its recommendations seriously because they are invariably intended to be of public benefit. The Law Commission, by its nature and the way it works, can give a sometimes more considered view of important measures than is ever possible in our political debate, which is an important but different part of the process. Putting the two together gives us the best possible means of law reform. I hope that will be borne in mind. It is a good example of where collaboration, in the way the Lord Chancellor suggested, can work.

I welcome the Minister's assurance in the Committee proceedings that the Bill will be treated, in the words of Lord Judge, as a "living instrument". It is important that any future revisions to sentencing policy are consistent with the code, otherwise all that good work is undone. I was glad to have that reassurance. The Bill is an important step forward and I am delighted to support it.

2.32 pm

Florence Eshalomi (Vauxhall) (Lab/Co-op): The Bill is a very welcome culmination of the Law Commission's four-year-long project to clear up and consolidate sentencing legislation. It acts as a clean sweep that has the potential to make the window to our sentencing law much clearer not only for judges but for those going through the criminal justice system and those who wish to hold the justice system to account for its failures. It cannot be right that the Law Commission's survey found that more than one third of sentences are handed down against the statutes of our Parliament. Passing the Bill, along with the upcoming Sentencing Bill, makes those errors in our justice system easier to stop and spot.

I remind Ministers, and Members hoping to become Ministers, of how we ended up here and why the Bill is necessary in the first place. On Second Reading in the other House, Lord Falconer drew attention to the fact that there had been substantial changes to sentencing in no less than 16 years since 1990. It is little wonder, with such regular reform, that our sentencing statutes had become so cluttered. As we saw earlier this year, new legislation on sentencing is of course necessary, but this clean sweep does not in itself stop future legislation rendering the window to our justice system opaque once again.

When the Sentencing Bill comes in, I urge Ministers not to lose track of the importance of this measure. In the other House, Lord Falconer outlined four principles: any changes should be made by changing the terms of the sentencing code; any changes due to come into force after Royal Assent should be put into schedule 22 of the Sentencing Bill; any new arrangements should maintain the principle of the clean sweep; and any commencement information should be included in this Bill. Those guidelines are sensible and easy to follow and they maintain the clarity that we wish to create. Will the Minister commit to following those guidelines? If not, will he inform the House of any other plans going forward?

[*Florence Eshalomi*]

I finish by paying tribute to the Law Commission for its hard work in getting the Bill to this stage today.

2.34 pm

Rob Butler (Aylesbury) (Con): In the interests of full transparency, I repeat my declaration from Committee stage: I have been a magistrate, and therefore have sentenced a large number of offenders, and I have been a member of the Sentencing Council.

I warmly welcome the Bill and in particular the clean sweep that will facilitate the enactment and operation of the sentencing code, which in turn will make the process of sentencing more straightforward and coherent. It is often said that justice delayed is justice denied. Hopefully, this Bill will lead to far less delay because there will be far fewer errors to correct, and that must be right for all participants in the criminal justice system.

It is my hope that this Bill and the sentencing code Bill that will follow will help progress towards wider changes in sentencing policy and practice in the months and years ahead. The place that I would wish to see as the starting point for every part of the criminal justice system is the perspective of the victim, and I rather suspect that we can all agree on that across the House. To that end, we should not forget that there are five purposes of sentencing—punishment, rehabilitation, reduction of crime, protection of the public and, importantly, reparation by offenders to the victims of crime. I believe there is scope for judges and magistrates to be more explicit about how their sentences address those five purposes, and not least how they will protect the public and have a positive impact for victims.

There also needs to be far greater clarity about how long offenders will actually spend in prison, and there is scope to alter the way that is announced in court at the moment of sentencing too. The public should always understand what has happened in court and the amount of time that will ultimately be served behind bars.

Of course, that is not to say that I believe in locking people up and throwing away the key—very far from it. I am a firm believer in rehabilitation, and I declare my former role as a non-executive director of Her Majesty's Prison and Probation Service. Excellent work is carried out both inside prisons and in the community in order to address the causes of offending and, crucially, to reduce the likelihood of further crimes being committed. Indeed, I believe there is scope for considerable innovation in sentencing disposals, not least through the effective use of technology.

All of this should, I believe, be carried out with a much greater sense of the impact on the victim of the offence committed. The passing of the appropriate sentence is therefore crucial. The need to decide on that sentence correctly, based on the right legislation and procedure, is a consequent fundamental requirement in this legislation to facilitate greater clarity and efficiency. Therefore, the Bill is a welcome step in that process and a far better service of justice.

2.37 pm

Tom Hunt (Ipswich) (Con): I welcome this Bill, which has my support on its Third Reading today. The Bill makes important steps to simplify criminal sentencing

guidelines and, crucially, it improves the clarity of sentencing law to my constituents and the public at large. Currently, the sentencing law is over 1,300 pages long and even the most experienced judges and lawyers often find it complex to understand. In practice, this often leads to sentencing taking longer, dragging out the process of justice. This is not just significant in terms of limiting the efficiency of our courts and delivering justice: we also must remember that the longer the justice process is protracted, the more difficult and painful it is for victims, their families and their communities.

On top of this, the complex nature of our sentencing law leads to more errors being made in sentencing and more unlawful sentences being imposed. This in turn leads to more sentence appeals, further increasing the anguish of victims who must relive the ordeal. This Bill will certainly go some way to building public confidence in our justice system, but we still have great strides we need to take to fully win the public's trust on the issue of sentencing. And we must build on this Bill today by making sentencing more honest, clearer and tougher.

As I have said, the Bill will make sentencing law more understandable, but more broadly, we currently have a sentencing regime that all too often does not do what it says on the tin. In many cases, when prison sentences are handed down by the courts, the full length of the sentence will never be served. These sentences are not honest either to the victims or to the public, who demand justice. The moves that the Government have made on this so far are to be welcomed, particularly the end of automatic halfway release for the most serious offenders, like those found guilty of rape and manslaughter. However, many other prisoners convicted of less serious crimes are still being let out at the halfway point. This is the case for those serving sentences of less than a year, but nearly two thirds of these petty offenders go on to reoffend.

Such is the expectation now that prisoners will be let out early that some judges have reportedly resorted to factoring this in when sentencing, awarding longer sentences than would otherwise be the case just to ensure that criminals spend the appropriate amount of time in jail. While this Bill will bring more transparency, we will not have full transparency until we have an honest sentencing regime where two years in prison means two years in prison, four years in prison means four years in prison and so on and so forth. The early release of prisoners underpins a sense among a large part of the public that the current law does not stand fully behind victims and the law-abiding people of this country.

Madam Deputy Speaker, when we are talking about making justice quicker and sparing the anguish of victims from drawn-out proceedings, as we are today, a discussion about the lenient tendencies of some judges and the often opaque sentencing appeals process also cannot be avoided. In April, the Court of Appeal overturned the sentence of Kyreis Davies, one of the men convicted of the brutal murder of Tavis Spencer-Aitkens in Ipswich in 2018. This act of evil shook the foundations of our town. And it has been a tragedy that has been extremely difficult to move on from, not least for Tavis's family, who have been through hell. This has only been made harder by the Court of Appeal's decision to reduce Davies's sentence from a minimum of 21 years to just 16 years on the basis of his age at the time of this crime. Tavis's family were not able to participate in this appeal,

and Davies is now set to be let out in his early 30s, when he took the life of a 17-year-old who had his whole life ahead of him and lay on the ground bleeding outside his father's house.

The leniency being displayed by some judges through legal processes that are often confusing and inaccessible to victims is completely out of touch with what the vast majority of the public consider to be appropriate and constitute justice. While, of course, we must respect the independence of the judiciary, it is fundamentally the public confidence in the judiciary which is at stake here and as representatives of the public, we must consider the ways we can ensure that the sentencing decisions of our courts reflect the values of the people we all serve here.

I had correspondence with the Ministry of Justice about the Davies case, and I have been over it with Tavis's family. While I understand that Ministers may not be able to pass comment on the specific case, the family and I are still confused about why the sentence was reduced. I would be very grateful if Ministers could re-examine what has taken place in this case and provide further information, to shed more light on the appeals process.

So, Madam Deputy Speaker, I do very much welcome this Bill. It is a step in the right direction, but for the public and for our constituents to have complete confidence in the sentencing regime, three things need to be ticked. First, it needs to be easy to understand; and that is why the Bill is to be welcomed. But also it needs to be honest—honest to the values of the people of our country. And I would also say, it needs to be tough, firm and fair. For those reasons, I welcome the Bill, but it is just the start of delivering on the promises that we stood on a manifesto to deliver.

2.43 pm

Robert Buckland: Madam Deputy Speaker, I crave your indulgence for a few moments to wind up this Third Reading debate. I am grateful to my hon. Friend the Member for Ipswich (Tom Hunt), who already, in the short time he has been in the House, is proving to be a very effective and powerful advocate for the town that he has the honour of representing. The matter that he raises will, I am sure, be examined by either me or one of my ministerial colleagues, consistent with the constraints we have with regard to individual cases.

I am grateful to all Members for their contributions. The hon. Member for Vauxhall (Florence Eshalomi) rightly referred to the contribution made by Lord Falconer, one of my predecessors, in the Lords. She enjoined me to follow his guidelines, to use the word that she coined.

I would perhaps recharacterise it in this way: Lord Falconer's helpful suggestions are ones that I very much bear in mind, and I like a sinner who repenteth. I will be cheeky for a moment and remind the House that while

he, as a distinguished member of the Labour Government, was sitting in the Cabinet, I, as a practitioner and part-time judge, was actually having to deal with the slew of criminal justice legislation, to which the hon. Lady referred, year after year. It slowed down a bit, to defend my Government's record, but she makes a very important point, which this Bill will of course help to deal with.

To be fair to the previous Labour Government, in the year 2000 they passed a consolidation Bill called the Powers of Criminal Courts (Sentencing) Act, which was designed to cure the problem that we are still grappling with now. It was an excellent piece of work, but, sadly, within two years it had been superseded by another criminal justice Act. This Bill is different because we have a code, and once it is brought in, the code will indeed endure, I hope for all time. The point the hon. Lady made about future legislation having to be consistent with it and with the schedule is a very important one, and I absolutely accept what she says.

I am grateful to my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), the Chair of the Justice Committee, for supporting not just this Bill but the invaluable work of the Law Commission. He will be glad to know that, as the Minister responsible, I am extremely keen to work with it and its current chair, Lord Justice Green.

I am very grateful to my hon. Friend the Member for Aylesbury (Rob Butler), who brings huge experience of the criminal justice system to this place. He is absolutely right to remind us that the experience of criminal justice is not something dry and for the pages of a law book; it is about the lives of real people—whether they are defendants, witnesses, jurors or victims—and that point must not be forgotten.

I am very grateful to the Opposition spokesman, the hon. Member for Stockton North (Alex Cunningham), for the way in which he has approached this important measure and the support he has given to it, while qualifying his remarks about the need to hold us to account, which I of course accept with alacrity.

Madam Deputy Speaker, sometimes the little things matter. This Bill may not attract headlines in the newspapers and it may not be the stuff of high political drama, but believe you me, this is a Bill for the ages. I commend it to the House.

Question put and agreed to.

Bill accordingly read the Third time and passed, without amendment.

Madam Deputy Speaker (Dame Eleanor Laing): As we have come to the end of this item of business and before proceeding to the next item of business, I will suspend the House for five minutes to allow the safe exit and entrance of different Members.

2.47 pm

Sitting suspended.

EU-UK Partnership: EU's Mandate

[Relevant documents: the First Report of the European Scrutiny Committee, The EU's mandate for negotiating a new partnership with the UK, HC 218, and the Fifth Report of the European Scrutiny Committee, The EU's mandate for negotiating a new partnership with the UK: Outcome of Select Committee consultation, HC 333]

Madam Deputy Speaker (Dame Eleanor Laing): I should inform the House that Mr Speaker has selected the amendment to the motion in the name of Keir Starmer.

2.52 pm

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove): I beg to move,

That this House, having regard to the constitutional and legal functions enshrined in the European Union (Withdrawal) Act 2018 and the European Union (Withdrawal Agreement) Act 2020, urges the Government to conduct its negotiations with the European Union with the fullest possible transparency to facilitate essential parliamentary scrutiny; also urges the Government to make regular progress reports on the negotiations, including on stakeholder contributions to the consultation on The Future Relationship with the EU: the UK's Approach to Negotiations, and to address the issues identified by the European Scrutiny Committee in its Fifth Report of Session 2019–21, HC 333, as matters of vital national interest.

I am delighted to be opening this important debate. In particular, I would like to thank my hon. Friend the Member for Stone (Sir William Cash). I am sure the House will be aware that, having first been elected in 1984, he has been a distinguished campaigner on a number of issues, including improving the UK's role in overseas development. Above all, he will be remembered for his commitment to restoring the sovereignty of this House. For more than 35 years he has served on the European Scrutiny Committee, which he now chairs. Having served on it for a brief period when I was a Back Bencher in the 2005 to 2010 Parliament, I can say that his attention to detail, his commitment to this House and his service to the country are things that all of us should recognise and applaud.

The motion we are considering today asks the Government to do three things: to negotiate transparently in order to ease the way for essential parliamentary scrutiny of the Executive; to provide regular reports on the progress of the negotiations; and to address the issues raised specifically by the European Scrutiny Committee about the impact of legislation being passed at European Union level while we are in the transition period, not fully part of the EU but of course subject to its *acquis*.

With respect to the transparency of our negotiations, it is the case that a Command Paper was published earlier this year outlining the approach that the UK Government would take towards the negotiations. I made an oral statement in this House to outline our approach. Since that time, the UK Government have outlined their approach in detail by the publication of draft texts covering not just our future economic partnership but areas such as fisheries and security. The publication of those draft texts has also been accompanied by my appearance alongside David Frost, the Prime Minister's sherpa and EU negotiator, in front of the Select Committee of the right hon. Member for Leeds Central (Hilary Benn) on the future relationship with the European Union on three occasions, in front of the House of Lords Select Committee covering European affairs on

two occasions and, of course, in front of the Public Administration and Constitutional Affairs Committee on one occasion as well.

Hilary Benn (Leeds Central) (Lab): The document to which the right hon. Gentleman has just referred makes it clear that the Government want an agreement that involves no tariffs, but in the interests of transparency, will he explain to the House why the Government are prepared to contemplate tariffs being imposed from 1 January next year, when he will know that the president of the National Farmers Union has described that prospect as catastrophic for the industry, and that only this week the chief operating officer of Nissan has warned that the Sunderland plant would not be sustainable if tariffs on car exports transpire?

Michael Gove: The right hon Gentleman is right; it is our intention. Indeed, it is a commitment in the political declaration that accompanies the withdrawal agreement that both sides will work towards ensuring that we have a zero-tariff, zero-quota approach. One of the problems we face is that the European Union is placing an unprecedented demand on the United Kingdom, which is that in order to secure that zero-tariff, zero-quota approach, we accept a suite of commitments—the so-called level playing field commitments—that would place obligations on the UK Government and our institutions to follow EU law in a way that no other sovereign nation would and in a way that no other free trade agreement requires. That takes us to the heart of the UK's approach.

In all these appearances and opportunities in which the House has allowed me, on behalf of the Government, to explain our approach, we have taken a consistent line, and that is in keeping with the political declaration. We want a free trade agreement with the European Union, and the free trade agreement that we seek is built on precedent. There is nothing novel, outrageous or excessive about our requests, and the free trade agreement that we seek is, as I say, one that builds on precedents from Canada, Japan and South Korea and agreements that other sovereign nations have entered into with the EU.

The challenge that we face, however, is that the European Union argues that, because of the size of our market and our geographical proximity, we should be subject to rules of the club that we have left, which they impose on no other sovereign nation. At the same time, the EU insists that in the hugely important area of fisheries, it should continue to have access on terms that are similar, if not identical, to the common fisheries policy, which so many people in this country recognise as having worked against the interests of our coastal communities and of marine conservation.

It is on that basis that the fourth round of negotiations is currently being conducted. David Frost, our negotiator, is negotiating hard today, and I am sure that Michel Barnier will update us with his perspective on these negotiations tomorrow. We will also be laying a written ministerial statement next week and, of course, should the House require any further updates on the progress of the negotiations, I would be delighted to give them.

Sammy Wilson (East Antrim) (DUP): Does the Chancellor of the Duchy of Lancaster also accept that another impediment is Michel Barnier's insistence that the EU's draconian interpretation of the provisions of the withdrawal

agreement and the Northern Ireland protocol should be implemented? Does he agree that the Government cannot and must not give in to those demands?

Michael Gove: I am grateful to the right hon. Gentleman for making that point. The protocol is part of the withdrawal agreement, but it makes it clear that Northern Ireland is part of the UK customs territory. Also, in the Command Paper that we published recently—which was broadly welcomed, albeit with caveats by political parties, businesses and citizens across Northern Ireland—we made it clear that we would not impose additional physical customs infrastructure and that we would do everything we could to ensure that the Good Friday agreement was upheld in its essentials, and that means that the citizens and the businesses of Northern Ireland should continue to enjoy unfettered access to the rest of the United Kingdom's internal market, its customs territory and its nation overall.

In these negotiations, there will inevitably be commentary, in the form of shots fired from outside and attempts by some who do not have an interest in us reaching an agreement, to suggest that an agreement is impossible, and certainly impossible within the time allowed. However, there is ample time for us to reach an agreement. The detailed work that has been undertaken by both sides should not be set aside or diminished. All that is required is political will, imagination and flexibility, and I believe that with the advent of the German presidency of the European Union on 1 July, we will see the leadership required to guarantee that we secure the agreement that we need.

Jacob Young (Redcar) (Con): I thank my right hon. Friend for everything he has just said. What is his response to Michel Barnier's letter to Opposition party leaders on 25 May, encouraging them to extend the transition period beyond 31 December? Would that be a betrayal of our voters and the recent general election?

Michael Gove: Yes, I think it would be a mistake. Different people have sincere views on this matter. For example, the Welsh Assembly Government—Labour—want an extension; the Mayor of London—Labour—wants an extension. The position of the Labour leader is not clear on this matter, but perhaps the hon. Member for Sheffield Central (Paul Blomfield) will enlighten us. The Scottish National party is clear in its view that there should be an extension, and the Democrat Unionist party is clear that there should not be. Every party in the House has a clear position—either for or against an extension—apart from the Labour party, although that point might be elucidated.

The reason I think we should not have an extension is that if we did, we would end up paying the EU more money, which we could spend on our own NHS. We would have to pay for continued membership. We would not know how much that would be; we know only that it would more than we currently pay on an annual basis. We would also be subject to rules shaped at European level, although we would have no say, and that would constrain our capacity to respond not just to the coronavirus crisis, but to other coming economic challenges. During that period, the decisions made by the EU27 will be, entirely legitimately, in their interests, and not necessarily in ours. That is why an extension would be unwise and run counter to the clearly expressed view of the British

people when they elected my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) as Prime Minister, on a manifesto that clearly spelled out that we will leave the European Union's transition period at the end of this year.

Before I sit down and allow other Members to make their points, I am conscious that the explanatory memorandums that some Departments have provided to the Committee chaired by my hon. Friend the Member for Stone (Sir William Cash) have not always been as diligent and detailed as they should have been in ensuring that the European Scrutiny Committee can do its valued work. I assure my hon. Friend that I and the Paymaster General have spoken to all Departments to ensure that the Committee's work can continue. It is vital, particularly during a period when we are not represented at European level, that any new addition to the *acquis* is scrutinised effectively by the House, and that the House has a chance to determine what response we make.

I look forward to contributions from across the House, and in particular I thank all 23 Select Committees that joined the European Scrutiny Committee in putting forward propositions for the Government to take account of during the course of the negotiations. I am grateful to Members from across the House for the continued and constructive engagement in helping us to secure a good deal.

Madam Deputy Speaker (Dame Eleanor Laing): I should inform the House that Mr Speaker has selected the amendment in the name of the Leader of the Opposition.

3.2 pm

Paul Blomfield (Sheffield Central) (Lab): I beg to move an amendment, to leave out from “the UK's Approach to Negotiations,” to end and insert—

“commends the European Scrutiny Committee on its Fifth Report of Session 2019–21, HC 333, whose Annex draws upon responses from other select committees identifying matters of vital national interest in the EU negotiating mandate; recalls that during the 2019 general election and the passage of the Withdrawal Agreement Act, Government ministers committed that negotiations on the UK's future relationship with the EU would be based on the Political Declaration; notes that in Article 184 of the Withdrawal Agreement the UK agreed to “use their best endeavours, in good faith and in full respect of their respective legal orders, to take the necessary steps to negotiate expeditiously the agreements governing their future relationship referred to in the Political Declaration of 17 October 2019”; therefore calls on the Government to negotiate an “ambitious, broad, deep and flexible partnership”, including an “ambitious, wide-ranging and balanced economic partnership” that entails “no tariffs, fees, charges or quantitative restrictions across all sectors”, a deal that would safeguard “workers' rights, consumer and environmental protection”, including “effective implementation domestically, enforcement and dispute settlement” and a “broad, comprehensive and balanced security partnership” underpinned by “longstanding commitments to the fundamental rights of individuals, including continued adherence and giving effect to the ECHR, and adequate protection of personal data”.

I join the Chancellor of the Duchy of Lancaster in commending the determined work, over so very many years, of the Chair of the European Scrutiny Committee, and I thank him, and members of the Committee, for their report. That is both because of the important issues that the report raises, and because it provides the House with a rare opportunity to debate with Ministers about the negotiations as they reach a crucial stage. There might be issues in the report that Labour would set out differently, and we have shaped those in our

[Paul Blomfield]

amendment. At this stage, however, because of the extraordinary circumstances in which we are currently conducting business, although I will speak to the issues in the amendment, we do not intend to press it to a vote.

Let me begin with the issue on which we agree wholeheartedly with the Committee, and indeed with the motion, which is the central point of accountability. We have consistently pressed for accountability and transparency throughout these negotiations, as we were promised at the outset. The Prime Minister told us on 20 December that

"Parliament will be kept fully informed of the progress of these negotiations."—[*Official Report*, 20 December 2019; Vol. 669, c. 150.]

On 27 February, the last time that the Chancellor of the Duchy of Lancaster actually addressed or made a statement to the House on these negotiations, he said that

"we will keep Parliament fully informed about the negotiations, and colleagues will be able to scrutinise our progress."—[*Official Report*, 27 February 2020; Vol. 672, c. 469.]

But it has not worked like that, has it? Indeed, since those negotiations started, the Chancellor of the Duchy of Lancaster has made no oral statement on them at all. He has only updated the House once when he was forced to do so by an urgent question from my hon. Friend the Member for Leeds West (Rachel Reeves). That silence has spanned three months for negotiating rounds, Joint Committee meetings and all the disruption resulting from covid-19. By comparison, during phase one of the negotiations, either the Brexit Secretary or the Prime Minister reported personally to Parliament after every key negotiating round and after each meeting of the European Council.

This week, as the Chancellor has made clear, sees the fourth and crucial round of talks before the Joint Committee and high-level meeting at which progress is to be reviewed. I hope that, in her wind-up, the Minister will give an assurance to the House that the Chancellor of the Duchy of Lancaster will commit to making a statement to the House on Monday, and that the Prime Minister will update the House in person after the high-level meeting in June. I hope she will also commit to making real efforts to consult the devolved Administrations, because the terms of reference for the Joint Ministerial Committee referred to reaching agreement with the devolved Administrations on the approach to the negotiations and Ministers made repeated promises that engagement would be stepped up, after disappointment was expressed at an earlier stage, once we moved on from the withdrawal negotiations. That has not happened, has it?

Michael Gove: I would like to take this opportunity, as the hon. Gentleman is kind enough to give way, to say that the Paymaster General has indeed stepped up engagement with all the devolved Administrations, and we are grateful to them for their work. One thing has come through though: the Welsh First Minister—the Labour First Minister—has been clear that he seeks an extension of our time in the transition period. Is that official Labour party policy?

Paul Blomfield: I am looking forward to addressing precisely that point. I do understand why the Minister is so keen to talk about the process. It is because he does not really want to address the substance of the negotiations.

Let me just say a further word on the consultation with the devolved Administrations, because that may be his perspective, but it is certainly not the perspective of the devolved Administrations themselves who feel that the engagement has been cursory, and has not been meaningful either around the negotiating mandate or in updating them on the progress.

Joanna Cherry (Edinburgh South West) (SNP): Does the hon. Gentleman agree with my colleague, the Brexit Minister in the Scottish Parliament, Mike Russell, that the whole process of involvement with the devolved Administrations has been merely about letting them know what is happening rather than letting them influence what is happening in the negotiations or having any input in decisions on any crucial issues?

Paul Blomfield: I do indeed, and that is a concern that has, I think, been widely expressed by others as well. Indeed, it reflects the Government's approach to this Parliament. They keep us a little bit informed, with a written ministerial statement here and there, but there is no meaningful engagement.

Parliament must be given the opportunity of holding the Government to account for the pledges they made to the British people in the election to which the Minister referred. At that election, the Conservative manifesto promised an "oven-ready deal". That deal was the new withdrawal agreement and political declaration that the Prime Minister triumphantly renegotiated in October 2019.

Jacob Young: I appreciate what the hon. Gentleman has just said about the fact that we had a clear pledge in our manifesto and that you are well aware of the fact that we won the general election. In the light of that, what is your view on Michel Barnier's letter to Opposition leaders calling for an extension to the transition period?

Madam Deputy Speaker (Dame Eleanor Laing): Order. I appreciate that the hon. Gentleman is new to the House and I do not want to upset the flow of the debate, but other Members may not be aware that you should not address someone in the House as "you". "You" only means the Chair. During these unusual times, standards have been slipping and we must not allow that to happen. I know that I can trust the hon. Gentleman. I do not want to pick him out but he has just given me the opportunity to make sure that, from now on, he will refer to the hon. Gentleman as the hon. Gentleman.

Jacob Young: But the question stands.

Paul Blomfield: And the question will be answered, but one of the things the hon. Gentleman will learn is that there is no firmer upholder of standards than you, Madam Deputy Speaker.

The hon. Gentleman is right to focus on the mandate that the Government secured in December, and we acknowledge that the arithmetic of the general election produced gives them a clear majority in the House, but instead of talking about process, we should focus on the substance of the mandate. What was that promise? It was not, "Get Brexit done at any price." It was, "Get Brexit done on the basis of the oven-ready deal."

That deal promised the British people
"an ambitious, broad, deep and flexible partnership"

with

“no tariffs, fees, charges or quantitative restrictions across all sectors”.

It promised to safeguard workers' rights and consumer and environmental protection, and to include

“effective implementation domestically, enforcement and dispute settlement.”

The Minister talks about deals such as that with Canada as a reference point. He will know that the comprehensive economic and trade agreement contains some provisions for a level playing field with enforcement mechanisms, and in fact negotiations are taking place for those to be enhanced.

Delivering on those promises matters, because the Government have sought to talk down expectations about their ability to achieve the pledges they made to the British people. We face a huge economic hit as a result of covid-19. We must not make that worse through a bad deal on our future relationship with the European Union.

The director general of the CBI said on Tuesday:

“For many firms fighting to keep their heads above water through the crisis, the idea of preparing for a chaotic change in EU trading relations in seven months is beyond them. They are not remotely prepared. Faced with the desperate challenges of the pandemic, their resilience and ability to cope is almost zero.”

One of those firms, Nissan, warned yesterday that tariffs on cars exported to the EU would make its business model unsustainable if we left the transition, for example, on the much-vaunted Australia model—the “no deal exists” model. Meanwhile, obviously concerned about progress, the Governor of the Bank of England has urged banks to step up their preparations for the UK leaving the transition period without a future trading relationship in place.

Of course, the deal is not just about goods and services; there are nine other strands to the talks, among which security is critical. At the general election, the public were promised

“a broad, comprehensive and balanced security partnership ... underpinned by long-standing commitments to the fundamental rights of individuals, including continued adherence and giving effect to the”

European convention on human rights,

“and adequate protection of personal data”.

However, since the election, the Government have rowed back on their commitment. On 11 March, the Chancellor of the Duchy of Lancaster told the Committee on the Future Relationship with the European Union that

“we may not necessarily have concluded everything on internal security by”

31 December.

That is of deep concern, as the former Prime Minister, the right hon. Member for Maidenhead (Mrs May), pointed out yesterday at Prime Minister's questions. Without a comprehensive security agreement, even for a short period, extradition would be slower and more bureaucratic, law enforcement agencies would find it harder to get crucial information for investigations as they lost access to EU-wide databases, and it would be more difficult for UK investigators and prosecutors to collaborate with EU partners.

We have left the European Union. The task now is to build the best possible new relationship for jobs and the economy in all parts of the UK through tariff and

barrier-free trade in goods and services, to maintain the security of the UK by retaining existing co-operation as far as possible, and to maintain protection for workers, consumers and the environment. And of course nothing must be done that undermines the Northern Ireland protocol and the Good Friday agreement.

That is what the country was promised at the election. That is the deal that the Government have to deliver. They have said that they will deliver that deal by December. They should confirm today that they remain confident that the oven-ready deal that they pledged to the British people, summed up in the political declaration that they signed with the European Union, will be delivered—not any deal; that deal—and by the end of the year. They should also spell out how they plan to, in the words of their own motion, “facilitate essential parliamentary scrutiny” on their progress.

3.15 pm

Sir William Cash (Stone) (Con): I welcome the Chancellor of the Duchy of Lancaster, who has adopted, on behalf of the Government, the motion proposed by the European Scrutiny Committee, which I have the honour to chair. This motion derives from section 13A of the European Union (Withdrawal) Act 2018, as provided for by the 2020 Act. I emphasise that, because it was passed on Second Reading in this House by a majority of no fewer than 124 Members.

Under the motion, my European Scrutiny Committee has the duty of reviewing EU laws made and proposed during the transition period that affect UK vital national interests. In pursuance of that, and our report of 11 March, the motion is concerned with the Council decision in February that sets out the EU's negotiating mandate, instructing Michel Barnier, which raises clear matters of our own vital national interests. We left the European Union on 31 January. The Chancellor of the Duchy of Lancaster has special responsibilities in relation to these negotiations, consistent with those of his distinguished predecessor John Bright, who coined the expression “the mother of Parliaments”.

The 2020 Act passed following the general election last December, and it contained in section 38 the historic affirmation of the sovereignty of the United Kingdom Parliament, to rectify the failure of successive Government policies on the EU, including the European Communities Act 1972 itself. Now that we have left the EU as the result of a succession of Acts of Parliament, including the referendum Act itself and the result of the referendum to leave, endorsed by the general election last year, we have a Conservative majority of 81. That endorsed Brexit, and left the other parties floundering in the wake of the democratic will of the British people, in line with the Conservatives' commitment to our democratic self-government.

My Committee's report on the EU's negotiating mandate noted that, on the one hand, the EU recognises the autonomy of the UK, as well as our right to regulate economic activity as we deem appropriate. That is then contradicted by the EU proposing draconian conditions of UK compliance with what the EU describes as “robust level playing field commitments”.

These include massive EU tax, social, employment and environmental standards, and EU state aid laws, as well as a fisheries deal with the EU enjoying pre-Brexit access to UK waters—not to mention the vexed Northern Ireland protocol.

[Sir William Cash]

That protocol was badly conceived by the previous Administration and included concessions on EU jurisdiction and the status of Northern Ireland. There were even reports that Martin Selmayr, the then deputy to Mr Juncker, regarded Northern Ireland as the price that the UK would have to pay for leaving the EU. Furthermore, there never has been a level playing field. For example, the subsidies in relation to steel and coal generally have always been continuously distorted against the interests of the UK.

I can remember raising these questions over 20 years ago in relation to, if I may say to the hon. Member for Sheffield Central (Paul Blomfield), my experience having been brought up in Sheffield, which was surrounded by coal communities and, of course, was the engine of the steel industry of the United Kingdom and the world. It was quite clear that the European Coal and Steel Community was operating on a basis that, for example, gave the German nation £4 billion a year in authorised subsidies, which put it in a hopelessly advantageous position as against us. Ambrose Evans-Pritchard and a list of other great economists have continually made clear the distortions in relation to state aid that have such a devastating impact upon us. We cannot allow ourselves to be drawn back into the framework of state aid prescribed by the European Union.

Indeed, according to *The Brussels Times* a few days ago, the German economy is receiving 52% of the total state aid approved by the European Commission under the EU coronavirus package. Similarly, the EU insisted on law enforcement and criminal justice conditional on our continuing with the European convention on human rights and personal data law along EU lines. It went further, insisting on an overall governance framework that would include a continuing role of the European Court of Justice. What planet are they living on?

This is encapsulated by the difference in language between the EU and the UK in relation to these negotiations. It speaks about a new partnership. Our White Paper refers to the future relationship. The EU is not a sovereign state. We are, and we have a sovereign Parliament. We have decided to leave, and we have left. It is bound to recognise us as such, but it refuses to do so.

Hilary Benn: The hon. Gentleman has set out the clear Government policy that they will not accept the adjudication of the European Court of Justice, but in any agreement—and we all hope an agreement is reached—there will have to be a dispute resolution mechanism. It would be helpful if he could tell the House his views on what kind of mechanism that would be and whether there might be a place within that for independent arbitration to deal with disputes. Given that he has just argued that EU member states have got away with state aid to the disadvantage of the UK, is he satisfied that the Government are asking for sufficient reassurance from the European Union that that will not happen in future under any agreement that is reached?

Sir William Cash: To answer the second point first, I am, of course, very conscious of what is going on in the negotiations. I hear what has been said repeatedly by the Government with respect to maintaining and protecting our vital national interests, and I believe that that will be the outcome—namely, we will ensure that

we are not made subject to EU state aid in the way in which we have experienced it in the past. I have made the case. I can say more about it, but I do not need to for the moment.

With respect to the question of arbitration, it refers back in a funny way to my reference to John Bright, who was one of the initiators of the notion of international arbitration in the Alabama case. I will simply say this. I believe that the European Court's jurisdiction cannot be allowed, but I go further: I think that some form of arbitration may be necessary, but not, under any circumstances, including our being subjugated to the rules and jurisdiction of the European Court.

I will now move on. For our report, my Committee consulted with 24 Select Committees, and we are immensely grateful to all of them for their contributions. The Prime Minister, in a written statement, followed by a Command Paper in February, made it clear—in line with Acts of Parliament that had already been passed, not to mention the outcome of the general election—that there would be no rule for the European Court of Justice, nor any alignment of our laws with the EU, and nor would any of the European institutions, including the Court, have any jurisdiction in the UK. Those statements and policies are entirely consistent with the democratic will of the British people. We asked the Government to publish their draft legal text, and I am glad to say that that has been done.

The timing of this debate is crucial because the Prime Minister will engage in a high-level meeting towards the end of this month. I ask the Chancellor of the Duchy of Lancaster for the exact date when that will take place, the agenda that will be before the meeting and who will attend on behalf of the EU and the EU27. This, in turn, is crucial, because Germany takes over the presidency on 1 July and there is all the sensitive history associated with Germany's engagement with the EU, which I have debated and written about since April 1990, and have discussed face-to-face with many of its leading politicians, including Helmut Schmidt and others. My approach has been demonstrably justified by events. For example, the coronavirus package would move the EU towards greater EU fiscal and political integration, which the Germans would influence much more heavily than even they do today. Their slogan for the presidency is:

“Together. Making Europe Strong Again”

I simply add that we were not a minute too soon in leaving the EU.

The Government, in their Command Paper, say that by the end of June there is the opportunity for the

“outline of an agreement...capable of being rapidly finalised by September. If that does not seem to be the case...the Government will need to decide whether the UK's attention should move away from negotiations and focus solely on...preparations to exit the transition period in an orderly fashion.”

Recent correspondence between our chief negotiator, David Frost, and Michel Barnier indicates that there is no real progress in the negotiations, because the EU is invariably asking for the impossible and, as correctly indicated by David Frost, the EU is not offering a “fair free-trade relationship” but a

“low-quality trade agreement...with unprecedented...oversight of our laws and institutions..”

Our vital national interests, which derive from our democracy and self-government, which is what this debate is about, are paramount.

I was extremely glad to hear what the Leader of the House said at today's business questions on the issue of the extension of the transitional period, because he used the hallowed words of the late Margaret Thatcher, "No, no, no." I am delighted to hear similar sentiments expressed by the Chancellor of the Duchy of Lancaster this afternoon. Any extension of the transition period, through which Mr Michel Barnier is outrageously trying to seduce remainers, would simply prolong negotiations; as David Frost stated, it would create more uncertainty, leaving us paying far more to the EU and binding us to EU laws, when we have democratically and lawfully decided to leave the EU by our own sovereign decision and our own sovereign legislation.

As for the Labour amendment to this motion, it completely turns the purpose of the "good faith" and "best endeavours" in article 184 of the withdrawal agreement, which places an obligation on the EU to enshrine European sovereignty, on its head. The amendment would betray that and with it the democratic will of the British electorate. In conclusion, I urge the Government to review the Northern Ireland protocol, which raises concerns about EU law and European Court jurisdiction, and the status of Northern Ireland. I look to the Government to ensure that the whole UK leaves on our own terms, because our sovereignty and self-government is an absolute bulwark of our freedom and our democracy.

Madam Deputy Speaker (Dame Eleanor Laing): I should warn the House that after the speech by the Scottish National party spokesperson there will be a time limit on Back-Bench speeches of four minutes; of course, that does not apply to Joanna Cherry.

3.28 pm

Joanna Cherry (Edinburgh South West) (SNP): It is a pleasure to follow the hon. Member for Stone (Sir William Cash). We disagree about much, but we are both committed to the restoration of sovereignty. He is committed to the restoration of the sovereignty of this Parliament, whereas I am committed to restoring the sovereignty of the people of Scotland, which of course was famously asserted in the declaration of Arbroath, whose 700th anniversary we are celebrating this year. In the June 2016 referendum, people in Scotland voted overwhelmingly to be part of the EU.

That preference has been reinforced in Scotland in two subsequent United Kingdom general elections and in the European Parliament election, yet on 31 January this year, people living in Scotland found themselves being taken out of the European Union against their expressed wishes. At that time it was said that this was, "Getting Brexit done", but of course Brexit is not done. All that has been agreed are the terms of withdrawal. Nothing has been agreed regarding the future relationship between the UK and the EU. Judging from what I see and hear in my role as a member of the Select Committee on the Future Relationship with the EU, there is very little chance of an agreement being reached by the end of this year.

The Scottish National party thinks that it is not and will not be possible to conduct and conclude the negotiations and implement the results within the truncated timescale that has been set. We also think that in the context of an unprecedented global pandemic and a catastrophic economic recession, which might turn out

to be the worst in 300 years, it is frankly irresponsible to think that things can be done properly within that timeframe.

That view is widely held by those who have the misfortune to watch and comment upon the British Government's conduct of the negotiations, which includes the ill-judged and rather petulant letter sent by Mr Frost to Mr Barnier last month. That is widely seen as having been something of a nadir in the British Government's approach to the negotiations.

Andrew Griffith (Arundel and South Downs) (Con): Will the hon. and learned Lady give way?

Joanna Cherry: I will make a little bit of progress, and then I will give way. It is the view of the Scottish Parliament that it is essential that the UK indicates that it will seek to extend the transition period for up to two years, as provided for in the withdrawal agreement. It is not just the SNP who think that, as the Chancellor of the Duchy of Lancaster said. All the parties in the Scottish Parliament, including the SNP, Labour, the Greens and the Lib Dems—all that is, apart from the Scottish Conservatives—believe that there should be an extension. The deadline that is coming fast at us at the end of this month is a very real deadline, because after the end of this month it will not be possible to extend under the terms of the withdrawal agreement, and no other plausible route to an extension has been put forward.

Andrew Griffith: Will the hon. and learned Lady care to recall her party's policy in respect of the withdrawal agreement and its prognosis for the triumphant renegotiation of that? Does she recall how few weeks it took the Government to obtain that renegotiation with the services of David Frost?

Joanna Cherry: I am not sure I follow that intervention. I am not going to be pulled off my track by it, because I do not want to take up too much time.

The global economy is declining fast and we must do everything we can to give business the best support for recovery from that decline. The next couple of years will be crucial. Ending the European Union withdrawal transition period at the end of this year would subject Scotland and the United Kingdom as a whole to an entirely unnecessary second economic and social shock on top of the covid crisis. More jobs would be lost, living standards would be hit and essential markets and opportunities for recovery would be damaged. For the many businesses that manage to survive the covid crisis, this second, Brexit-related shock could be the final straw.

Yesterday, the Scottish Government published a report indicating that ending the transition this year would result in Scottish gross domestic product being between £1.1 billion and £1.8 billion lower by 2022 than if the transition was extended to the end of 2022. That is equivalent to a cumulative loss of economic activity of between £2 billion and £3 billion over those two years. A proportionate impact would be likely for the UK economy, so it is against the background of those figures and projections for the Scottish economy and the UK economy that the vast majority of Scotland's elected representatives would like to see an extension of the transition period.

[Joanna Cherry]

I do not expect the Chancellor of the Duchy of Lancaster to take what Scotland's elected representatives vote for remotely seriously. I know that whether he is affecting a courtesy and a concern for our voices, or whether he is putting the boot into us for the benefit of his Back Benchers, Scotland is not his concern, because Scotland returns very few Conservative Members to this Parliament. However, the economic impact of failing to extend the transition will affect not just Scotland, but all the United Kingdom, including those who, in good faith—particularly in the red wall—voted for the Conservative party in England last December. Even if the Government give not a jot for the concerns of Scottish voters and the vast majority of their elected representatives, I am sure that they do give a jot for the concerns of the people who put them where they are. Many of those people, particularly working-class voters in the north and midlands of England, will be most adversely affected by the sort of double whammy of leaving at the end of this year without an agreement or an extension and the covid crisis.

Jacob Young: Will the hon. and learned Lady give way?

Joanna Cherry: I am coming to an end. I say to the Chancellor that he should swallow his pride and seek an extension of the transition period. For all that has been said about him in this place, Michel Barnier has all the graciousness that the Chancellor affects to have, so I have no doubt that if the request for an extension is made, it will be granted.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Eleanor Laing): Order. We now have a time limit of four minutes.

3.36 pm

James Wild (North West Norfolk) (Con): For six months before I was elected as the Member for North West Norfolk, I was part of the Brexit unit in No. 10, and prior to that, I advised the former right hon. Member for Aylesbury as he led part of the EU negotiations, including with member states, so I have been blessed with some experience of negotiations, although not as much as my hon. Friend the Member for Stone (Sir William Cash).

In considering the EU mandate and today's debate, it is worth reflecting on the process thus far. Back in July, the consensus was that the backstop could not be changed—that the EU mandate was the mandate and the UK had to accept it. Indeed, in meetings I was in with Michel Barnier, he said, “No way—no way can the backstop be changed.” But with clarity on the changes that we needed, energetic negotiations and by marshalling political support for them, the backstop was indeed replaced and a new political declaration agreed that explicitly set a free trade agreement as the desired outcome. Importantly, both sides agreed to get the agreement done by the end of 2020, and we must now retain the clarity that got us to this position.

I welcome the European Scrutiny Committee's call for transparency on the negotiations. In the past, the EU set out its position while ours could be rather obscure, but anyone can now go on gov.uk and read the detailed text that we have published and the typically

straightforward and reasoned letter from my former colleague, David Frost. They set out our proposals on a level playing field to prevent distortions of trade and unfair competitive advantages—proposals that meet the commitments that we made in the political declaration. We also agree to non-regression on labour, the environment and other areas, but as a sovereign nation, we cannot accept the EU mandate on state aid, requiring dynamic alignment on rules over which we have no say. That would be unprecedented in a free trade agreement.

On fisheries, my constituents on the coast want to see us take back control of our waters, but the EU proposals are based on maintaining the same access as under the common fisheries policy. On security, the safety of all our citizens must be the first priority, with an approach that reflects the UK's leading position as a source of data and intelligence. Now is the time for flexibility in the EU mandate, not the further delay that some have called for—although the Opposition spokesman, the hon. Member for Sheffield Central (Paul Blomfield), was unwilling to answer whether those calling for delay include the Labour party.

Of course, covid-19 has required a huge amount of attention from the Government and member states, as well as the Commission, but with good will, it is eminently feasible to finalise an FTA. Extending the transition would simply prolong negotiations and extend uncertainty. If we learnt anything from the withdrawal agreement, it is that extensions remove the pressure to bring negotiations to a conclusion. I encourage my right hon. Friend the Chancellor of the Duchy of Lancaster to pursue the communications to businesses, who know that changes are coming to customs arrangements, so that they can be properly prepared.

In conclusion, the Commission and member states, as we know, closely follow the debates in this Chamber. This House legislated to end the transition period this year. Government Members are united in delivering on the manifesto that people in North West Norfolk and across the country voted for at the general election. The terms of an agreement that reflect the reality that the UK has left the EU are clear, reasonable and public, so now is the time to work intensively to secure that FTA for the benefit of UK and EU citizens.

3.39 pm

Sammy Wilson (East Antrim) (DUP): May I say at the very start that we support the Government in getting this deal done by the end of this year, and in honouring the commitment that has been made, including in manifestos to the people of the UK?

I could rehearse the things that we in Northern Ireland want to see undone in this withdrawal agreement. Of course, it is most damaging to the Northern Ireland economy and Northern Ireland businesses—it puts burdens on them and puts additional administrative checks on them—and, indeed, it leaves Northern Ireland open to anti-competitive dumping by EU countries. However, I want to widen this today. Many people see the Northern Ireland protocol as something that simply affects Northern Ireland: “It was unfortunate; we had to do it; we had to get a deal through; we don't like parts of it, but given the special circumstances, it was the best we could do.” The point of the Northern Ireland protocol is this: it is the back door through which the EU is going to continue to undermine the sovereignty of this Parliament.

The Minister congratulated the hon. Member for Stone (Sir William Cash) on the fact that he has worked tirelessly to restore the sovereignty of this House. This withdrawal agreement and the protocol undermine and continue to undermine the sovereignty of this House. It does that through article 10 of the Northern Ireland protocol, which insists that the state aid rules will apply not to Northern Ireland, as paragraph 40 of the Government's Command Paper suggests, but to the United Kingdom as a whole. Any state aid that the Government of the United Kingdom give to any firm that trades in Northern Ireland, as this therefore has an effect on possible trade by those firms through Northern Ireland into the rest of the EU, will be subject to EU laws, and the final adjudication on that, according to article 12 of the Northern Ireland protocol, will be by the European Court of Justice.

Let me give an example about any support that the Government give. Nissan has been mentioned today. If the Government decide they are going to help Nissan to develop battery cars, as Nissan sells cars in Northern Ireland, other car makers in Europe could challenge that, and the final adjudication on it will be not in the British courts, but in the European Court of Justice. That could extend to almost any activity, and for that reason it is important, if the Government are to live up to the commitment in the third part of their motion, that they address the withdrawal agreement. In the Command Paper, they see the withdrawal agreement as temporary anyway. They see it going along with a future trade arrangement.

Sir William Cash: Did my right hon. Friend notice the remarks that I made at the end of my speech with respect to the question of the Northern Ireland protocol?

Sammy Wilson: I did, and I appreciated the point that was made. It is important that this is revisited, and not just for the good of the economy and businesses in Northern Ireland. It is essential that it is addressed for the sovereignty of this Parliament and for the freedom of this Government to use fiscal policy, monetary policy and any kind of state support policy for the whole of the United Kingdom.

There is hardly a business in GB that does not trade with Northern Ireland, so either they do not invest in or do not trade in Northern Ireland, or else they will find that they are subject to EU laws, and any Government policy addressed to them would be perceived as giving an advantage. By the way, that advantage only has to be theoretical, according to EU law. The effect does not have to be real, it does not have to affect sales—in theory, it does have to affect sales—and it does not have to be substantial; it can be a very small proportion of help or a very small proportion of the market. This is a huge foot in the door.

I say to the Government that, during the scrutiny of and in the reports on this, we want to see what has been done. The withdrawal agreement must not be seen as set in stone if the Government, in their own Command Paper, see it as temporary anyway, albeit with the consent of the Northern Ireland Assembly. They also have to address the issue of how the withdrawal agreement impacts on sovereignty and on the ability of this Government to conduct their own economic policy in the United Kingdom.

3.44 pm

Lee Rowley (North East Derbyshire) (Con): I am grateful for the opportunity to speak in this debate. It is a great pleasure to follow the right hon. Member for East Antrim (Sammy Wilson), who has been throughout my time in this place a doughty and courageous advocate for the opportunities of leaving the European Union. I also want to thank my hon. Friend the Member for Stone (Sir William Cash), whose work on the European Scrutiny Committee is much appreciated: the work in its previous guise, displaying the massive amounts of legislation that came from the European Union over so many years and doing so much to create the view in the United Kingdom that we were losing control of our sovereignty; and now in terms of the overview mechanism, which it does so well.

Mr Alistair Carmichael (Orkney and Shetland) (LD): The hon. Gentleman praises the right hon. Member for East Antrim (Sammy Wilson), whose analysis of this I thought was fairly sound. What part of that analysis would the hon. Gentleman disagree with?

Lee Rowley: The right hon. Member for East Antrim has a particular view around Northern Ireland, and we have debated that extensively in this place for a number of months, even years. Where I agree with him is that we needed to leave the European Union, and we have done that. Where I disagree with the right hon. Member for Orkney and Shetland (Mr Carmichael) is that he never wanted to leave the European Union in the first place, whereas we delivered on the decision of the British people in 2016.

Like so many others, I voted to leave the European Union in 2016. Leaving it in a way that works for our country—both the opportunities that it can provide and the responsibilities that it creates for us as an internationalist, outward-looking country—is incredibly important. My constituents in North East Derbyshire remain extremely committed both to having left the European Union in January—some of us at some points in the previous Parliament were not actually sure we would quite get there—and to taking the opportunities that will come as a result of that.

I would just gently say to the hon. and learned Member for Edinburgh South West (Joanna Cherry), for whom I have a great deal of time and respect, that as someone who represents one of those red wall seats that she was so keen to reference in her speech, I can give her absolute assurances that the hard-working people in that red wall seat who wanted to leave the European Union still want to leave, still wish to get the clarity that is required by the end of December and do not want the double whammy of the Opposition parties, who wanted to frustrate this in the first place and continue to want an extension that would serve no purpose.

My constituents feel so strongly about this because democracy matters. After we made the decision in 2016, it took this place three years to ensure that it would occur. Now we have a great opportunity to build a future partnership, to build something that works both for us and for the European Union over the long term, but it has to be done on the basis of mutual respect, obligation and responsibilities. We cannot fall into the same inane and asinine discussion that we did in Parliament in 2019, where we said, “How can it be possible? We are

[Lee Rowley]

not able to do it. We cannot possibly expect to be able to do it in the time." Let us let the negotiation go through, let us allow the space and the opportunity for that to happen and then see what comes from it. I am certainly confident that it is possible. The residents of North East Derbyshire and many of the red wall seats want to ensure that it happens and I know, with confidence in the Government, that it will.

3.48 pm

Rushanara Ali (Bethnal Green and Bow) (Lab): Now that the UK has left the European Union, our focus must be on getting a deal that protects jobs and businesses and allows British firms to trade freely, as well as guaranteeing the supply of goods and services and frictionless trade, which we were promised. The coronavirus pandemic has shown how fragile the supply chain can be both across Europe and globally, and the impact that disruptions can have on people's lives as well as businesses.

We need a deal that safeguards workers' rights and environmental standards, and protects the Good Friday agreement as well as maintaining access to medical supplies and ensuring that they are kept intact. Crucially, the deal should reject the sort of tariffs and barriers that make it harder to trade abroad, push prices up and make it more difficult for people who are already suffering.

The deal we strike must protect our citizens' wellbeing and security. That is the first duty of any Government. Ministers have insisted on sticking to the timetable drawn up before the extraordinary challenges posed by the pandemic. It is striking that recently two thirds of the British people said they agreed with the statement that the Government should request an extension to the transition period in order to focus properly on coronavirus and dealing with its consequences. Ministers' timetables take no account of the disruption to the negotiations because of covid, nor the dramatic effect on our economy. I do not need to emphasise the Bank of England's prediction that we face the worst economic slump for more than 300 years, with unemployment set to double this year and youth unemployment set to reach 1 million.

Millions of people coming through the pandemic face redundancy and great uncertainty. Many thousands have lost loved ones. Others face losing their businesses, their homes and, at worst, a deep economic depression. Yet Ministers insist on pursuing the same course of action as before the crisis. When the EU (Withdrawal Agreement) Bill was being debated, Opposition Members argued that it should be sensible and flexibility should be built in to keep our options open, but Ministers rejected that. It is like spotting the iceberg and still steering towards it.

The terrible economic prospects make a successful conclusion to the negotiations even more vital now for our country, security and wellbeing. That conclusion must ensure that even greater burdens are not placed on people and businesses. The signs are not promising. There has been a marked reluctance on the part of Ministers and the Prime Minister to provide regular updates. The Government are fearful of scrutiny, transparency and accountability. The fact that there has been only one statement after we requested an urgent question emphasises that. The chief negotiator said on Twitter:

"I regret... that we made very little progress towards agreement on the most significant outstanding issues".

Looking forward, it is crucial that we have a trade agreement that truly ensures frictionless trade and protects our rights, and that we protect ourselves against no deal and crashing out. That means that Ministers need to be responsible, recognise the new reality of the pandemic and the dangers to people's lives and our economy, and ensure that we exit properly, without disruption and damage to our country.

3.52 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): It is interesting to reflect that if anyone had suggested a year ago that we would embark on a debate on Brexit by lamenting the lack of time and debate we had spent on it in recent months, few would have perceived that as a credible prospect, but that is the somewhat curious position in which we find ourselves. Notwithstanding that, the debate is timely and I give credit to the hon. Member for Stone (Sir William Cash) for his role in persuading the Government to hold it because the end of this month will be the point of no return for any deal between the United Kingdom and the European Union after the end of the year.

I was struck by the hon. Member for Stone's commending the Leader of the House for quoting Margaret Thatcher saying "No, no, no." Margaret Thatcher was many things but when she said something, we knew that the rhetoric would always match the reality. The difference between Margaret Thatcher and those in 10 Downing Street and around the Cabinet table today is that there is often a significant gap between the rhetoric and the reality. That was apparent from the very cogent speech we heard from the right hon. Member for East Antrim (Sammy Wilson), a man who is genuinely committed to the Union that is the United Kingdom. If hon. Members on the Government Benches wish to continue to be known as Conservative and Unionist, they should listen carefully to his words and to what he has to tell us.

We were told quite categorically at the time of the conclusion of the withdrawal agreement that there would be no border checks and no customs checks between Northern Ireland and the rest of the United Kingdom, yet in the past few weeks it has become apparent that actually there will be such border checks. As somebody who is also committed to the continuation of the United Kingdom as a single unitary state every bit as passionately as the right hon. Member for East Antrim, I take very seriously the risk that that poses.

I would like to hear from the Paymaster General, when she comes to wind up, what the Government's response is to press reports today that the Government are set to open British markets to food products produced to lower US standards as part of the planned trade deal with Donald Trump. This was the rhetoric we were given in a previous existence by the Chancellor of the Duchy of Lancaster: he told us that there would never be chlorinated chicken on our plate. Now, in fact, we hear that as a consequence of the so-called dual tariff process it is quite possible that we will see such products being imported to this country. In fact, we are told that the Secretary of State for International Trade is arguing that these tariffs should only be temporary and that they should be reduced to zero over 10 years, giving farmers time to adjust to the new normal. Again, that is

a very different reality from the rhetoric to which we have been treated in the past. For the farmers and crofters in my constituency, it will be a hard reality for them to survive in.

For years, we have done what successive Governments have told us to do. Because we are a long distance from the market, we have not gone for mass-produced food. We have sought to improve and increase the quality of the products we have and put into market with a view to export. Tariffs on those export markets will be absolutely fatal to the agricultural interests of the highlands and islands.

3.57 pm

Richard Graham (Gloucester) (Con): It is a pleasure to follow the right hon. Member for Orkney and Shetland (Mr Carmichael), although of course in any discussion of issues around the EU he does suffer from the disadvantage of his party having campaigned on the most extraordinary anti-democratic position that I have ever seen any party take in this Chamber. Therefore, speaking up for the fishermen of Scotland is, I think, very difficult for him and his party to do with real credibility.

Mr Carmichael: Will the hon. Gentleman give way?

Richard Graham: No, I am sorry. The right hon. Gentleman spoke for quite a long time earlier.

The issue today is really all about whether we will be able to achieve the deal with the European Union that so many of us around the Chamber, including the right hon. Gentleman and his distinguished colleagues, want to see. My hon. Friend the Member for Stone (Sir William Cash) said earlier that Michel Barnier is trying to seduce remainers in this Chamber. Of course, there are no remainers left. We have already left the European Union and what matters now is the future relationship.

In that context, it is important that my right hon. Friend the Paymaster General helps in her summary this evening to address the point raised by the Leader of the House earlier when he referred, in answers at business questions, to the importance of ensuring that we leave this transition phase “successfully” by 31 December. I am in no doubt at all that we should leave at the end of this year. That is absolutely crucial. That is what we campaigned on. That is what this party campaigned on. That is how the election was won. But the definition of “successfully” is incredibly important.

The example of Nissan's Sunderland factory is very relevant. The announcement of the closure of its Barcelona factory leaves Sunderland as Nissan's sole manufacturer for Europe. That is a significant tribute to the productivity record of its factory and workers, but before we celebrate, we have to heed its global chief operating officer, who said that

“we are the number one carmaker in the UK and we want to continue”

but that if Nissan is not getting the current tariffs—zero tariffs, rather than the 10% tariffs which would be imposed on vehicles and parts under WTO rules—the business will not be sustainable. He said:

“That's what everyone has to understand.”

It would be helpful if my right hon. Friend would confirm that the Government are clear about the consequences of no deal at the end of this year, not just for Sunderland,

but in the west midlands, and for automotive sector supply chains across the country. Of course this issue is not confined just to that sector. My right hon. Friend knows well the risks to farming, and the potential hazards for farmers who are selling sheep and beef, and particularly barley, across the channel. Explaining to our farmers at the beginning of 2021 that those exports will have significant tariffs attached would not be a welcome start to the year for them.

I have always believed in the commitment of the Prime Minister and the Government to get a deal that would be good for our nation and benefit the EU. Indeed, I defended the Prime Minister last summer when many doubted the strength of that commitment, and I hope nothing has changed to damage it. I hope that the contribution the deal can make to our economic revival, and to “bounce back Britain”, will be strong, because in my view anything that does not do that cannot possibly be seen as a successful outcome. The business of the EU understanding that we cannot possibly accept the jurisdiction of the European Courts as the dispute resolution—my hon. Friend the Member for Stone made that point—was highlighted by the Select Committee, and I hope that success means getting that deal as soon as possible.

4.1 pm

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): It is a pleasure to follow the hon. Member for Gloucester (Richard Graham). We have been good friends for a long time, and I appreciate his comments.

The negotiations on our future relationship are crucial for Northern Ireland. As someone who has been involved in the political process for many years, I want the peace process in Northern Ireland to be sustained, but I am concerned that the Northern Ireland protocol fundamentally undermines Northern Ireland's status as part of the United Kingdom. People talk about protecting and preserving the Good Friday/Belfast agreement, but at the heart of that agreement was an acceptance of the principle of consent, and that Northern Ireland's status would remain unchanged, save for the wishes of the people of Northern Ireland determining otherwise. The Northern Ireland protocol undermines that key, fundamental element of the Good Friday agreement. Indeed, we voted against the withdrawal agreement because it had the potential to create a customs border within the United Kingdom, which would be unacceptable. We will continue to work with the Government to mitigate that, to ensure unfettered access to the UK market, as promised by the Government, and to diminish and reduce any friction to the absolute minimum.

We continue to have concerns about the Northern Ireland protocol and the potential for tariffs to be applied on trade between Northern Ireland and Great Britain, as well as about the paperwork and added burden for businesses as a result of entry and import summary declarations. We have concerns about regulatory checks on goods travelling between Great Britain and Northern Ireland, including agri-food and manufacturing. Our fishermen in Northern Ireland may have to make declarations, including customs declarations, to the European Union. On agricultural support, I echo the comments of the right hon. Member for Orkney and Shetland (Mr Carmichael) about the risk to our agricultural industry from cheap food imports. That is why we supported amendments to the Agriculture Bill. We will

[Sir Jeffrey M. Donaldson]

have to apply EU rules on VAT in Northern Ireland, and there is also the issue of state aid—I will not repeat the comments made by my right hon. Friend the Member for East Antrim (Sammy Wilson) about that issue, which has implications for the UK as a whole.

We need the Government to ensure that the aims set out in the UK Command Paper remain a foundational requirement, and that those commitments are unmoveable and the minimum requirements we will have. Indeed, we want to go further and see greater flexibility demonstrated by Brussels regarding how the Northern Ireland protocol will be implemented. The UK Command Paper, for example, sees no requirement for export or exit summary declarations for trade between Northern Ireland and Great Britain. We agree with that, but we need to ensure that the EU does not hold a veto on these customs formalities.

Sammy Wilson: The Government give those guarantees, but does my right hon. Friend accept that at the same time, HMRC officials are going around briefing firms in Northern Ireland as to the likely costs of those declarations?

Sir Jeffrey M. Donaldson: That is why I think it is important that the Government hold to the commitments they made in the Command Paper and, indeed, go further. Businesses need clarity on this, because we have officials in Northern Ireland saying something that appears to contradict what is in the Government's Command Paper. We need that clarity.

The Government must also honour the funding pledges that have been made in terms of support for Northern Ireland in how the protocol is implemented. I hope that the Minister and the Government will give us more regular updates on what is happening with the Northern Ireland protocol, and in particular the work of the EU-UK Joint Committee, because that is crucial to Northern Ireland.

There is a lot of uncertainty at the moment about the impact of the coronavirus on our economy. We do not want any more uncertainty, and that is why my party is against extending the transition period. But we need clarity and certainty around how the protocol for Northern Ireland will be implemented, and we want the Government to take a minimalist approach to that protocol.

4.6 pm

Andrew Griffith (Arundel and South Downs) (Con): My right hon. Friends the Chancellor of the Duchy of Lancaster and the Paymaster General, as well as David Frost, the Prime Minister's chief negotiator, are proving to be magnificent midwives for our rebirth as an independent nation. It is important that those in the European Union who are watching today's debate understand that whichever of the two outcomes they return with, they have the full support and confidence of Government Members.

I am proud that Sussex features heavily in the history of Britain, just as Britain features heavily in the history of continental Europe. Historically, the ports and beaches of Sussex were the embarkation point and occasionally even the receiving point for less good-natured attempts to harness our economies together than these negotiations should prove to be. The Earldom of Arundel, at the heart

of my constituency, was created by William of Normandy in 1067, following his memorable visit to Hastings just down the road.

I share this Government's ambition to get the best outcome achievable for the UK and to continue to have good relations with the EU, but now as a valued trading partner. Having conducted many negotiations in the course of 27 years in business, I know that a deadline is vital to get both parties to close the gap between their respective positions. As my hon. Friend the Member for North West Norfolk (James Wild) reminded us, this Government have already shown that they are able to negotiate international agreements with speed and efficiency. The withdrawal agreement was reopened and renegotiated in under three months, despite the assertions of Opposition Members, who stated categorically that that would not be possible.

Not only are the downsides of accepting a bad deal fully priced in, but many British businesses are chafing at the bit for certainty and to utilise our new-found freedoms. They look forward to the ability to make the most of our natural advantages, such as our strong adherence to the rule of law, flexible workforce, sitting between the Asian and American time zones, and English as our own—and the world's—language. They also look forward to the opportunity to deregulate and to hold Whitehall properly to account for unnecessary red tape, without the helpful alibi of Brussels or, if we are in a different week of the month, Strasbourg to point to.

Of course, we can transform our fortunes as we secure independent trade deals with Japan, Korea, Australia, New Zealand and the US. Why would the EU not agree a deal with its largest trading partner at least as good as the one it has concluded with Japan? I agree, on this occasion, with the President of the European Commission, Jean-Claude Juncker, when he said of that deal:

"It is... a tool that will create opportunities for our companies, our workers and our citizens and that will boost the European and Japanese economies."

I agree, and if that is true of Japan, 6,000 miles away, how much more true it must be across a mere 60 miles!

To conclude, while I hope an agreement will be reached, we should be excited by the opportunities that lie beyond the EU. That is why I support the Prime Minister and the Government and wish them well in these negotiations.

4.10 pm

Catherine West (Hornsey and Wood Green) (Lab): It is a pleasure to follow the hon. Member for Arundel and South Downs (Andrew Griffith), who must represent one of the most beautiful parts of the UK. Sadly, I do not share his Panglossian view of where we are with the negotiations.

I tend to agree more with the former leader of the hon. Gentleman's party, who asked the Prime Minister yesterday about the sorry state of manufacturing at the moment and the risk to car companies such as Nissan, with a possible 10% tariff to be levied if this does not go right. The purchasing managers index is down to 40, indicating contraction. We know that that is, in recession terms, a very serious position for manufacturing. The Governor of the Bank of England has described our economy as potentially going towards a depression rather than just a recession. This feels to me less like a Panglossian rebirth and more like a second punch in the face after covid.

I am very concerned about the sanitary and phytosanitary arrangements, which are not yet pinned down. I hope that the Minister will be able to clarify where she thinks we are on food standards. We have the gold standard at the moment, but we read in the newspaper concerns about the quality of imported food. What is her view of where we are with that negotiation?

Will the Minister also outline whether she believes we are likely to veer away from the excellent environmental protection standards in the European Union in order to save some of our businesses, which will be severely at risk? Will we cut corners on workers' rights? Has she had conversations with the TUC about protecting the rights of workers? Obviously, statements were made about that in the last Parliament, and it was something that we debated a lot. However, given the way the economy is going at the moment—possibly even towards a depression—will the Government cut corners on important questions such as environmental protections and workers' rights?

We have talked a lot this afternoon about Northern Ireland. Will the Minister please give businesses there clarity? They are not just important for communities in Northern Ireland; when we go to the shops and buy a bar of cheddar, which is our most popular cheese, we are buying it from farmers in Northern Ireland, so we all have an interest in getting these details right.

We know that the Prime Minister's promise of an oven-ready deal with no checks at the border in Northern Ireland was a fiction. We now know that new red tape and rules will be introduced for the business community, much of which is small and medium-sized enterprises. Even a small amount of red tape can tip a small business into a problematic area, so please may we have some detail on that in writing, so that Members can disseminate it to those small businesses that are worried about it?

In conclusion, I beg for some pragmatism and not just an ideological approach to this important area. Given that we are in a seriously problematic area for our economy, we need to stop being ideological and be much more pragmatic.

Madam Deputy Speaker (Dame Rosie Winterton): I call Duncan Baker. You have 90 seconds.

4.13 pm

Duncan Baker (North Norfolk) (Con): I shall have to be quick. It is an honour to speak as quickly as that, especially with my hon. Friend the Member for Stone (Sir William Cash) here—or, as my family like to call him, the godfather of Brexit.

Funnily enough, the obstacle here is not time—although I know it is for me. It is a fundamental difference of opinion. We have form on this one. We had it before with the EU, when they would not get over the backstop, and we managed to achieve that. I say to our EU negotiators from my experience in business, “Never walk into a negotiation you're not prepared to walk away from.” I think with that in mind, we will get a deal, there will be no extension and we will see Brexit done.

4.14 pm

The Paymaster General (Penny Mordaunt): I have six minutes or less, so I will do my best to answer the points that hon. Members have raised. I want to thank everyone

who has taken part in the debate, and I thank the hon. Member for Sheffield Central (Paul Blomfield) for not pressing the amendment. We stand fully with our commitments in the withdrawal agreement and the political declaration, but it is not possible to conduct a debate based on selective quotes from that long and complex document. The hon. Gentleman raised issues around scrutiny. My right hon. Friend the Chancellor of the Duchy of Lancaster has updated the House at every round of the negotiations—sometimes that has had to be through written ministerial statements—and he has also appeared three times before the Committee on the future relationship with the European Union, on 11 March, 27 April and 28 May, as well as before the Public Administration and Constitutional Affairs Committee.

With regard to the hon. Gentleman's point on the devolved Administrations, we have worked extremely hard to meet their concerns around ensuring that they are properly briefed and that they can engage directly. There have been material changes to our negotiating position as a consequence of that, and the latest is that we are now, at their request, meeting as a quad as opposed to on an individual basis. We will continue to adapt how we engage, at their request.

I echo the tributes that have been paid to my hon. Friend the Member for Stone (Sir William Cash) and all those involved in the production of the report. There are many reasons for Brexit. The economic benefit is a key one, and he is absolutely right to say that when we deliver on Brexit, we must preserve those economic opportunities. His points on state aid, fishing and no European Court of Justice are well made and well understood. The Government's negotiating position remains that the mandate is the starting point for the negotiations, and the position outlined in the EU's mandate is not one that we will ever accept.

The hon. and learned Member for Edinburgh South West (Joanna Cherry) raised concerns about the transition period. We will not extend the transition period. It would simply prolong negotiations and bring further uncertainty to business and the general public. We have all experienced what that is like, and I do not think we want it again. It is perfectly possible to get a deal in the timeframe. We are working on many precedents and many texts that already exist. It is possible to do that, and we are working very hard to do it.

My hon. Friend the Member for North West Norfolk (James Wild) was right to raise the danger of prolonged uncertainty. He is very much across the detail, and I know that he will be fighting to ensure that we deliver on this for his constituents. The right hon. Member for East Antrim (Sammy Wilson) raised understandable concerns around the issue of state aid. I can confirm that we will develop our own separate, independent policy on subsidies, and in doing so, it is one of our key objectives that we will have a modern system for supporting British business in a way that fulfils its interests in every part of the United Kingdom.

My hon. Friend the Member for North East Derbyshire (Lee Rowley) reminds us of the opportunities that our new freedoms will bring and also that democracy matters. I agree wholeheartedly with those remarks. The hon. Member for Bethnal Green and Bow (Rushanara Ali) raised understandable concerns about the pressures that businesses and communities are facing because of covid—

Ben Lake (Ceredigion) (PC): Will the Minister give way?

Penny Mordaunt: I am afraid I am going to make some progress, I am sorry.

I can reassure the hon. Lady that we very much understand those issues. We are taking an incredibly pragmatic approach to the whole transition process and we will engage with businesses and communities thoroughly. The right hon. Member for Orkney and Shetland (Mr Carmichael) was reminiscing down memory lane, and I fully understand why he may be sceptical about trusting the Government, but I would say to him and the hon. Member for Hornsey and Wood Green (Catherine West) that they should trust the people. The British people are full of common sense. They value rights. They value animal welfare. We should trust the consumer on food standards. There are massive opportunities for our farmers for rest-of-world trade. My hon. Friend the Member for Gloucester (Richard Graham) quite rightly raises the importance of getting a deal, and I can reassure him that we are absolutely working towards that.

The right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) rightly raised concerns and the importance of the protocol. Ultimately, it is in Northern Ireland's hands. Democratically elected politicians will decide its future in a consent vote. Implementing the protocol, therefore, cannot mean a maximalist or an inflexible application of EU law, or new international borders, or unwarranted burdens for Northern Ireland's people or businesses. I can assure him about the position set out in the Command Paper. We take those obligations extremely seriously.

Ben Lake *rose*—

Penny Mordaunt: If the hon. Gentleman is very quick, I will give way.

Ben Lake: I am inordinately grateful to the Minister for giving way. In the previous Parliament, it was made clear just how considerable the resource and effort required for no-deal planning was. Can she tell us how confident she is that the Government have the capacity to deal with both the potential of no-deal planning and of covid-19?

Penny Mordaunt: I can give the hon. Gentleman those assurances. I will just say, as a quick plug, as it is my Department, that the work that the civil service did last year in terms of those preparations was incredible and has made this country very resilient. We have drawn on much of the work that they did at that time to help us with the covid response. They are stellar individuals and I pay tribute to them for what they did then and for what they are doing now.

Finally, I just want to mention my hon. Friend the Member for Arundel and South Downs (Andrew Griffith), who gave an extremely confident speech and reminded us why all this will come to pass. It is because it is good for us and it is good for our partners with which we are trying to get trade deals, and, as a consequence, I remain optimistic about our future.

Madam Deputy Speaker (Dame Rosie Winterton): That concludes the debate. I understand that the hon. Member for Sheffield Central (Paul Blomfield) wishes to withdraw his amendment.

Paul Blomfield: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Main Question put and agreed to.

Resolved,

That this House, having regard to the constitutional and legal functions enshrined in the European Union (Withdrawal) Act 2018 and the European Union (Withdrawal Agreement) Act 2020, urges the Government to conduct its negotiations with the European Union with the fullest possible transparency to facilitate essential parliamentary scrutiny; also urges the Government to make regular progress reports on the negotiations, including on stakeholder contributions to the consultation on The Future Relationship with the EU: the UK's Approach to Negotiations, and to address the issues identified by the European Scrutiny Committee in its Fifth Report of Session 2019–21, HC 333, as matters of vital national interest.

Madam Deputy Speaker: I have a short announcement. Further to the House's decision earlier this afternoon to hold an emergency debate on the matter of the arrangements for the conduct of House business during the covid-19 pandemic, I can announce that the debate will be held at the commencement of public business on Monday and will last for up to two hours.

In order to allow the safe exit of right hon. and hon. Members participating in this item of business and the safe arrival of those participating in the next, I will suspend the House for three minutes.

4.23 pm

Sitting suspended.

Business without Debate

VIRTUAL PARTICIPATION IN PROCEEDINGS DURING THE PANDEMIC (TEMPORARY ORDERS)

[Relevant Documents: First Report from the Procedure Committee, Procedure under coronavirus restrictions: proposals for remote participation, HC 300; Second Report from the Procedure Committee, Procedure under coronavirus restrictions: remote voting in divisions, HC 335; Third Report from the Procedure Committee, Procedure under coronavirus restrictions: the Government's proposal to discontinue remote participation, HC 392; and Transcript of oral evidence on Procedure under coronavirus restrictions to the Procedure Committee from the Clerk of the House and the Clerk of the Journals on 1 June 2020, HC 300.]

Madam Deputy Speaker (Dame Rosie Winterton): Before I call for the motion to be moved, I understand that Chris Bryant has withdrawn his amendment and has made that clear.

Ordered,

That the following order be made and have effect until 7 July 2020:

(1) Members may participate in proceedings on Questions, Urgent Questions and Statements virtually, by electronic means approved by the Speaker.

(2) Virtual participation in accordance with paragraph (1) may only be permitted by the Speaker in respect of Members who have self-certified that they are unable to attend at Westminster for medical or public health reasons related to the pandemic. The arrangements for self-certification shall be set out by the Speaker.—
(*Mr Rees-Mogg.*)

PROXY VOTING (EXTENSION)

[Relevant Documents: First Special Report from the Procedure Committee, Procedure under coronavirus restrictions: the Government's proposal for proxy voting for shielding Members, HC 429.]

Resolved,

That this House agrees that a Member who is unable to attend at Westminster because they themselves are at high risk from coronavirus for reasons that they are either 'clinically extremely vulnerable' or 'clinically vulnerable', may arrange for their vote to be cast by proxy; and accordingly directs the Speaker to amend the pilot proxy voting scheme, in accordance with paragraph (5) of the Resolution of the House of 28 January 2019, as amended on 16 January 2020 (Proxy Voting (Implementation)).—(*Mr Rees-Mogg.*)

PROXY VOTING (TEMPORARY STANDING ORDER)

Ordered,

That the temporary Standing Order (Voting by proxy for parental absence) be amended as follows:

In the title delete "for parental absence".

Delete paragraph (1) and insert:

"(1) A Member may, by reason of absence from the precincts of the House:

- (a) for childbirth or care of an infant or newly adopted child, or
- (b) because they themselves are at high risk from coronavirus for reasons that they are either 'clinically extremely vulnerable' or 'clinically vulnerable', arrange for their vote to be cast in accordance with this order by another Member acting as a proxy (a proxy vote)."

In paragraph (9) delete "and the Resolution of the House of Monday 28 January 2019" and insert "the Order of 4 June 2020 (Proxy Voting (Temporary Standing Order)), and the Resolutions of the House of 28 January 2019 and 4 June 2020".—(*Mr Rees-Mogg.*)

Madam Deputy Speaker: I have a short statement to make in relation to motions 3 to 5, which have been agreed to. Preparations are under way as a matter of urgency both to enable virtual participation in scrutiny proceedings and to extend proxy voting. Mr Speaker will write to all hon. Members tomorrow morning, and this will be sent to all hon. Members by email. Those hon. Members who expect to self-certify for virtual participation or to be eligible for proxy voting, or both, should aim to respond swiftly in order that virtual participation can be in place from very early next week, and the extension of proxy voting implemented as soon as possible.

Restoration of Canals

Motion made, and Question proposed, That this House do now adjourn.—(*Eddie Hughes.*)

4.30 pm

Craig Williams (Montgomeryshire) (Con): I have to confess to the House, or to what is left of the House, that I secured this debate in what feels like a very different world. Although the restoration of the canal is, of course, hugely important, the covid-19 crisis has slightly changed the tone in which I will speak on it. I see the Minister is in her place. I very much look forward to hearing her thoughts on how we can restore the rest of the UK's canal network.

This afternoon, I joined my constituents and interested parties over Zoom to talk about the Montgomery canal—it is very important that it is the Montgomery, not Montgomeryshire, canal, as I keep getting reminded—with Michael Haig from the Inland Waterways Association and Michael Limbrey, who heads the Montgomery restoration efforts. I can report to the House and the Minister that the efforts to restore Montgomery canal are alive and well, and going at great speed thanks to a recent national lottery heritage fund grant of up to £4 million, which is being spent as we speak, and thanks to the volunteers.

I know that my hon. Friends the Members for Lichfield (Michael Fabricant) and for Clwyd South (Simon Baynes) would have liked to have been present to intervene away, but sadly they cannot be. My hon. Friend the Member for Lichfield is the chair of the all-party parliamentary waterways group, and he particularly wants to refocus this effort as the House gets back fully. I warn the Minister that I see today's debate as a prelude on this subject, as I am sure that there will be debates coming thick and fast.

Before I go on to the wider benefits to the canal network, I will touch directly on the Montgomery canal, and give a bit of its history. The Montgomery canal was built through an Act of Parliament in 1794, and by 1796 a lot of it was in operation, running from Llangollen to Newtown. Sadly, in 1944, after a breach, it was rendered inoperable. Luckily, most of the land around the canal was kept intact, and now the Canal and River Trust owns most of it, which has helped with the restoration.

The Prince of Wales gave tremendous support and enthusiasm at the start, through the Prince of Wales Committee and the Variety Club of Great Britain, and in 1969, through the hard work of 180 volunteers and nine gallons of beer, the efforts started in earnest to restore the canal. The restoration of Montgomery canal would be a huge benefit to my constituency, especially as we look to support the tourism sector as we come out of covid-19. Although the effort is there, it would benefit massively from the Minister's personal attention. I hope very much to walk down a stretch of the canal as we return to normal in our political operations, and I know the trust would welcome that too.

Canals are incredibly important to tourism, benefiting our sector to the tune of £1 billion in England, supporting 30,000 jobs. Through this crisis, a lot of businesses are of course suffering, as well as a lot of charities. I welcome the Government's support to date, and I welcome the work of the Canal and River Trust. I pay particular tribute to the work of its chief executive, Richard Parry,

[Craig Williams]

who is donating an element of his salary to the charitable appeal that it is organising to support the Canal and River Trust and businesses affected at this time. A support package is really needed, and I know my hon. Friend the Member for Lichfield has written not to the Minister in her place but to Treasury Ministers about that. I support the majority of the calls that have been made.

To return to the tourism impact, it is terrific to see developments happening right now down the canal, I think in anticipation of its eventual restoration. Montgomeryshire and rural parts of Wales suffer from a lack of scaled accommodation to host anything, but recent developments, such as new hotel provision, mean we can build at pace for the inevitable arrival of tourists after covid-19—not now. They are always welcome in Montgomeryshire, but at the moment we are closed for business. I ask them in due course to come and enjoy the canal network.

The canal touches lives, as we have seen throughout this crisis. Our towpaths and canal network give support to local residents, as I am sure they will in due course give support to constituents from across the UK. There are mental health benefits just from being able to walk those 35 miles. Huge provision is being made to increase the cycle network in this country, and the towpaths already cater for walkers, canal enthusiasts and cyclists. I hope that will generate more money into the sector. This is about providing a safe opportunity for people to enjoy the countryside and our canal networks, and I hope very much that the Minister and the Government will put more money into that.

Let us consider the environmental benefits alone. We have seen the creation of the special wildlife areas around the canal, as the volunteers and the trust have restored our canal locally in Montgomeryshire. Restorations across the UK have put in place two new reservoirs that would not otherwise exist at the moment. I could argue until the cows come home as to whether there is a huge negative effect of the restoration, but the mitigation goes above and beyond, and I pay tribute to those involved for that. I particularly wish to draw a response from the Minister on the environmental benefits both of the mitigations put in place and of the canal network of the UK.

Obviously, the restoration makes an economic contribution in terms of tourism, but the environmental benefits cannot be overstated. There are many projects along the Montgomery canal, and of particular fascination is the fact that there are 127 significant buildings, from the bridges to the warehouses of the canal age, that we seek to protect. The restoration is proving to be a way to build on that together. The Inland Waterways Association has helped to restore more than 500 miles of canals and rivers, and although there is much more to do, that local heritage on the Montgomery canal would be struggling without that work now. I am talking about many projects, such as the Schoolhouse bridge project, where we have recently been raising £300,000; we have secured local buy-in, but with Government support we could really deliver on a lot of these projects.

I have mentioned tourism and the environment, and I will start to draw my remarks to a close. I implore the Minister to consider that there are restoration projects in constituencies across the UK, and if we look at the

gross value added effect of restoring canals, we see that there is a huge positive return to the Exchequer and the public purse. It is excellent value for money to invest in restoring our canal networks. I have alluded to the mental health benefits and the tourism effects, but if we work with the IWA and the Canal and River Trust, we can set out an excellent stall. The Government could invest in cycleways across the UK, not just in the cities and market towns, and could level up the canal network. People sometimes think that restoring the canals and turning the UK economy round on the basis of canals is a joke. I am not saying that it will completely restore the effects of the current crisis, but it will help. It will help draw together local businesses to build a plan for tourism and development. It will help drive domestic tourism, and it will have environmental benefits. I will leave that thought as a preamble to further debates on this subject, but I look forward to the Minister's response.

4.40 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow): It is a pleasure to be here this afternoon talking about canals—a lovely subject on which to end the day. I congratulate my hon. Friend the Member for Montgomeryshire (Craig Williams) on securing this important debate on the restoration of Montgomery canal. He brings personal experience, because I believe he was brought up in the area, and it is one he knows very well. The canal is affectionately known locally as “Monty”, which shows how much people love that canal and the idea of the canal.

I have my own experience with canals, because I grew up near the Kennet and Avon canal. Large parts of that have been restored during my lifetime, and it does indeed bring an enormous benefit to places such as Bath, Bradford on Avon and into Wiltshire. That is not to mention the canal locks. I do not know whether my hon. Friend has been to the section of the canal in Devizes, but there are 32 lock gates, if one wants to keep fit.

Over 50% of canals are now restored. A chunk of Montgomery canal has been restored, and there are well developed plans for the next phase of the restoration, with four phases over 19 years. My hon. Friend is talking in particular about a 35-mile stretch that still needs to be restored. I had a look at a map, and it goes up to Ellesmere in Shropshire and then connects with Newtown in mid-Wales. It is a very beautiful part of the countryside. This stretch of the canal goes through a site of special scientific interest, nature reserves and heritage sites, one being Llanymynech lime kiln works. There are some very interesting things to look at all along the way. With my horticultural background, I was especially interested to learn that Monty is home to the largest UK population of floating water plantain, which is a rare aquatic plant. If I ever do get there, I hope my hon. Friend will take me to see that plant, because I would very much like to see it.

The restoration of our disused canals is proving very valuable, enabling an increasing number of people to enjoy the outdoors and get close to water. Being close to water and being outside has much value for health and wellbeing. The Canal and River Trust did a survey recently, and it discovered that life satisfaction and happiness is 10% higher if you live near water, so we can see the benefits of restoring canals.

The responsibility for the management and maintenance of canals in England and Wales rests with the owner and the navigation authority. For the majority of canals, that is the Canal and River Trust, which is the case with Montgomery canal. The Canal and River Trust was set up in 2012, and as part of the transfer of ownership, the Government agreed a grant of around £50 million per year over 15 years to support the trust to develop income-generating strategies and revenues to invest in canal maintenance and regeneration programmes, which have been incredibly effective.

My hon. Friend spoke eloquently about Montgomery canal, which is a great example of a restoration project that is off the ground. The Canal and River Trust is working with the Montgomery Waterway Restoration Trust to manage the project and raise additional funds. With the cost of the first three phases estimated at £34 million, there is clearly much more fundraising work to be done, but if the success of the project so far is anything to go by, I am confident that this will be achieved. It is clear that a broad range of partners have already been found, which is heartening.

The Canal and River Trust, along with other smaller navigation authorities, is reporting increasing numbers of visitors along their canals. Those visitors are both walking and cycling—it not just about being on the water, but using the towpaths, as we have heard—as well as boaters using the waterways. During this pandemic, canal towpaths have reportedly been used even more, as people get out for their daily exercise. We have noticed this in Taunton Deane, where we have a section of canal, and a lot of people have really enjoyed being able to get out there.

Not only do canals bring a great health benefit; they can also make a really important contribution to the economy locally, especially where they go through urban areas and areas that have traditionally been in decline. They have generated money through tourists coming in, and through starting to get freight back on to the waterways. With the move to net zero and to cleaner air, this is actually a huge asset, and we are starting to realise that canals can have a rebirth as transport links.

My hon. Friend mentioned the impacts of coronavirus and its effects on people using the sides of the canals. There has been a knock-on effect on small waterways businesses, which I would like to touch on quickly. I would like to assure these businesses—many of them have contacted me—that I am aware of the challenges

they are facing, because a lot of them have not been able to operate their businesses on the canals. I have asked my team in the Department for Environment, Food and Rural Affairs to work very closely with the Department for Digital, Culture, Media and Sport, because it is working up a potential tourism offer for those businesses.

I am very pleased to see that there has been some easing of lockdown restrictions on some of the small businesses on our waterways, and we are looking at more opportunities coming up in future weeks and months. While still keeping to the social distancing guidance, people are now able to hire canoes, kayaks or paddleboards—I do not know whether we have any paddleboarders here, but one can take out a paddleboard—and to go fishing and enjoy a day trip on a small boat, as well as continuing to use the towpaths. We are working on guidance to enable more of the waterways sector to open, I hope, in the coming weeks; we are working on that as we speak. I hope that that gives a little bit of confidence to the industry. I very much hope that the waterways will play their own part in the recovery as we start to get going again, with people taking holidays on the waterways and canals, day trips and all the things that my hon. Friend suggested that waterways can bring to an area.

In closing, I very much thank my hon. Friend for being persistent in relation to this debate, because it has been postponed previously, and for giving us a little bit of colour about his canal and the restoration scheme. The Government recognise the very considerable benefits our canal network brings in myriad ways, such as providing greater access to the outdoors, enhancing wellbeing, bringing us closer to water, engaging with nature—those water plantains—increasing leisure and recreation, increasing regeneration and bringing value to the economy.

I think we are singing from the same hymn sheet in that I am a convert to canal restoration. I very much forward to walking down that stretch of restored canal—I will not say hand in hand with my hon. Friend, but I would certainly like to walk down it with him—and to enjoying the wider benefits of Montgomeryshire.

Question put and agreed to.

4.48 pm

House adjourned.

Written Statements

Thursday 4 June 2020

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Trade Credit Reinsurance Scheme: Contingent Liability

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): I am tabling this statement for the benefit of hon. and right hon. Members to bring to their attention details of the support provided to businesses and supply chains through the trade credit reinsurance scheme.

Trade credit insurance provides cover to hundreds of thousands of business-to-business transactions, particularly in non-service sectors, such as manufacturing and construction. It insures suppliers selling goods against the company they are selling to defaulting on payment, giving businesses the confidence to trade with one another. Due to coronavirus and businesses struggling to pay bills, they risk having credit insurance withdrawn, or premiums increasing to unaffordable levels.

The trade credit reinsurance scheme, led by the Department for Business, Energy and Industrial Strategy, will temporarily reinsure the credit risks of business-to-business transactions covered by trade credit insurance in the UK. This will ensure that the vast majority of insurance coverage is maintained across the market. This will support supply chains and help businesses to trade with confidence as they can trust that they will be protected if a customer defaults or delays on payment.

The scheme is available on a temporary basis for nine months backdated to 1 April 2020 and running until 31 December 2020 with the potential for extension if required. The key parameters of the scheme are:

The scheme is delivered through a temporary reinsurance agreement with insurers currently operating in the UK market, covering both domestic and overseas trade with payment terms of up to two years.

The Government will reinsure 90% of insurance claims up to a cap of £3 billion and 100% of claims between £3 billion and £10 billion.

The Government will receive 90% of gross policy premiums and return 35% of these premiums to insurers to cover their costs.

The scheme rules will require participating insurers to comply with certain undertakings regarding the conduct of their business during the period of the scheme. This includes conditions that they will forgo profits and not pay dividends or bonuses for senior staff for their guaranteed trade credit insurance business.

The scheme will be followed by a joint BEIS and HMT-led review of the trade credit insurance market to ensure it can continue to support businesses in future.

Implementation of the scheme is subject to state aid approval, agreement of full form documentation with insurers and acceptance of applications from insurers for participation.

The new scheme is launched today, 4 June. The Government will be subject to a new contingent liability, and I will be laying a departmental minute containing a description of the liability undertaken.

For more information on this and other support for business, please go to <https://www.businesssupport.gov.uk/>.

[HCWS268]

FOREIGN AND COMMONWEALTH OFFICE

Women, Peace and Security National Action Plan 2018-2022: Annual Report 2019

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): I wish to inform the House that the Foreign and Commonwealth Office, together with the Department for International Development and the Ministry of Defence, are publishing the 2019 annual report on progress against the UK's fourth "National Action Plan on Women, Peace and Security 2018-2022".

Published on 18 January 2018, the national action plan (NAP) sets out the Government's objectives on the women, peace and security agenda for the period 2018-22. This is the UK Government strategy for how we will meet our women, peace and security commitments under UN Security Council resolution 1325 to reduce the impact of conflict on women and girls and to promote their inclusion in conflict resolution and in building peace and security.

The report that will be published today outlines our progress against the national action plan during 2019, including our work in our nine focus countries of Afghanistan, the Democratic Republic of Congo, Iraq, Libya, Myanmar, Nigeria, South Sudan, Somalia and Syria. It is centred around seven strategic outcomes where we expect to see progress over the five year duration of the NAP.

October 2020 also marks the 20th anniversary of UN Security Council resolution 1325. In the lead up to this anniversary, the UK has committed to raising ambition and strengthening the implementation of resolution 1325 through promoting women's meaningful inclusion in peace processes, in particular in Afghanistan, South Sudan and Yemen, and increasing support to women resolving conflict, countering violent extremism and building peace at the grassroots level.

Electronic copies of the annual report will be placed in the Libraries of both Houses and it will be available on gov.uk.

[HCWS269]

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