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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 30 June 2020

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Virtual participation in proceedings commenced (Order, 4 June).

[NB: [V] denotes a Member participating virtually.]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH OFFICE

The Secretary of State was asked—

Covid-19 Vaccine

Dr Jamie Wallis (Bridgend) (Con): What diplomatic steps the Government are taking to support the development of a covid-19 vaccine (a) in the UK and (b) throughout the world. [904014]

Andrew Jones (Harrogate and Knaresborough) (Con): What diplomatic steps the Government are taking to support the development of a covid-19 vaccine (a) in the UK and (b) throughout the world. [904032]

Christian Wakeford (Bury South) (Con): What diplomatic steps the Government are taking to support the development of a covid-19 vaccine (a) in the UK and (b) throughout the world. [904035]

Jo Gideon (Stoke-on-Trent Central) (Con): What diplomatic steps the Government are taking to support the development of a covid-19 vaccine (a) in the UK and (b) throughout the world. [904042]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Wendy Morton): Finding a covid-19 vaccine is a top priority for the Government. The Prime Minister has set up a vaccine taskforce and appointed Kate Bingham to lead it. The taskforce aims to secure access to promising vaccines for the UK population and to support access to vaccines to help bring the pandemic to an end. We have invested more than £130 million in research for the vaccine front-runners at the University of Oxford and Imperial College, London, and this is in addition to the £250 million that we have contributed to the Coalition for Epidemic Preparedness Innovations and the £1.65 billion to Gavi, the Vaccine Alliance.

Dr Wallis: I thank the Minister for her answer. Does she agree that central to the development of a vaccine is ensuring equitable access for all, particularly for those countries whose health systems are most fragile?

Wendy Morton: That is a really important point. The Prime Minister has made it clear that equitable access is an integral part of the UK's approach to vaccine development and distribution. Only last weekend, he emphasised how all the world's leaders have a moral duty to ensure that covid-19 vaccines are truly available to all. That is why the UK has contributed more than £313 million of UK aid to CEPI, the COVID-19 Therapeutics Accelerator, the Access to COVID-19 Tools (ACT) Accelerator, and the Foundation for Innovative New Diagnostics. We have also committed £1.65 billion to Gavi over five years to strengthen immunisation for vaccine preventable disease in vulnerable countries.

Andrew Jones: Around the world, there are more than 100 programmes to develop a coronavirus vaccine. Can my hon. Friend confirm that our global diplomatic presence is assisting UK companies and universities to participate in those programmes, basically by using their local networks to highlight the significant expertise that the UK can contribute, but also vice versa to identify where those contacts can contribute to UK-based programmes, because this is truly a global effort?

Wendy Morton: Yes, our overseas network is working actively around the globe, particularly through our world-leading science and innovation network. The Vaccine Taskforce is also ensuring that work being done to find a vaccine in the UK complements and supports global efforts, including by providing industry and research institutions with resources and support. We welcome the announcement on 4 June of the innovative collaborations between AstraZeneca, CEPI, Gavi and the Serum Institute of India to support the production of 1.3 billion doses for global access to a potential covid-19 vaccine.

Christian Wakeford: Israel is at the forefront of MedTech innovation, which presents many opportunities for the UK's healthcare system, such as the use of AI technology in diagnostics and screening. Can my hon. Friend tell me what the Government's plans are to strengthen partnerships between Israeli MedTech companies and UK researchers, particularly in the north-west, to help them not only develop a vaccine but better prepare for the potentiality of any future pandemic?

Wendy Morton: International collaboration is absolutely vital as we search for a vaccine, and finding a vaccine for covid-19 is a top priority for the Government. The Prime Minister has made it clear that we see vaccines as a global challenge and that no one country can do this alone. That is why the UK has called for clear global commitments from international partners to tackle the pandemic, including through the G7, the G20 and other international forums. The Prime Minister hosted a global vaccine summit on 4 June, which brought together more than 60 countries, including 44 Heads of State and Government, and raised an incredible \$8.8 billion to support immunisation of more than 300 million children against vaccine preventable diseases.

Jo Gideon: Does my hon. Friend agree that Britain has demonstrated its global reach during this pandemic? May I thank the Department for listening to my representations on behalf of my constituents in Stoke-on-Trent Central, who were repatriated from Kathmandu and Durban during lockdown, and ask that the Department

use the same global reach to ensure that our world-class vaccine development work benefits the global community?

Wendy Morton: I know how hard my hon. Friend works in her Stoke-on-Trent Central constituency. Together, the Foreign Secretary, the ministerial team and the diplomatic network continue to galvanise international support and financial commitments to support research, development and equitable access to vaccines. Through ongoing research at Oxford University and Imperial College, London, the UK is leading the way in developing a coronavirus vaccine. We are also working with international partners to ensure that, wherever a vaccine is discovered, it will benefit the global community as a whole.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Mr Speaker,

“The breadth of the work that DFID is involved in is exemplary...It is firmly in our national interest...As we have seen in recent years with the Ebola crisis”.—[*Official Report*, 13 June 2016; Vol. 611, c. 262.]

Those are not my words, but those of the Minister. Destabilising Britain’s efforts to tackle disease globally in the middle of a pandemic is not diplomatic; it is dangerous, and the hostile takeover by the Foreign Secretary has been slammed by 200 leading health and humanitarian agencies, Prime Ministers and MPs from both sides of the House, and those who have assessed the impact of mergers in Australia and Canada. Why does she think she got it wrong, they all got it wrong, and instead, it is Dominic Cummings who is right?

Wendy Morton: I thank my hon. Friend for his question. We served together on the International Development Committee several years ago, but to be absolutely clear, when it comes to the FCO and DFID merger, as the Prime Minister set out on 16 June we retain our commitment to spending 0.7 % of our gross national income on official development assistance, but it is through closer integration that we will maximise the impact of our aid budget. At the recent Gavi event—the global vaccine summit on 4 June—we mobilised the collective influence of diplomacy and development; it is an excellent example of what the two Departments working together can we achieve.

Sino-British Joint Declaration

Miss Sarah Dines (Derbyshire Dales) (Con): What assessment he has made of the effect on the Sino-British joint declaration of recent actions by the Chinese Government in Hong Kong. [904015]

Mark Logan (Bolton North East) (Con): What assessment he has made of the effect on the Sino-British joint declaration of recent actions by the Chinese Government in Hong Kong. [904027]

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): Today China has enacted national security legislation. We are waiting for it to be published so that we can see the details and assess it against what we have said before. When that is the case, I will make an oral statement to update hon. Members. None the less, at this stage what I can say is that the imposition of national security legislation on Hong Kong, rather than through Hong

Kong’s own institutions, lies in direct conflict with China’s international obligations under the Sino-British joint declaration.

Miss Dines: From what we know so far, it appears that Beijing has just voted to impose new hard-line national security laws on Hong Kong. They are widely thought to include a new law enforcement and intelligence agency to operate there, and to give the Chief Executive power to appoint judges to hear national security cases. Does my right hon. Friend agree that it is only through an internationally co-ordinated action that we will be able to safeguard the hard-fought-for rights and freedoms of those in Hong Kong?

Dominic Raab: My hon. Friend is absolutely right, and of course it is contrary to, we believe, China’s own interests and also China’s articulation of the relationship with Hong Kong through the one country, two systems policy. As she rightly says, we have been working very closely with our international partners, the EU and the G7, and, indeed, we are raising the issue with like-minded partners in the United Nations Human Rights Council shortly.

Mark Logan [V]: A number of commentators have been conversely saying that Hong Kong’s role as a financial centre may be buttressed by the national security law as Chinese companies look to list in Hong Kong, now that they are less welcome in the United States. What does my right hon. Friend make of this controversial assessment, and what are his predictions for the future of Hong Kong as an international financial centre and the implications for both London and British interests?

Dominic Raab: I thank my hon. Friend, who makes a very important point. Of course, the success of Hong Kong—the entrepreneurial spirit, the vibrancy, the economic success—has been built on its autonomy in the one country, two systems paradigm. That clearly is under threat if China, as we now fear, has enacted the legislation and our worst fears in terms of the substantive detail are borne out; and of course it would be bad news for all international businesses, but, fundamentally, not just for the people of Hong Kong but for China. That is why, even at this stage, we would urge China to step back from the brink, respect the rights of the people of Hong Kong and live up to its international obligations through the joint declaration and to the international community.

Lisa Nandy (Wigan) (Lab): China passed the national security law today. It is a direct challenge to the joint declaration and undermines not only the promises made to us, but those that we made to the people of Hong Kong. The Foreign Secretary told me in the House a few weeks ago that at its application, Britain would act. That law comes into force tomorrow. He must not waiver. Will he fulfil his promise to BNO passport holders? Will he stop dragging his feet on the Magnitsky legislation that he was once so keen to champion and give us a firm date? Will he confirm that this has now changed the Government’s thinking on Huawei? He said just a few weeks ago that we would

“live up to our responsibilities...to the people of Hong Kong”.—[*Official Report*, 13 January 2020; Vol. 669, c. 769.]

It would be extraordinary were the UK to turn back now. We must live up to those responsibilities.

Dominic Raab: I thank the hon. Lady for her support for the Government's position, which, as we have already made clear, if once the national security legislation is published—she has not seen it because I have not seen it and it has not been translated yet—*[Interruption.]* Yes, but she has not seen the legislation, so I think the right thing to do is to wait to see it, but as we have made clear, if it is as we expect then it would be not just a challenge, as she said, to the joint declaration; it would be a violation of the joint declaration. It would undermine the autonomy of the people of Hong Kong and the freedoms. I welcome her support. It is incredibly—*[Interruption.]* She says that it is weak; she has not read the legislation—she cannot have done because it has not been published. *[Interruption.]* No, so how can she say that it is weak? I have already made a commitment to the House that I will come here to make sure that all hon. Members can be updated, not just on what we will do on BNOs, which I can confirm we fully intend to see through, but any other action we want to take with our international partners.

West Bank: Planned Annexation

Tonia Antoniazzi (Gower) (Lab): What recent representations he has made to the Israeli Government on their planned annexation of parts of the west bank. [904016]

Julie Elliott (Sunderland Central) (Lab): What assessment he has made of the effect of Israel's plan to annex parts of the west bank on human rights in that region. [904018]

The Minister for the Middle East and North Africa (James Cleverly): The UK's position is clear: we oppose any unilateral annexation. It would be a breach of international law and risk undermining peace efforts. The Prime Minister has conveyed our position to Prime Minister Netanyahu on multiple occasions, including in a phone call in February and a letter last month. The UK's position remains the same: we support a negotiated two-state solution based on 1967 borders, with agreed land swaps, Jerusalem as a shared capital and a pragmatic, agreed settlement for refugees.

Tonia Antoniazzi: Current sanctions are clearly not working as a deterrent for Israel's plan to annex the west bank illegally. Strong words at this point are a betrayal of the Palestinian people—they need actions. Can the Minister outline what action the Government will take against annexation?

James Cleverly: The Government have maintained a dialogue with Israel. We are attempting to dissuade it from taking this course of action, which we believe to be not in its national interest and not compliant with international law.

Julie Elliott [V]: In 1980, the UN Security Council condemned Israel's illegal annexation of East Jerusalem and, in '81, its illegal annexation of the Golan Heights. What lesson does the Minister think the Israeli Government took from the failure to see those Security Council resolutions adhered to? Are the UK Government abandoning the Palestinian people, as suggested in a recent open letter by UK charities?

James Cleverly: The UK Government remain a friend of Israel and also a friend of the Palestinian people. We have continued to have dialogue both with the leaders of the Palestinian Authority and with the Government of Israel, and we encourage them to work together to come towards an agreed settlement that will see a safe, secure state of Israel alongside a safe, secure and viable Palestinian state. There is still the opportunity for that negotiated settlement to be the outcome, and we will continue working with both the Israelis and the Palestinians to facilitate that.

Lisa Nandy (Wigan) (Lab): World leaders are warning of consequences should annexation go ahead, but the silence from this Government has been deafening, so much so that the Israeli newspaper *Haaretz* says that France is now the world's "last, best hope" to stop annexation. This really is shameful. I raised my concerns with the US ambassador—has the Minister? Will he commit to a ban on settlement imports and recognise Palestine, as this House voted to do? Forgive me, I may have missed it. If he will not do those things, can he tell us what exactly he is proposing to do?

James Cleverly: The UK remains a friend and ally to the state of Israel and a good friend to the Palestinian people. It is tempting—and I am sure it will placate certain voices on the left of the political spectrum—to stamp our feet and bang the table, but we will continue to dissuade a friend and ally in the state of Israel from taking a course of action that we believe will be against its own interests, and we will do so through the most effective means available.

Alyn Smith (Stirling) (SNP) [V]: I listened carefully to the previous exchange, and I have much respect for the Minister, but I am not asking him to stamp his feet or bang the table—I am asking him to match the sensible position that he has outlined today on the illegal annexation of the already illegally claimed settlements with some actual action. No amount of warm words and sympathy are going to cut it in this discussion. My party, likewise, is a friend of the two-state solution. We are a friend of the Israeli state, and we are a friend of the Palestinians as well. We want to see a viable solution, but there is a lively debate that we can influence right now within Israel, and we need to put action on the table, not warm words and sympathy. Settlement goods should at the very least be labelled as illegal, and targeted sanctions need to be put on the table to focus the minds of the coalition. I urge him to act, not just talk.

Mr Speaker: I hope, on his second question, the hon. Gentleman will be briefer.

James Cleverly: My right hon. Friend the Foreign Secretary has spoken with his opposite number and other members of the Israeli Government, as have I and indeed our Prime Minister. We are working to dissuade Israel from taking this course of action. There will always be voices in British politics that would jump at any opportunity to bring in sanctions and disinvestment. We do not agree with those voices, and we will continue to work towards a negotiated two-state solution, using the diplomatic means we have at our disposal.

Alyn Smith: I appreciate that answer, and I would urge more. When Russia illegally occupied Crimea, the UK Government, with our support, implemented sanctions

with the international community. We need that sort of action now, and I would urge the Minister to greater efforts than we have heard today.

James Cleverly: I reiterated the UK's position at the UN Security Council on 24 June. I made it clear that annexation would not go unanswered. However, I will not stand at this Dispatch Box in order, as I say, to placate some of the traditional voices in criticism of Israel when the best way forward is to negotiate and speak with a friend and ally, in the Government of Israel, to dissuade them from taking a course of action that we believe is not in their own best interests.

UK Relations with France

Felicity Buchan (Kensington) (Con): What recent diplomatic steps he has taken to strengthen UK relations with France. [904017]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Wendy Morton): On 18 June, we welcomed President Macron and Foreign Minister Le Drian to London to commemorate the 80th anniversary of de Gaulle's appel. President Macron presented the Légion d'honneur to London and the British people, and also met Their Royal Highnesses the Prince of Wales and the Duchess of Cornwall. The Prime Minister and Foreign Secretary held talks with the President and the Foreign Minister. France is a close neighbour, a key ally and a vital partner, and that day in particular really emphasised our country's shared history and our future joint ambitions. The Prime Minister, the Foreign Secretary and I continue to have regular phone calls with our French counterparts.

Felicity Buchan: South Kensington is home to a very large and vibrant French community, many of whom now have dual nationality. Will my hon. Friend assure me that, whatever temporary disagreements we may have with France—during, for instance, Brexit negotiations—it will always remain one of our closest and most strategic allies?

Wendy Morton: I can assure my hon. Friend that France will remain one of our closest and most strategic allies. We will continue to co-operate on security, defence, development and foreign policy. In regard to EU negotiations, as the Prime Minister has made clear, the faster we can reach an agreement the better. We welcome the fact that the EU has agreed an intensified timetable and signed up to a sensible process to take the talks forward.

FCO Staff: Brussels

Sir Christopher Chope (Christchurch) (Con): How many staff are employed by his Department in Brussels; and how many staff he plans to employ in Brussels after 31 December 2020. [904019]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Wendy Morton): The UK mission to the EU, the UK delegation to NATO and the British embassy in Brussels collectively employ about 250 staff. UKMis was reinforced to support our exit negotiations, while still defending our continuing interests

in EU decision making. UKMis will continue to be our principal interface with the EU after 31 December. The Government have launched an integrated review of security, defence, development and foreign policy, and the future level of resourcing for all three missions will be determined following this review.

Sir Christopher Chope: It is very disappointing that my hon. Friend has not got a target for the reduction in the number of bureaucrats in Brussels to take effect on 1 January next year. May I suggest that the target might be to reduce the current numbers of 250 down to 50? Can she explain why she does not think that is possible?

Wendy Morton: I thank my hon. Friend for his follow-up question. As I am sure he would understand, as an independent country we of course want to have representation in Brussels because, after the transition period, what will be so important is promoting UK interests and UK influence overseas.

Yemen

Simon Baynes (Clwyd South) (Con): What recent assessment the Government have made of the political and humanitarian situation in Yemen. [904020]

Caroline Nokes (Romsey and Southampton North) (Con): What recent assessment the Government have made of the political and humanitarian situation in Yemen. [904023]

Margaret Greenwood (Wirral West) (Lab): What recent discussions he has had with his international counterparts on securing a permanent ceasefire in Yemen. [904026]

The Minister for the Middle East and North Africa (James Cleverly): The UK is deeply concerned about the humanitarian crisis and conflict in Yemen. We fully support the UN peace process and urge all parties to engage constructively with it. The UK has shown extensive leadership in this response, committing nearly £1 billion in support to Yemen since the conflict began. I recently conducted a virtual visit to Yemen, meeting special envoy Martin Griffiths, Yemeni Foreign Minister al-Hadrami and Houthi spokesman Mohammed Abdul Salam, and I urged all parties to engage with the UN peace process.

Simon Baynes: I have been contacted by constituents in Clwyd South about the vital importance of the UK's humanitarian aid to Yemen. Does the Minister agree that the UK Government's role in Yemen is a prime example of the joined-up foreign policy and development work that will be needed in the new merged Department?

James Cleverly: My hon. Friend is absolutely right. It is impossible to separate our development work from our wider diplomatic work. The greatest step forward that we could have for the people of Yemen is for the conflict to cease, so that we can concentrate solely on humanitarian support. Conflict resolution is a classic function of the Foreign and Commonwealth Office. Indeed, when I speak to the development partners in country, they prioritise conflict resolution, and the work of DFID and the work of the FCO therefore go hand in hand with supporting the people of Yemen.

Caroline Nokes: There is an urgent and desperate need to continue to work to prevent hunger and suffering in Yemen. Please will my right hon. Friend reassure me that the prioritisation of covid, which is absolutely essential, will not come at the expense of some of the world's most vulnerable people?

James Cleverly: I completely agree that the UK's response to coronavirus is important, but we have not allowed it to distract us from the important international work. I recently announced considerable funding support for the humanitarian work in Yemen. As I say, I have had extensive conversations with parties right across the board, and indeed with regional countries, to support the Saudi ceasefire and encourage the Houthis also to engage with that ceasefire. We will maintain our responsibility—we will match our responsibility to the people of Yemen, and I can absolutely guarantee that that will continue under this Government.

Margaret Greenwood [V]: Yemen is facing a humanitarian disaster. According to UNICEF, there are 1.7 million internally displaced children and 2 million children who are acutely malnourished, so what conversations has the Minister had with other Government Departments to ensure that the UK can play its part in addressing this catastrophe?

James Cleverly: The hon. Lady highlights the important work of properly connected government when it comes to UK foreign policy. That is absolutely what underpins the Prime Minister's integrated review and his announcement of the merger of DFID and the Foreign and Commonwealth Office. She is absolutely right to suggest that, in order to protect the people of Yemen most properly, whether young or old, the UK Government must work with a co-ordinated approach. I regularly speak with ministerial colleagues in other Government Departments about Yemen, as well as with our international partners. I thank her for so clearly highlighting why it is important that Government Departments work closely on this, as on other issues.

Foreign, Commonwealth and Development Office

Alan Brown (Kilmarnock and Loudoun) (SNP): What discussions he has had with international (a) development non-governmental organisations and (b) counterparts of the Secretary of State for International Development on the creation of the Foreign, Commonwealth and Development Office. [904028]

Dave Doogan (Angus) (SNP): What discussions he has had with international (a) development non-governmental organisations and (b) counterparts of the Secretary of State for International Development on the creation of the Foreign, Commonwealth and Development Office. [904029]

Sarah Champion (Rotherham) (Lab): What the timescale is for the merger of the Department for International Development and the Foreign and Commonwealth Office; and if he will make a statement. [904036]

Patrick Grady (Glasgow North) (SNP): What discussions he has had with international (a) development non-governmental organisations and (b) counterparts of the

Secretary of State for International Development on the creation of the Foreign, Commonwealth and Development Office. [904040]

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): The new Foreign, Commonwealth and Development office is a huge opportunity for the UK to have an even greater global impact as we recover from the coronavirus pandemic, and also as we prepare to hold the G7 presidency and host COP26 next year.

Alan Brown: The Prime Minister thinks that international aid is a giant cashpoint in the sky and the Paymaster General wants to use the aid budget for a new royal yacht, so it is no wonder that 200 non-governmental organisations are against the proposed merger. It has also been claimed that international aid was undermining the diplomatic processes of the Foreign Office, so can the Secretary of State give me the No. 1 example of where foreign aid was used to undermine foreign policy that justifies the abolition of DFID?

Dominic Raab: The hon. Gentleman is right to point to some of the tensions. The reality is that we think we can have an even stronger impact by integrating—

Alan Brown: Give us an example.

Dominic Raab: I will give him an example if he waits a second. We think we can have a stronger impact if we integrate development policy and the aid budget with foreign policy. A good example is the GAVI summit, where we smashed the target and raised \$8.8 billion. That is a great example where, led by the Prime Minister, we brought together our development heart and soul with our diplomatic muscle and reach. That is what we are going to do with this merger.

Dave Doogan [V]: The Paymaster General suggests spending official development assistance money on another royal yacht, instead of on supporting aid workers and the world-class development NGOs based in the UK that save lives. How does that square with the established commitment that every penny of aid is and will continue to be committed to the sustainable development goals, or are we to expect that definition to fade, along with any substantive connection to the Government's legal obligation to spend 0.7% of gross national income on overseas aid?

Dominic Raab: I assure the hon. Gentleman that we are committed to spending 0.7% of GNI on aid. The examples of GAVI and COP26, the questions on Yemen and this pandemic all illustrate why bringing together all the different aspects of foreign policy—particularly bringing together aid and development policy with the Foreign Office's network—is an opportunity for us to be bigger than the sum of our parts abroad and to have an even greater impact as a force for good.

Sarah Champion [V]: The Foreign Secretary is correct that we are starting to manage covid-19 in the north, but in the global south it is causing chaos, decimation and loss of life, as can be seen from the Afghanistan figures today. Will he explain why, when DFID staff are trying their hardest to shore up the global south against

covid-19, he has chosen this moment in time to bring forward a confusing, complicated and expensive merger? Is he still looking for the merger to be completed by 1 September? Will the 30% cuts in the ODA budget that the Treasury is asking for be in this financial year or in future spend?

Dominic Raab: I reassure the hon. Lady that we are still committed to delivering the merger by September. She asks, “Why now?”. The reality is that coronavirus has illustrated just why it is so important to have an integrated and aligned approach. We have achieved a huge amount through the international ministerial groups we have brought together, but it has also shown how much more powerful we can be as a force for good abroad if we bring all those different elements together, such as aid and the foreign policy network. The GAVI summit is one example, but there are others. We have a moral duty to support the most vulnerable countries around the world to protect them against and prevent a second wave, but it is also important to save the United Kingdom from the implications of that.

Patrick Grady: As chair of the all-party group on Malawi, I hope the Foreign Secretary will join me in welcoming the election of Lazarus Chakwera as the new President. Malawi has benefited from DFID investment in governance and democracy, and from the transparency initiative, for many years, which has perhaps contributed to this peaceful transition of power. What guarantee is there that in merging the two Departments, that kind of work, which DFID was able to specialise in and which might otherwise be forgotten about, will continue to be provided and properly scrutinised?

Dominic Raab: I join the hon. Gentleman in welcoming the free and fair election in Malawi. It is really important that such things take place in countries that do not have a history or pedigree of democratic transitions. While I agree with him entirely about that, I am afraid that I do not agree with the assumption in his question. From Kenya to Nigeria in Africa, let alone more broadly across the world, the experience in our missions is that we are most effective when we fully integrate and align the development aims and aid budget with the wider foreign policy strategy. That streamlining is precisely what the merger will help us do across the board.

Tom Tugendhat (Tonbridge and Malling) (Con): May I welcome the words of my right hon. Friend this morning? When he listens to the different aid agencies that have supported the merger, such as the Carronbridge-based HALO Trust, does he realise that what they offer is a real change in how we do foreign policy, not just a change in the way we integrate foreign policy and aid at home? Having a forward-leaning, multinational organisation like DFID shaping the way our diplomats act and our embassies respond is a real opportunity to update the way the Foreign Office acts; it is not just about bringing the two Departments together.

Dominic Raab: I thank my hon. Friend, who chairs the Foreign Affairs Committee. He is right to quote the HALO Trust. He is right that this is an opportunity. Indeed, it will mean significant cultural change for the FCO, not just for DFID. We want to merge and innovate to bring something that is, as I say, the sum of our parts, but also something different. In fact, just one of 29 OECD

countries has a separate Development Ministry. I have been talking to the likes of Paul Collier and Professor Stefan Dercon about how we can achieve this in the way that delivers the best impact, particularly in relation to poverty reduction and things like climate change.

Lisa Nandy (Wigan) (Lab): I am concerned by reports that as part of the DFID merger, the Government have agreed to pause all new aid spending, including the conflict, stability and security fund. At a moment of such global insecurity, that would be an extraordinary decision. In a week when the Government have fired their national security adviser, are stalling on re-establishing the Intelligence and Security Committee, and are delaying the Russia report, can the Secretary of State at least give me a cast-iron guarantee that conflict, stability and security funding will continue to be applied to new projects and that this Government are taking national security seriously?

Dominic Raab: I can reassure the hon. Lady that conflict prevention—humanitarian aid—is going to remain, if not be elevated, as one of the key strategic priorities of the Foreign, Commonwealth and Development Office. There has been no sustained pause, but we are having a review based on the economic figures that will apply given the impact of covid-19 on GNI. That will make sure that we can prioritise the aid budget in the places that need it most. I would have thought, if she is serious about this, that she would welcome that.

South China Sea

Mr Tobias Ellwood (Bournemouth East) (Con): What recent assessment he has made of the effect of China’s deep sea exploration in the South China sea on peace in that region; and if he will make a statement. [904024]

The Minister for Asia (Nigel Adams): The United Kingdom is disturbed by reports of militarisation, coercion and intimidation in the South China sea. We note the presence of a Chinese research vessel in Malaysia’s exclusive economic zone in April and May this year, close to a Malaysian-contracted drilling operation. This has raised tensions in the region. We take no sides in sovereignty disputes. We are clear that the best way to reduce tensions in the South China sea is for all parties to resolve their disputes peacefully in accordance with the UN convention on the law of the sea. In May this year, officials raised our concerns directly with China about the recent incidents in the South China sea.

Mr Ellwood: I am grateful for that reply, but it misses the bigger picture. China is tightening its grip on the South China sea, turning places such as the Spratly islands and Paracel islands into military bases, yet the west simply looks on. The UN has confirmed that this activity is actually illegal. Maritime shipping is now denied. The next step will be the airspace, and following that will be the fact that Taiwan will become all the more vulnerable. Can the Minister confirm that the UK does not approve of the nine-dash line and that we need to be more robust in standing up to China, which is taking advantage of the west’s risk-averseness?

Nigel Adams: I thank my right hon. Friend for his question. He has a great deal of experience in this area. With regard to the nine-dash line, as I have said previously,

we do not take a position on the underlying sovereignty claims in the South China sea, but we do urge all parties to be transparent: they need to clarify the extent and the legal basis of their claims. UNCLOS provides a comprehensive legal order for the seas and oceans. Any claim should be set out in a way that is consistent with UNCLOS and its arbitration rulings.

Stephen Kinnock (Aberavon) (Lab): From the Himalayas to the South China sea, Beijing's aggressive expansionism could have serious consequences for our national security, and yet our Government are absent from the global stage. The Chinese Communist party respects strength and unity and is contemptuous of weakness and division, but successive Conservative Governments since 2010 have been naive and complacent, and Beijing has exploited these weaknesses. Will the Government be making a robust statement of support for Taiwan given that Taiwanese airspace is repeatedly being buzzed by Chinese fighter jets? What steps are the Government taking to forge alliances with key partners in the EU, NATO and the Asia-Pacific democracies to build an international consensus that will enable us to push back against Beijing's increasingly belligerent behaviour?

Nigel Adams: I appreciate the hon. Gentleman's question. I do not necessarily agree that we have remained silent on this; in fact, we have been leading the international community. He was present yesterday during the urgent question on the human rights violations in Xinjiang. Our approach to China remains clear-eyed, and it is rooted in our values and beliefs. It has always been the case that where we have concerns, we raise them, and where we need to intervene, we will intervene.

Covid-19: Overseas Territories

Greg Smith (Buckingham) (Con): What steps his Department is taking to help tackle the covid-19 pandemic in the overseas territories. [904025]

Mrs Heather Wheeler (South Derbyshire) (Con): What steps his Department is taking to help tackle the covid-19 pandemic in the overseas territories. [904030]

The Minister for Asia (Nigel Adams): We will always stand by the overseas territories. Government Departments, led by DFID and the FCO, are supporting them to respond to the pandemic. Baroness Sugg, the Minister for the Overseas Territories, and the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton), are in regular contact with political leaders and governors to assess the situation and identify how the UK Government can best support them. So far, we have procured and delivered medical supplies to all inhabited overseas territories except Pitcairn, which has had no cases of covid-19. That includes delivering testing systems to six territories, enabling them to test for coronavirus for the first time, and boosting testing capabilities in three others.

Greg Smith: I very much welcome my hon. Friend's answer. I wonder whether he will elaborate on the steps being taken to ensure that those medical supplies and equipment are reaching our overseas territories so that they can respond to covid-19 rapidly.

Nigel Adams: I can confirm that we are working with the overseas territories to support their healthcare systems. In addition to the medical supplies and testing equipment that I mentioned, specialist health professionals from Public Health England provide ongoing advice and support to chief medical officers in each territory, and we have supported a number of them to recruit additional medical personnel.

Mrs Wheeler [V]: South Derbyshire residents care about our deep relationship with our overseas territories, so will my hon. Friend update the House on what security assistance has been provided to the overseas territories to ensure that the UK Government are safeguarding the wellbeing of their people?

Nigel Adams: It is great to answer a question from my predecessor, who did such a fantastic job as Minister for Asia. It is great to see her live this morning, albeit digitally. The UK Government take their responsibility to protect the safety and security of the people of the overseas territories very seriously. The Ministry of Defence and the Home Office have provided in-territory support to the Turks and Caicos Islands through a security assistance team of military personnel and police liaison officers. Twenty-nine additional military personnel supported Turks and Caicos to counter illegal migration from Haiti, which risks undermining the covid-19 response. Another team is in the Cayman Islands providing reassurance, security and logistics planning for covid-19, and we must also be conscious of the potential for hurricane responses in those areas.

Official Development Assistance Budget

Bambos Charalambous (Enfield, Southgate) (Lab): Whether the Government plan to ring-fence the budget for official development assistance in the Foreign, Commonwealth and Development Office. [904034]

Ruth Cadbury (Brentford and Isleworth) (Lab): Whether the Government plan to ring-fence the budget for official development assistance in the Foreign, Commonwealth and Development Office. [904039]

Taiwo Owatemi (Coventry North West) (Lab): Whether the Government plan to ring-fence the budget for official development assistance in the Foreign, Commonwealth and Development Office. [904041]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): We continue to spend 0.7% of our gross national income on aid, and that is enshrined in law. We will continue to be guided by the International Development (Official Development Assistance Target) Act 2015, including a commitment to spending on reducing poverty, and we believe we will be stronger in that aim as one Department.

Bambos Charalambous: The Secretary of State will soon be responsible for a sizeable amount of official development aid, so can the Minister confirm that the Secretary of State for the future FCDO will be bound by the same rules for aid spending as the current International Development Secretary, including the four key Acts of Parliament that currently govern international development?

James Duddridge: Yes.

Ruth Cadbury: Those with long memories will remember the Pergau dam scandal of the 1990s, where the High Court found that the Government had unlawfully provided aid in exchange for a lucrative arms contract. That was one reason why the Labour Government made the Department for International Development a separate and independent Department from the Foreign Office. What steps will the Government be taking to ensure that we do not see a repeat of the Pergau dam scandal in the future?

James Duddridge: We do not need a separate Department to learn lessons from the past, but that type of transaction would be wholly inappropriate and would not happen under this ministerial team.

Taiwo Owatemi: The UK is rightly proud of its commitment to spend 0.7% of GDP on international aid. The decision by the Government to merge these Departments has been met with criticism by some world-leading international development charities. Former Prime Ministers have also criticised the decision, with David Cameron describing it as a “mistake”. Our international aid commitment can and does save lives, so will the Minister confirm that the budget for international aid will be ring-fenced within a future Foreign, Commonwealth and Development Office?

James Duddridge: We are bound by law to spend 0.7%, so it is not a choice; it is in the law, and we will obey the law. I was one of David Cameron’s Ministers in the Foreign Office in that period, and I found a lack of joined-up thinking. I worked well with DFID, but I think this will work better as one Department and it has already worked better with a Joint Minister.

Topical Questions

[904074] **Douglas Chapman** (Dunfermline and West Fife) (SNP) [V]: A good friend of the all-party group on Yemen is the UN’s Sir Mark Lowcock, who this week described the massive child malnutrition crisis in Yemen as leaving a nation on a precipice. The UK earns 10 times as much from arms sales in the region as we spend on aid to Yemen. Since I was elected in 2015, I have lost count of the number of the Foreign Secretary’s predecessors I have questioned on this issue. Will this British Foreign Secretary be the first to stop the UK being part of the problem? Will he agree with me and ensure that the UK becomes part of the solution? How much will he commit to Yemeni aid today? Foreign Secretary, time is of the essence.

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): Since the last oral questions, I have called on China, with our international partners, to adhere to its international obligations to respect the autonomy and freedom of the people of Hong Kong; we have welcomed President Macron to the UK from France to celebrate and pay tribute on the 80th anniversary of General de Gaulle’s appeal; and I met E3 partners in Berlin last week to discuss Iran, the middle east peace process and ongoing negotiations in relation to Brexit.

I say to the hon. Gentleman that on Yemen we absolutely are part of the solution. I visited Saudi Arabia, where I had the chance not just to meet Saudi Ministers and

members of the royal family, but to talk to the President of Yemen. We are fully supporting Martin Griffiths’ work as the UN envoy, and this is an exceptional example of where we can bring our aid budget—the significant contributions that we make—to alleviate the humanitarian plight, while also trying to resolve the broader conflict.

[904075] **Imran Ahmad Khan** (Wakefield) (Con) [V]: The three prongs of Britannia’s trident—diplomacy, trade and development—working together are vital for Her Majesty’s Government to achieve their vision for global Britain. Every policy adopted by our outward-facing ministries must leverage our influence, expand our commercial interests and bolster our national security. I enthusiastically welcome the merger of DFID within the Foreign and Commonwealth Office, as it better ensures the maintenance of an overarching, co-ordinated and cohesive strategic approach. Does my right hon. Friend agree that to further maximise the UK’s effectiveness the Department for International Trade should also be drawn fully into the new, muscular FCO?

Dominic Raab: I am not going to be drawn down the tempting line offered by my hon. Friend, but he is right to say that the merger of our aid budget, and the heart and soul of our development expertise, with the Foreign Office network, and the diplomatic clout and muscle that we can contribute, will make our foreign policy more effective. I think I can give him a crumb of reassurance, which is that trade commissioners will be directly accountable to the ambassador or high commissioner in the specific post. That will make sure that we are more aligned and joined up, country by country, in the way he has described.

Catherine West (Hornsey and Wood Green) (Lab): In the wake of revelations about potential Russian exploitation of the covid-19 pandemic here in the UK and press reports in recent days that Russian officials have paid bounties for British troops in Afghanistan—who have served for more than 10 years in that most dangerous region—does the Secretary of State accept that the Government’s failure to produce the Russia report, which everyone in this House has been waiting for, shows just how weak the Government are on national security?

Dominic Raab: First, I know that the hon. Lady would not expect me to comment on intelligence matters or, indeed, intelligence matters from other countries. I can tell her that right across the board we work with our Five Eyes partners on some of the nefarious activities that Russia is engaged in. We work very closely, through our security presence in Afghanistan, to protect all our staff and British nationals. The Intelligence and Security Committee report of course awaits the formation of the new ISC, but I understand that it will be published shortly.

[904076] **Mr Mark Harper** (Forest of Dean) (Con): The Foreign Secretary is in charge of reviewing the Foreign Office’s travel advice, as confirmed by the Secretary of State for Transport yesterday. Will the joint biosecurity centre advise the Foreign Office in respect of that travel advice, so that those who decide to travel overseas will know the risk of catching covid-19 in the countries to which they travel? That would be the same process as we are adopting for our changes to quarantine and air bridges for those coming into the United Kingdom.

Dominic Raab: Not only have we had advice from the JBC in relation to the review of quarantine and the potential exemptions, but it has also helped to inform the approach on travel advice. There are of course strict legal requirements that we must go through when we revise travel advice. We are considering exempting certain countries and certain territories, and we will update our travel advice shortly. Indeed, I believe my right hon. Friend will find that the Secretary of State for Transport will today publish a written ministerial statement that will give further updates.

[904078] **Afzal Khan** (Manchester, Gorton) (Lab) [V]: While the Government set out plans for easing the UK's lockdown, I remind the House that Kashmiris have been under lockdown for more than 330 days. Unlike ours, their lockdown is not being lifted at any time, with the humanitarian situation worsening each day. Will the UK Government condemn the human rights abuses in Kashmir and call on the Indian authorities to immediately lift the lockdown?

Dominic Raab: I know that the hon. Gentleman follows this issue assiduously. I have raised with the Indian Foreign Minister issues in relation to human rights in Kashmir. We continue to regard it as a bilateral dispute that needs to be resolved between Pakistan and India, but the issues the hon. Gentleman has raised are important, we are concerned about them and we do raise them with the Indian Government.

[904077] **Dr Kieran Mullan** (Crewe and Nantwich) (Con): I am sure my right hon. Friend shares my concerns about the recent state-based cyber-attacks against our key ally and Five Eyes partner, Australia. Will he advise the House of any steps we have taken to support Australia and what progress, if any, we have made on establishing the rules-based order with our allies to deter state-based actors in the field of cyber-warfare?

Dominic Raab: As I set out in my statement on 19 June, in relation to cyber-attacks we stand shoulder to shoulder with our Australian close friends, partners and allies. We work closely across all Five Eyes partners to strengthen our resilience, and that applies in relation to cyber-attacks from not only state actors but, increasingly, non-state actors as well.

[904079] **Mrs Emma Lewell-Buck** (South Shields) (Lab): The Minister spoke earlier of the UK's commitment to the people of Yemen and the Secretary of State said that the Government are part of the solution. How do they reconcile those statements with the UK's continued arms sales to Saudi Arabia, which is contributing to the relentless and indiscriminate murder of children and civilians?

The Minister for the Middle East and North Africa (James Cleverly): The UK Government's commitment to Yemen is unwavering. We welcome the ceasefire announcement from Saudi Arabia, and we encourage the Houthis to engage with that peace initiative and to cease their attacks into Saudi. As I say, we support the work of the United Nations special envoy and will continue not only to discharge our humanitarian duties to the people of Yemen but to work at a diplomatic level to bring about a permanent end to the conflict.

[904080] **Richard Fuller** (North East Bedfordshire) (Con): The right to question authority is the essence of press freedom. Reporters Without Borders warns of a decisive decade of changes that will challenge that cherished freedom; the recent conviction of Mrs Ressa in the Philippines is a chilling example. What is the Foreign Office doing to uphold press freedom around the world? In particular, what representations has the Foreign Office made to the ambassador from the Philippines?

Dominic Raab: I thank my hon. Friend, who I know has been a stalwart champion of freedom of speech ever since we both entered the House. I reassure him. I spoke to Amal Clooney about the case; Maria Ressa was her client and worked very closely with her. I know that the Minister for Asia has raised this with the ambassador from the Philippines. I also discussed the case with Mike Pompeo, the US Secretary of State.

More broadly, there are three elements of our strategy for preserving media freedom around the world. We have a joint campaign with the Canadians to strengthen media freedoms and protect journalists. We are championing freedom of religious belief around the world and I will shortly—certainly before the summer recess—be bringing the new Magnitsky legislation to this House, both the legal regime and the first designations we will be adopting.

[904081] **Antony Higginbotham** (Burnley) (Con): The situation in the middle east is a concern to me and my constituents and it is a long-running problem, which has not just existed for the past couple of weeks. Could the Secretary of State outline the steps that we are taking to bring both Israel and Palestine to the table, so that we can secure lasting peace in the region?

Dominic Raab: I have spoken to President Abbas and Benny Gantz and Foreign Minister Ashkenazi, as well as Prime Minister Netanyahu previously. We make clear that the United Kingdom's consistent position—in fairness, across all sides of this House—is that we want to see a two-state solution based on the 1967 borders. We acutely feel that the vacuum without talks is very dangerous. We want to see talks proceed. That is why we are working with those partners in the region, Arab countries and the E3.

Let me be absolutely crystal clear to the House: we have made clear that any annexation, partial or full, in relation to further territory in the occupied territories and the west bank would be both contrary to international law and counterproductive to peace.

[904087] **Julie Elliott** (Sunderland Central) (Lab) [V]: Does the Foreign Secretary agree that it is time for the UK Government and others to ban trade with settlements, given that Israeli settlements are illegal? It is now the time for a ban, not a sanction, of goods.

James Cleverly: The UK's position on imported goods from Israel remains unchanged. As my right hon. Friend the Foreign Secretary has highlighted, we oppose annexation. We have made it clear to the Government of Israel that we regard it as contrary to international law, and also not in their own interests. That position will remain unchanged.

[904084] **Jacob Young** (Redcar) (Con): The UN arms embargo on Iran is due to expire in October 2020, in line with the 2015 nuclear deal, yet Iran has continued to flagrantly breach the deal since the UK triggered the dispute resolution mechanism in January. Does my right hon. Friend share my concern that the absence of meaningful consequences has emboldened Iran to pursue its nuclear ambitions and further destabilise the region? Will he act urgently, with international partners, to extend the UN arms embargo?

Dominic Raab: I agree with my hon. Friend in relation to the concerns he has raised about Iran's conduct. We do want to keep the joint comprehensive plan of action. We would like to do better and we think there is an opportunity to do better in the future, but that is what we have got now. In order to hold Iran's feet to the fire and to hold them to account, the United Kingdom, with our French and German partners, triggered the dispute resolution mechanism. I was in Berlin last week for E3 consultations about how we will approach this issue and how we will continue to hold Iran to account. My hon. Friend is absolutely right; we will strive with all of our international partners to continue the arms embargo on Iran.

[904095] **Grahame Morris** (Easington) (Lab) [V]: During the covid crisis, the UK has received valuable assistance from Cuba, including assistance with the repatriation of British citizens trapped on the Braemar cruise ship, and more recently from the Cuban medical brigade sent to the British overseas territory of Anguilla. In recognition of that UK-Cuba co-operation, will the Foreign Secretary speak to his US counterpart and condemn attempts by US Senate Republican majority members to target countries that seek life-saving medical assistance from Cuba?

Dominic Raab: I am not sure I caught all of that, but I think I caught the gist. One of the things that covid-19 has shown is the need for global co-operation and, frankly, the good co-operation we have had with some that might ostensibly seem unlikely partners. The hon.

Gentleman is absolutely right, and I take the opportunity to pay tribute to my Cuban opposite number, who during the coronavirus challenge provided proactive support to ensure that we could get passengers off the Braemar cruise ship—I think I am correct in saying there were something like 600 passengers at very high risk and a significant number of people with coronavirus symptoms—and back to the United Kingdom to the care they needed. We certainly welcome all of that collaboration.

[904096] **Ruth Jones** (Newport West) (Lab): Like many colleagues in the House, a number of my constituents in Newport West were stranded in other parts of the world as a result of the covid-19 pandemic. Can the Foreign Secretary explain what work the Foreign and Commonwealth Office is doing to ensure that we get all our British citizens back where they should be, at home?

Dominic Raab: The Foreign Office has put an incredible amount of work in. If the hon. Lady looks at the number of UK nationals who have been returned, it is over 1 million because of the work we did to keep commercial flights going. There were also the special charter flights we commissioned. We put £75 million in and tens of thousands of people got home via that route. I think we have had one of the most proactive and effective responses. It has been very difficult. We have also made sure there are loans for those who would otherwise be stranded. I am proud of the work across Government, but particularly from the consular division of the Foreign Office, to look after British nationals in their time of need.

Mr Speaker: 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 suspending the House for three minutes.

12.32 pm

Sitting suspended.

Speaker's Statement

12.35 pm

Mr Speaker: It may be helpful to announce that, with effect from today, the length of time before the doors are locked in each Division will be reduced further. This will be 15 minutes for the first Division and, if possible, 12 minutes for subsequent successive Divisions.

Civil Service Appointments

12.36 pm

Nick Thomas-Symonds (Torfaen) (Lab) (*Urgent Question*): To ask the Home Secretary, if she will make a statement on the appointment of the National Security Adviser and other senior civil service positions.

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove): The Prime Minister has outlined today in Dudley how the Government will move to a new phase of their coronavirus response and focus on building a strong domestic recovery. Yesterday, he also set out a new structure of Cabinet committees better to co-ordinate our foreign and domestic policies. These reforms underline the need for separating the roles of National Security Adviser and Cabinet Secretary and head of the civil service.

These two senior positions have, of course, been separate under previous Administrations. Each is of vital importance, given the challenges ahead, and it is appropriate that they should be filled by two individuals who can serve in their respective posts through the rest of this Parliament. For this reason, the Prime Minister and Sir Mark Sedwill agreed some time ago that Sir Mark would stand down in September.

Sir Mark is a supremely dedicated, highly professional and hugely accomplished public servant. As the Prime Minister wrote in his letter of thanks to Sir Mark:

“You have done it all in Whitehall: from Afghanistan to the modernisation of the civil service; from immigration policy to Brexit and defeating coronavirus”.

I would like to add my own personal thanks for the exemplary contribution that Sir Mark has made to this country. Working alongside him has been both a pleasure and a privilege and I know that he will continue to contribute to the service of this country.

Sir Mark's successor as NSA is also a distinguished public servant. David Frost has served for decades in our diplomatic service. A former ambassador, he has also been director of the Foreign and Commonwealth Office's policy planning staff and principal foreign policy adviser to the Foreign Secretary. He is now, of course, the UK's negotiator, shaping our future relationship with the EU, covering issues from trade and tariffs to security and defence co-operation. As NSA, David Frost will help to deliver this Government's vision for Britain's place in the world, supporting the Prime Minister in reinvigorating our national security architecture and ensuring that we defend our interests and values across the globe.

The NSA is a relatively new position, but it is always an appointment for the Prime Minister of the day. The First Civil Service Commissioner has agreed the position can be regarded as a political rather than necessarily civil service appointment. While it is a unique role, David Frost's status will be akin to that of a special envoy representing the UK abroad, speaking publicly and setting the agenda for policy making. He will not be a permanent secretary or a special adviser, and the civil service will support him in the same way as any other political appointee: with objectivity, honesty, integrity and impartiality.

A competition will be launched shortly for the combined role of Cabinet Secretary and head of the civil service. This is open to existing and former permanent secretaries.

[*Michael Gove*]

We have been fortunate over the years to have been served by a series of outstanding Cabinet Secretaries, including Lords O'Donnell, Turnbull, Wilson, Butler and Armstrong, and, of course, Lord Heywood and Sir Mark. I have no doubt that their successor will continue their tradition of distinguished and dedicated public service.

Mr Speaker: May I just say, as this is a very important matter, that at some point the Government ought to be coming to the House with statements, rather than me granting UQs? Can we bear that in mind in future?

Nick Thomas-Symonds: I am grateful at least to the Cabinet Office Minister for turning up on behalf of the Home Secretary. I am also grateful to you, Mr Speaker, for granting this urgent question.

After Sir Mark Sedwill's letter on his departure—and I thank him for his work—No. 10 put out a press release indicating that the Prime Minister had appointed David Frost, currently the Prime Minister's European adviser and chief negotiator with the EU, as the new National Security Adviser. The first duty of any Government is to keep people safe, and in carrying out that duty any Government should have objective, and at times challenging, advice from their National Security Adviser. That is why making a political appointment takes this Government into such dangerous territory.

Independent, impartial, specialist advice on national security is crucial. Prime Ministers come and go, but security threats remain and evolve. Can the Cabinet Office Minister give one good reason why this is a political appointment? Can he tell us to whom ultimately the new National Security Adviser is accountable, and if he will be subject to the code of conduct for special advisers in this new special envoy status that seems to be being bestowed upon him? Was the Civil Service Commission involved in this appointment, and if so can the Minister outline what the commission ruled? Have the intelligence agencies and the wider intelligence and security community been consulted on this being a political appointee? And at such a crucial time in our trade negotiations with the EU, how will Mr Frost's additional responsibilities impact upon him being able to achieve the best outcome for the United Kingdom by the end of the year, as the Government have promised?

Also very worrying is the wider issue of a lobby briefing from February that No. 10 had a hit list of several permanent secretaries that it wanted to push out. Our civil service and our civil servants are world leading and we should be proud of the extraordinary work they do. Weak Prime Ministers take advice only from those who agree with them; those who put the national interest first should welcome different views and welcome challenge. So can Cabinet Office Minister tell us, quite simply: what is the Prime Minister so afraid of, and why will he not put his duty to keep people safe first?

Michael Gove: I am very grateful to the shadow Home Secretary for his questions. I am sorry that he did not find time to thank Sir Mark Sedwill for his service—

Nick Thomas-Symonds: I did at the start.

Michael Gove: Okay. I appreciate the hon. Gentleman's kind words now.

The hon. Gentleman asked about objective and challenging advice. Sir David Frost is a distinguished public servant who has spent decades in diplomatic service and as such has given advice to Labour and Conservative Governments without fear or favour. There is no suggestion that Sir David is anything other than an exemplary public servant capable of discharging his duties and responsibilities with authority and integrity, and in a way which will guarantee the safety and security of all. He is, of course, accountable to the Prime Minister, and he will operate as other special envoys have. It is not a novelty, as the hon. Gentleman implied, to create special envoys: under Labour Ann Clwyd was made a special envoy on human rights in Iraq, Des Browne was the special envoy on Sri Lanka and, of course, Michael Levy was made special envoy to the middle east. In each of these roles, appropriate political appointments were made.

The hon. Gentleman also asked about the First Civil Service Commissioner. The First Civil Service Commissioner, as I pointed out in my remarks, has agreed that it is entirely appropriate for this role to be carried out by a political appointee. I think it is important that all of us recognise that Prime Ministers, whether Labour, Conservative or any other colour, should have confidence in those advising them, and those advising them should also operate in a way that is true to the highest traditions of public service. That has always been the way in which David Frost and Sir Mark have carried out their duties, and I am confident that will be the case for the National Security Adviser in the future and for the future Cabinet Secretary.

Mr Speaker: Let's hear from a former Prime Minister: Theresa May.

Mrs Theresa May (Maidenhead) (Con): Thank you, Mr Speaker. May I first pay tribute to Sir Mark Sedwill and thank him for his extraordinary public service over many years? I served on the National Security Council for nine years—six years as Home Secretary and three as Prime Minister. During that time, I listened to the expert independent advice from National Security Advisers.

On Saturday, my right hon. Friend said:

“We must be able to promote those with proven expertise”.

Why, then, is the new National Security Adviser a political appointee, with no proven expertise in national security?

Michael Gove: Like my right hon. Friend, I, too, want to pay tribute again to Sir Mark. Having served in Cabinet when she was Prime Minister and Sir Mark was Cabinet Secretary, I appreciate just how much we all owe to him for his distinguished public service. I should also say that we have had previous National Security Advisers, all of them excellent, not all of whom were necessarily people who were steeped in the security world; some of them were distinguished diplomats in their own right. David Frost is a distinguished diplomat in his own right and it is entirely appropriate that the Prime Minister of the day should choose an adviser appropriate to the needs of the hour.

Joanna Cherry (Edinburgh South West) (SNP) [V]: Of course, Sir Mark Sedwill should be thanked for his distinguished service, but the truth is that his card was marked last year when he warned the Cabinet that

Brexit would be a disaster. He also said that the consequent recession could be worse than 2008 and that prices could go up by 10%. This is all about the revenge of the Vote Leave campaign, whose so-called mastermind is now pulling the strings of this Government—although one does have to wonder about the masterliness of a mind that thinks a good way to test one's eyesight is to go for a 60-mile drive.

I have three questions for the Minister. First, will he confirm that this is the start of the hard rain that Dominic Cummings promised for the civil service? Secondly, it has long been thought desirable for the Government to have the assistance of a civil service that is neutral, objective, above party politics and free from the taint of apparent bias. Does the Minister think there is any merit left in those qualities? Thirdly and finally, Lord Ricketts, himself a former National Security Adviser, has queried whether Mr Frost, a former diplomat, has the necessary experience of the wider security and defence agenda to fulfil the role of National Security Adviser. Will the Minister detail for us what experience Mr Frost has in those fields? Or should we be left with the impression that, even when it comes to national security, it is more important to have yes men in post than people with the requisite experience?

Michael Gove: I thank the hon. and learned Lady for her questions. The objectivity, neutrality and authority of our civil service is a source of pride to this Government, as it has been to previous Governments. I have been fortunate, in a variety of Departments, to work with civil servants of the highest standard, to whom I owe so much. I had the opportunity on Saturday, in the speech that my right hon. Friend the Member for Maidenhead (Mrs May) referred to, to thank them for saving me from mistakes that I might have made and for ensuring that policies that this Government have developed were delivered effectively.

The hon. and learned Member for Edinburgh South West (Joanna Cherry) asks about previous National Security Advisers and their range of expertise. It is true that Sir Peter, now Lord Ricketts, was chairman of the Joint Intelligence Committee, and permanent representative to NATO, but it is also the case that other previous National Security Advisers, including Mark Lyall Grant and Kim Darroch, were distinguished diplomats, without necessarily being steeped entirely in the world of security and intelligence. It is appropriate that the Prime Minister's adviser on national security should be someone with diplomatic expertise. It is also the case, of course, that David Frost, in the negotiations that he is conducting with the European Union at the moment, is tackling and dealing with delicate questions of national security and defence co-operation as well.

Mr William Wragg (Hazel Grove) (Con): May I thank Sir Mark for his service, on behalf of the Public Administration and Constitutional Affairs Committee? Notwithstanding the particular nature of the appointment, is the combination of the National Security Adviser and the Cabinet Secretary posts not a recent innovation? Is my right hon. Friend's reforming zeal not merely a restoration of things past? Could he also confirm that the Civil Service Commission will be obliged to recommend the appointment of a current or former permanent secretary for the role of Cabinet Secretary, rather than an outsider?

Michael Gove: My hon. Friend is absolutely right. The Civil Service Commission has advised, and the Prime Minister has agreed, that it should be either a current or former permanent secretary who becomes the next Cabinet Secretary. He is also right that traditionally the roles of National Security Adviser and Cabinet Secretary have been split. When former Prime Minister David Cameron was in opposition, the then principal national security adviser was of course a political appointee.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Will the new politically appointed special envoy and National Security Adviser be responsible for the performance reviews of the heads of MI5, MI6 and GCHQ? Does the Minister agree that nothing should be done to suggest any political interference in the crucial intelligence agencies that support our national interest?

Michael Gove: The right hon. Lady makes an important point, and of course those reviews are carried out by those who can be fully objective, in the round, in a way that is free of any taint of political interference.

Jacob Young (Redcar) (Con): In a speech at the weekend, my right hon. Friend set out a wider strategy for civil service reform and referenced President F. D. R. He said:

"FDR asked his government to remember the forgotten man. In the 2016 referendum those who had been too often forgotten asked to be remembered".

With that in mind, what steps is he taking to ensure that my constituents in Redcar and Cleveland will never be forgotten and that they have a civil service that truly works for them?

Michael Gove: My hon. Friend makes an important point. We have a superb civil service, but it is also important that we make sure it serves the people of this country even better. The Prime Minister in his speech in Dudley today announced that part of the doubling down on levelling up was making sure that more important policy-making roles in our civil service were carried out closer to people, including on Teesside.

Wendy Chamberlain (North East Fife) (LD): In his Ditchley lecture at the weekend, the Minister said:

"How can we in Government be less southern, less middle class, less reliant on those with social science qualifications and more welcoming to those with physical science and mathematical qualifications"?

I am pleased the Government now think that experts are important, but can he set out how his Ditchley commitments were taken into account in the political appointment of a non-expert and arguably initially part-time new National Security Adviser?

Michael Gove: There is no question but that David Frost is an expert. Someone who spent decades in diplomatic service, is currently conducting a complex international negotiation and was head of policy and planning at the Foreign and Commonwealth Office is hardly an ingénue in the world of foreign affairs, but I am grateful to the hon. Lady for pointing out that we need to be a little less southern. Voices from Lancashire and Scotland are always important in the national conversation.

Bob Stewart (Beckenham) (Con): Following up what the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), the Chair of the Home Affairs Select Committee, said, may I ask who reports to who? Do members of the various security services report to the National Security Adviser or to a Cabinet Minister? Does the National Security Adviser report directly to the Prime Minister or to another person?

Michael Gove: The Secret Intelligence Service and GCHQ are answerable to the Foreign and Commonwealth Secretary, and MI5 to the Home Secretary, and the National Security Adviser is, and always has been, accountable to the Prime Minister of the day.

John Mc Nally (Falkirk) (SNP) [V]: Could the Minister try a wee bit harder to explain to everyone watching why Sir Simon McDonald, Sir Philip Rutnam, Sir Kim Darroch and now Sir Mark Sedwill have been hung out to dry by the Government, when a man with great power but no responsibility, who can flout laws, and who is openly laughed at and disbelieved by the Great British public still has a job?

Michael Gove: I am not sure to whom the hon. Gentleman is referring—[*Interruption.*] I'm not, I'm not—I'm a simple soul. I am not sure to whom he was referring in the second part of his question, but all those he mentioned are distinguished public servants. In particular, I would like to place on the record my thanks to Sir Simon McDonald for the excellent work he has done, and is still doing, at the Foreign and Commonwealth Office, and to Sir Kim Darroch, who was a very distinguished National Security Adviser as well as a great ambassador to the United States.

James Sunderland (Bracknell) (Con): Given the timing of David Frost's appointment, could the Minister please outline the extent to which security considerations will be on the table during our Brexit negotiations and, in particular, on any role that David Frost might have in the forthcoming integrated review?

Michael Gove: It is the case, as my hon. Friend rightly points out, that one aspect of our negotiations on our future relationship with the European Union relates to internal security as well as defence co-operation, and Mr Frost is well-equipped, well-briefed and authoritative on those issues. It is also the case that an integrated review of defence, aid and foreign policy will be carried out by the National Security Council. It will be the case that David Frost will lead on that, ably assisted by the two deputy national security advisers and, of course, ultimately accountable to the National Security Council itself, which is a Cabinet Committee.

Mr Andrew Mitchell (Sutton Coldfield) (Con): I served on the National Security Council in the first two and a half years after it was set up—with my right hon. Friend in fact—and it does seem to me that it is clearly sensible to have the National Security Adviser separate from the head of the civil service. Both are very exacting roles: they may fit closely together, but they are very different. I have read digitally my right hon. Friend's brilliant, and long, speech at the weekend: will he confirm the centrality of the National Security Council—the

reform that we introduced in 2010—and in particular in its role of wiring together defence, diplomacy and development in our national interest?

Michael Gove: I congratulate my right hon. Friend on displaying the stamina to read all of the speech. It would have been a shorter speech had I had the time to edit it appropriately. His point is absolutely correct. The creation of the National Security Council was an innovation pioneered by David Cameron when he was in Opposition. The potential National Security Adviser at that time was a political appointee, and it was the case when the coalition Government was formed that the distinguished figure of Lord Ricketts, then Sir Peter Ricketts, became the first National Security Adviser. It is an innovation in the governance of the UK, but it is one that has served us well, and it is of course the case that national security advisers in other countries are very often political appointees.

Steve McCabe (Birmingham, Selly Oak) (Lab): Will Mr Frost have finished with his duties as the EU negotiator by the time he takes the security job, or is it still the Government's view that the National Security Adviser should be a part-time role?

Michael Gove: We are confident that we will be making progress over the course of the next few weeks in EU negotiations. They are being conducted intensively, specifically at the request of the Prime Minister and the President of the European Commission.

Brendan Clarke-Smith (Bassetlaw) (Con): May I thank Sir Mark for his service and wish his successor all the best? Does my right hon. Friend agree that the fundamental changes that are needed in the civil service go beyond personnel changes at the top and need to reflect the people's priorities?

Michael Gove: My hon. Friend is absolutely right. Of course it is the case that there will always be turnover in the civil service. The normal length of tenure for someone in a permanent secretary role is five years, and it is also the case that previous Governments, in order to ensure that they could achieve their agenda, had political appointees. It was the case that the previous Labour Government had, in the persons of Alastair Campbell and Jonathan Powell, two political appointees who were given the power through Order in Council to give direction to civil servants. My hon. Friend is right that we need to ensure we have the broadest possible talent pool and an exciting agenda of reform.

Matt Western (Warwick and Leamington) (Lab): We have heard that we lost Kim Darroch, Philip Rutnam, Simon McDonald and now Mark Sedwill. In appointing Sir David Frost as National Security Adviser, is this what the Minister meant in June 2016 when he said that "people in this country have had enough of experts"? Does he believe now that we have gone from "Yes, Minister" to "Yes, special adviser"?

Michael Gove: I am grateful to the hon. Gentleman for reminding me of what happened in 2016, when the people of this country voted to leave the European Union. I am afraid that he has edited what I said at the

time, which was that we had had enough of experts from organisations with acronyms that had got things wrong in the past. I was specifically referring to the legions of economic modellers in organisations like the IMF and the CBI who argued that we should join the euro and then were proven wrong because we were successful outside the euro. My own view is that expertise is to be applauded and should be rewarded, particularly in quoting opposing politicians. So I hope that he will look back again at the record and gently correct it.

John Redwood (Wokingham) (Con): I strongly support the split of the two roles; they are very big and very different jobs. When the Government come to appoint a new Cabinet Secretary and head of the Civil Service, will they pay special attention to the need to improve the accuracy, timeliness and relevance of data being used by chief executives and other senior managers throughout the civil service and the agencies, as well as by Ministers, so that they can ask the right questions and provide the right supervision? There could be a lot of improvement in that area.

Michael Gove: My right hon. Friend is right. He was intimately involved in a programme of Whitehall reform when he was head of the Prime Minister's policy unit in the 1980s, as a very young man. The innovations that were brought in at that time under political appointees such as Sir John Hoskyns and others helped to create the "next steps" agencies, which were so vital in ensuring that there was greater accountability in the delivery of public services. We could do well to learn from some of the examples that he set.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP) [V]: Under this Dominic Cummings Government, senior civil servants are in the firing line like never before, with three resignations and one industrial tribunal all in the space of six months. What steps will the Minister take to end this toxic workplace environment for senior civil servants, or can we expect a season of hard rain which puts us on a slippery slope towards US-style yes-men government based on political appointments?

Michael Gove: Well, the Scottish National party knows something about the importance of political appointments in government in order to deliver its agenda. It is only fair to record that, far from there being any sort of toxicity, the environment in which our civil servants work is one characterised by their determination to put public service first, and for that I thank them.

Alexander Stafford (Rother Valley) (Con): What reassurances can my right hon. Friend give the House that, rather than leading to delays and disruptions, these changes to the civil service's top team will turbo-charge the Government's levelling-up agenda—an agenda that the Prime Minister reiterated his commitment to today?

Michael Gove: My hon. Friend is right. We need to ensure that we reform how the Government work in order to deliver better for the people whose taxes we spend and in whose name we act. The Prime Minister's speech in Dudley today was a clarion cry for reform, and we need to ensure that Government are in a position to deliver it.

Hilary Benn (Leeds Central) (Lab): Sir Mark Sedwill steps down at the end of September and will be replaced as National Security Adviser by David Frost, who will also remain the EU chief negotiator, which he says will be his "top single priority" until the negotiations have concluded. If the negotiations carry on into October and beyond, who will have the nation's security as their top single priority, or is this just a case of misapplied persistent experimentation?

Michael Gove: Like me, the right hon. Gentleman is a believer in experimentation, scientific method, empiricism and pragmatism. As we both know, the negotiations with the European Union are accelerating at the moment, as both sides seek to find a conclusion over the course of the next five weeks.

Sir Edward Leigh (Gainsborough) (Con): I am sure the Minister agrees that the incorruptibility and independence of mind of the civil service is one of the key features of our government, but it occurs to me that there may be a bit of hype around this issue. Surely someone who spends decades as a professional diplomat can hardly be accused of not knowing anything about national security, and surely independence is in their DNA. There is also hype about all these advisers—about Dominic Cummings and David Frost. These people just give advice. Can we not rely on the Prime Minister and the Minister to actually run the country? They are quite capable, are they not?

Michael Gove: As ever, my right hon. Friend speaks good sense. It is the case that national security advisers, like other advisers, are there to advise, and then Ministers decide.

Rushanara Ali (Bethnal Green and Bow) (Lab): The Minister has said that he believes that civil service objectivity, neutrality and expertise is a source of pride, so why are his Government riding roughshod over that objectivity, neutrality and expertise and politicising a very important national security appointment?

Michael Gove: I should say that we never had a National Security Adviser under a Labour Government. Some of us might think that we were well or poorly governed at that time, but it seems to me slightly *recherché* of the Labour party to object to the evolution of a role that it had no part in either creating or advocating.

Sara Britcliffe (Hyndburn) (Con): Can my right hon. Friend outline what steps the Government are taking to attract new talent to the civil service and ensure that we have the right people in the right job and the right location, so that the civil service works for all constituencies, such as Hyndburn and Haslingden?

Michael Gove: My hon. Friend is absolutely right. In the speech to which some hon. Members referred earlier, I made the point that we needed to disperse decision making in the civil service, and one of the locations I suggested we should think about locating more key decision makers was east Lancashire.

Stephen Farry (North Down) (Alliance): From addressing nuclear proliferation to countering terrorism, there is a need to build and sustain relationships with European

[Stephen Farry]

allies and, indeed, to secure a future relationship deal on policing and security co-operation. So how do the Government plan to reconcile David Frost's role as National Security Adviser with his role as Brexit negotiator, in which he is currently engaging in brinkmanship, and indeed the risk of no deal at the end of the year?

Michael Gove: I should think that it is precisely because David Frost is involved in complex and serious negotiations about security and defence co-operation with our European allies that he is supremely well placed to take on the role of National Security Adviser.

Tom Tugendhat (Tonbridge and Malling) (Con): Having served in Afghanistan with Sir Mark, can I add my thanks to him as a hugely distinguished civil servant, diplomat and indeed, in many ways, our top securocrat? Can I also pay tribute to the work that he has achieved in reforming the government in the last few years?

Before the new National Security Adviser appears before the Foreign Affairs Committee, as he surely will in his new post—I am sure the Chancellor of the Duchy of Lancaster will add weight to make sure that that representation or that parliamentary scrutiny happens—can my right hon. Friend assure me that the new National Security Adviser will actually work to build up alliances, not just simply talk about Britain first?

Michael Gove: My hon. Friend, the Chairman of the Select Committee, makes a very important point. David Frost has already appeared in front of Select Committees—the Select Committee on the Future Relationship with the European Union and also the House of Lords European Union Committee—and I am sure that he would be delighted to take up that invitation. As my hon. Friend quite rightly points out, the building and maintenance of alliances are critical to projecting our interests and protecting our values globally.

Mr Kevan Jones (North Durham) (Lab): Can I add my thanks to Mark Sedwill for his work both in security and as Cabinet Secretary? Mr Frost is a political appointment. He has been given a seat in the other place, but he is not a Minister; he is a special envoy. Picking up on the question that the Chair of the Foreign Affairs Committee has just raised, will the ISC and other Committees that scrutinise his work be able to summon him before them to scrutinise what he is doing? That is important if we are going to have clear parliamentary oversight of his role. I think that needs clarifying, because the Minister in his reply to the Chair of the Foreign Affairs Committee did not answer that question.

Michael Gove: I am sorry if I failed to provide the clarity required, but I am sure that for all Select Committees, including the very important ISC, David Frost will make himself and his colleagues available so that he can answer questions.

Jerome Mayhew (Broadland) (Con): The civil service review into the effectiveness of the National Security Council concluded:

“The NSC demonstrates the potential benefits of a ‘strong grip’ at the centre and the ‘halo effect’ of consistent prime ministerial investment of time and effort in committee work.”

Does my right hon. Friend agree with me that this strong grip will only be increased by the appointment of David Frost as National Security Adviser, a person who works effectively with the Prime Minister, has his full support and has demonstrated impressive ability during the trade negotiations with the European Union and during his long diplomatic career?

Michael Gove: My hon. Friend is absolutely right: it is important that someone in that role commands the confidence of the Prime Minister and is capable of working effectively with him. I should say—[*Interruption.*] The right hon. Member for North Durham (Mr Jones) makes a comment from a sedentary position. The Labour Government between 1997 and 2010 were responsible for many good things, but the idea that they were entirely free of any political appointees will, for most students of contemporary history, seem to be a form of selective amnesia.

Ronnie Cowan (Inverclyde) (SNP) [V]: During an evidence session of the Public Administration and Constitutional Affairs Committee last March, Mark Sedwill came under considerable scrutiny regarding the demands of fulfilling two very important roles. The Minister is now asking David Frost potentially to do the same, as he is currently the UK Government's chief Brexit negotiator and, as was mentioned earlier, he has stated that that is his “top single priority”. Given his lack of experience of the wider security and defence agenda, does the Minister not think that his entire focus from day one should go on this new job, or is the role of National Security Adviser now reduced to being a yes man to the Prime Minister?

Michael Gove: I gently remind the hon. Gentleman that the role of National Security Adviser did not exist before 2010; it was created by David Cameron as Prime Minister. The hon. Gentleman is also quite wrong to say that David Frost has no experience in these areas. He is a distinguished diplomat, he has been an ambassador, and he is dealing with negotiations at the moment that involve security and defence co-operation.

Andrew Griffith (Arundel and South Downs) (Con): Does my right hon. Friend share my genuine confusion at the ambivalence of those on the Opposition Benches and at the fact that someone who was first appointed to the Foreign Office at a time when the shadow Home Secretary was seven years old and who has served in Denmark, Paris, Cyprus and the United Nations does not command their full support?

Michael Gove: I quite agree with my hon. Friend. One of the surprising things about the tone taken by some Members on the Opposition Benches is the idea that someone who has dedicated their life to public service, such as David Frost, should be barred from office.

Chris Bryant (Rhondda) (Lab): If I am honest, I do not really care who the Prime Minister appoints as his National Security Adviser. It is entirely up to him; he can appoint all the duff ambassadors who have ever walked through the Foreign Office, if that is what he wants to do. However, my fear is that in creating this mixed role, where somebody is a quasi-Minister who has been given a job for life in the House of Lords, who

is a member of the legislature but it is meant to be a special adviser, and who is a special adviser who can none the less give direction to civil servants, he has created Frankenstein's monster.

Michael Gove: I am grateful to the hon. Gentleman for making the point that the choice of National Security Adviser is properly one for the Prime Minister. I dissent from the assertion that there was anything duff about the ambassadorial role that David Frost played. He has been a very distinguished civil servant—

Chris Bryant: You didn't work with him as an ambassador!

Michael Gove: He was a very distinguished civil servant, and it is certainly the case that those whom I know who work in the Foreign Office have nothing but praise for him. Talking about political appointments, the distinguished former Cabinet Minister, Paul Boateng, was appointed by a Labour Government as high commissioner to South Africa and, as I mentioned earlier, a Member of the House of Lords, Michael Levy, again a distinguished figure who was a fundraiser for the Labour party, was appointed as a special envoy to Israel. My own view is: Michael Levy, Paul Boateng—good appointments; David Frost—excellent appointment.

Harriett Baldwin (West Worcestershire) (Con): The National Security Adviser is clearly a very important role. It should be a separate role and I am sure that David Frost is well qualified to do it. On the confidentiality of secure Government information, could the Chancellor of the Duchy of Lancaster update the House on what happened to the investigation into the leak of the diplomatic telegrams from Sir Kim Darroch?

Michael Gove: My hon. Friend, who was a distinguished Foreign Office and International Development Minister, raises an important point. This is an area outside my immediate responsibility, but I will report back to the House on it.

Ms Angela Eagle (Wallasey) (Lab): I congratulate the Secretary of State for making the most outrageous points and keeping a straight face. He is very good at doing that. Will he answer the question asked right at the beginning of this debate by the former Prime Minister, the right hon. Member for Maidenhead (Mrs May)? Precisely what are the new National Security Adviser's qualifications in national security, which, after all, all of us care about because it is about the safety and security of each and every person in this country? What are his specific qualifications and expertise, and why on earth, given his other job, was he considered even for a second for this role?

Michael Gove: I am grateful to the hon. Lady for her compliment.

Ms Angela Eagle *indicated dissent.*

Michael Gove: I know it was salty, but nevertheless there was an air of sweetness about it as well.

The broader point, though, is that, as I mentioned earlier, David Frost is involved in one of the most complex diplomatic negotiations that has ever been conducted, and a diplomatic negotiation that relates specifically to defence and security co-operation as well as to tariffs

and trade. He has been a civil servant—a diplomat—for decades. It is the case that Mark Lyall Grant, who was National Security Adviser, and Kim Darroch, who was National Security Adviser, were not people who were steeped in the world of intelligence and security; they were gifted diplomats and gifted public servants, and of course they were supported, as David will be, by a superb team in the National Security Secretariat.

David Simmonds (Ruislip, Northwood and Pinner) (Con): Does my right hon. Friend agree that a key lesson from all research about politically led organisations is that one-size-fits-all structures are doomed to fail, that leaders need to be able to structure their top teams to best deploy the available talent, and that leaders remain politically accountable for any decisions that they take as a result of their advice?

Michael Gove: My hon. Friend, who is a very distinguished council leader, is absolutely right. During the second world war, for example, the Churchill-Attlee Government appointed people such as Professor Frederick Lindemann, who came from outside Whitehall but added specific expertise. There is no such thing as a one-size-fits-all approach towards government; what it does, when it is done well, is marry the expertise of the civil service with challenge from politicians and others.

Anne McLaughlin (Glasgow North East) (SNP) [V]: To my mind, it is just inexplicable that the Government would seek to completely overhaul the civil service at a time when stability and clarity are crucial in tackling the covid crisis. Why on earth have the Government chosen a time of unprecedented uncertainty to dismiss the head of the civil service and then to set out on the inherently ideological vision of the unelected Dominic Cummings to politicise the UK's world-class civil service?

Michael Gove: I am glad that the hon. Lady says that the UK's civil service is world-class. That is one of the reasons why I hope that Scotland will continue to benefit from its expertise and authority and that the chimera of separatism will be seen off. I will make sure that the hon. Lady's paean of praise to the UK Government is shared across Scotland between now and May.

Dehenna Davison (Bishop Auckland) (Con): I join many colleagues across the House in paying tribute to Sir Mark Sedwill for his many years of distinguished service. Today, we heard the Prime Minister talk about levelling up and about how talent is spread right across our country. There is great talent in Bishop Auckland, but many young people in the north-east do not see the civil service as an achievable place to work. Does my right hon. Friend agree that getting some major elements of the civil service out of London—perhaps into County Durham—is a great start to making that happen?

Michael Gove: My hon. Friend is spot on. Whether they are in Newcastle, County Durham or Teesside, we need to make sure that the many talented young people in the north-east regard public service as within their reach. We need to bring Government closer to them to better reflect the diversity of this country, and to better reflect the cognitive diversity that means having appropriate challenge for Government.

Mr Tanmanjeet Singh Dhese (Slough) (Lab): The first duty of any Government is to keep their citizens and their country safe and secure. However, the Prime Minister, having gradually forced out a highly respected national security expert, has decided to replace him as National Security Adviser with his political friend—someone who has never worked in defence or security intelligence and who, in fact, until recently was the head of the Scotch Whisky Association and the chief executive officer of the London Chamber of Commerce and Industry. Can the Minister explain why the Government hate hiring experts? Will he also confirm widespread rumours that the Prime Minister believes his plumber should be the next manager of the England football team?

Michael Gove: Speaking as a supporter of the Scotland football team, I think that appointing a plumber to be the manager of the England football team would be a novel and interesting way of evening the odds.

David Linden (Glasgow East) (SNP) *indicated assent.*

Michael Gove: The SNP is with me on that.

Dr Julian Lewis (New Forest East) (Con): My right hon. Friend may not be aware that there was a six-month stand-off in 2018 between the then Defence Committee and No. 10 over whether Sir Mark Sedwill, newly appointed as National Security Adviser, should appear before that Committee, because it was argued that he appeared before the Joint Committee on the National Security Strategy and he need not come to us. Can my right hon. Friend give us an assurance that this National Security Adviser will indeed testify as required before all relevant Committees, including the Foreign Affairs Committee, the Defence Committee and, who knows, the ISC, if it is re-established by then?

Michael Gove: I very much take on board my right hon. Friend's point. It is the case that normally for any particular official or Minister there will be one Select Committee, which is the principal area to which they will be accountable. But, speaking for myself in my own role, I have been held accountable by the Committee on the Future Relationship with the European Union as well as by PACAC. I know that David Frost will want to engage with all the Committees of this House and the other place in order to ensure appropriate scrutiny.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): The Minister must have misheard the question from the Chair of the Home Affairs Committee, but, because I am very kind, I will ask him again. Will the party politically appointed National Security Adviser be responsible for the performance reviews of the independent heads of intelligence and security services?

Michael Gove: I know that the hon. Lady was a very successful teacher before she came to this place, so I am grateful to her for giving me the opportunity to resit the exam, and I hope that I will be able to pass it this time. It will not be the case that there will be any individual responsible for that, no.

Rob Butler (Aylesbury) (Con): Does my right hon. Friend agree that appointments to civil service positions need to reflect the experience of people of all backgrounds

to be relevant to the needs of the hour? That means all types of school, all parts of the country, people from the charity sector and the private sector, as well, of course, as talented and skilled public servants?

Michael Gove: Yes, I absolutely do agree, and diversity of background and cognitive diversity are important in public service.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The idea that this is about social mobility is for the birds. General Sir Richard Barrons, the former chief of Joint Forces Command and indeed a Deputy Chief of the Defence Staff, described this as

“a move for ‘chumocracy’. Someone in Boris Johnson’s inner circle is being moved higher up the inner circle”

He also said that

“when it comes to matters of security, his knowledge is zero, and that is a matter of concern.”

One of the key lessons from the Chilcot inquiry was the importance of speaking truth to power. How can a political appointee of this nature, part of the chumocracy, speak truth to power?

Michael Gove: I note that the Chilcot inquiry was an inquiry into the conduct of foreign affairs under a Labour Administration. Anyone who has seen how those in the National Security Secretariat discharge their responsibilities under this Administration will know that they consistently speak truth to power.

Mr Mark Harper (Forest of Dean) (Con): May I put on record my thanks to Sir Mark Sedwill for his public service? I served with him when he was permanent secretary at the Home Office, and I served in that Department as Immigration Minister. I know that he brings a tremendous set of skills and has served our country faithfully over many years. Looking at the responsibilities of the National Security Adviser as the secretary to the National Security Council, which covers a wide range of matters, not just national security, it seems to me that David Frost is eminently qualified. That council also has the heads of the agencies and the military chief sitting on it. May I ask the Chancellor of the Duchy of Lancaster whether, given all the threats and challenges facing the country, he anticipates the National Security Council sitting relatively frequently in the months to come?

Michael Gove: I am really grateful to my right hon. Friend for making that point; I should have made it earlier. It is the case that when the National Security Council sits, it is absolutely required that the representatives of the various security and intelligence agencies that keep us safe are there, along with key military and diplomatic figures. The National Security Adviser is one of a number of those with expertise, and it is the case that the National Security Council is now meeting more frequently, not least to take forward the integrated review that I know he supports.

David Linden (Glasgow East) (SNP): Don't prorogue Parliament as the Supreme Court will find it unlawful. Don't approve this planning application, Secretary Jenrick, as it will be found unlawful. Is this not just the latest case of the Government absolutely ignoring civil servants and making party political appointments that are wholly inappropriate. Does the Minister agree with that?

Michael Gove: It may surprise the hon. Gentleman, but, no, I do not. Of course, we benefit from impartial and authoritative advice, but, ultimately, Ministers decide. It is certainly the case that, in the Scottish Government, I know that the excellent civil servants there provide robust challenge, but, just occasionally, Ministers of the Scottish Government sometimes take a different view.

Sir Desmond Swayne (New Forest West) (Con): You would think that nothing had changed since the fall of Thomas Cromwell. Has my right hon. Friend read Hilary Mantel's "The Mirror and the Light"? It is not really like that, is it?

Michael Gove: I have not had the opportunity to read Ms Mantel's latest novel, but I hope to have the opportunity to do so over the summer. My right hon. Friend is absolutely right to point out that, historically, government has been carried on by a mixture of those who are dedicated public servants in the civil service and outside appointees of a political hue.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): On Radio 4's "Today" programme yesterday, the Secretary of State for Education said that making the National Security Adviser a political appointment was following the example of the United States. President Trump has had well-documented rows with his security services. I always say that when it comes to issues such as Huawei or other security issues, we can follow and trust in the advice of our security services because we know it is non-political. Can I still say that?

Michael Gove: Yes, absolutely. If advice comes from the agencies, then that advice will always go, absolutely direct, to the Prime Minister and to the relevant politician. The record of previous national security advisers in the United States of America, from Condoleezza Rice to Henry Kissinger, is a distinguished one. Having people of that stature reflects well on the Presidents who appointed them, and it makes the case that a national security adviser of the kind that David Cameron introduced is a welcome innovation.

Mr Richard Holden (North West Durham) (Con): In 1987, David Frost was appointed to start his career in the diplomatic service. He served there for a quarter of a century. He has since served in senior appointments both in government and in the private sector. Does the Minister agree that it is exactly people with this range of experience that we need in senior government positions?

Michael Gove: My hon. Friend, who has served in government as a political appointee, knows absolutely whereof he speaks. As I say, I find it somewhat curious that Opposition Members who have themselves supported the Government on many, many political appointees are now having a fit of the vapours at the idea that there should be a political appointee.

Dr Philippa Whitford (Central Ayrshire) (SNP) [V]: The Minister claims that there was an issue with Sir Mark Sedwill carrying out two roles, so how is it practical to combine the role of National Security Adviser with a commitment to intensify EU negotiations—or have the Government already given up on a good deal?

Michael Gove: It is precisely because we do want a good deal that negotiations are being intensified. That decision was taken by the Prime Minister and by the Presidents of the European Commission, the European Parliament and the European Council. We all wish those involved bonne chance.

Dr Andrew Murrison (South West Wiltshire) (Con): I very much welcome the appointment of David Frost, who is well qualified for the roles that my right hon. Friend has outlined. At the weekend in a Government press release, David Frost is said to have said that he is particularly exercised by the importance of the integrated review and the formation of the new Foreign, Commonwealth and Development Office. What role does my right hon. Friend envisage for David Frost in the formation of that very welcome new Department? When will the new permanent secretary be appointed to the Department? Does my right hon. Friend agree that he or she has to be an excellent change manager? What relationship will David Frost have to the new perm sec?

Michael Gove: That is a very thoughtful set of questions from a very successful previous Minister in the Foreign Office. It is right that the integrated review should look at how diplomacy, aid, and defence and security mesh. He is right that David Frost's experience equips him well for that role. There will be no single individual who will be reviewing these matters. There will be a range of people, including existing civil servants. I should add that one of those is also involved as another political appointee in the Prime Minister's policy unit—a biographer of Clement Attlee. I am sure that the hon. Member for Torfaen (Nick Thomas-Symonds) would agree that that is a qualification for high office.

Mr Peter Bone (Wellingborough) (Con): Listening to the excellent Minister, I have learned that the National Security Adviser is not going to be a civil servant or a special adviser but a special envoy who will travel all over the world. Since we are adopting the idea from America of appointing people into government who support the Government—not a bad thing, I would say—would it not also be a good idea to take from America the idea of confirmation hearings and let this appointment be made only after a Committee of this House has held a confirmation hearing?

Michael Gove: That is an interesting constitutional innovation. I remember that when I was shadow Secretary of State for Children, Schools and Families, the then Children's Commissioner was interviewed by the Education Committee. The Committee said that she should not be appointed, but the then Secretary of State, Ed Balls, did appoint her, and he was entirely within his rights to do so. Of course Select Committees have an important role to play, but ultimately Ministers decide.

Kenny MacAskill (East Lothian) (SNP): National security is reserved, but protecting communities requires co-operation with Governments and agencies that are devolved. How can the devolved Administrations have confidence in a lead official who acts not in the wider public interest, but at the beck and call of the Prime Minister?

Michael Gove: I think that the devolved Administrations can have confidence in David Frost. He has talked to the Ministers in the devolved Administrations who are concerned with the fate of the EU negotiations. We were reminded by the hon. Member for Slough (Mr Dhesi) that David Frost was, for a while, chief executive of the Scotch Whisky Association, so those in Speyside and elsewhere in Scotland can be confident that this is a man who has their best interests at heart.

Mr Speaker: 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 suspend the House for three minutes.

1.30 pm

Sitting suspended.

Lammy Review

1.33 pm

Mr David Lammy (Tottenham) (Lab) (*Urgent Question*): To ask the Prime Minister if he will make a statement on the Government's implementation of the Lammy review.

The Parliamentary Under-Secretary of State for Justice (Alex Chalk): Racism is an abomination. It is morally and intellectually bankrupt, and it strikes at the foundations of a fair and just society. It is particularly corrosive when found within the criminal justice system, because in that context the stakes are particularly high—guilt or innocence; freedom or incarceration.

That is why the Government, back in 2017, commissioned the Lammy review into the treatment of and outcomes for black, Asian and minority ethnic individuals in the criminal justice system. Although it was an independent review, it was heavily backed by Government resources. A team of six, headed by a senior civil servant, were devoted to the review, and it took evidence from across the world, with fact-finding trips as far away as the United States and New Zealand. We are profoundly grateful to the right hon. Member for Tottenham (Mr Lammy) for the constructive and consensual way in which he led the review, and for the valuable 35 recommendations it produced. It is a good report and it has made a big difference.

Not uncommonly when reviews are commissioned, it was clear to Government that not every last recommendation could or indeed should be implemented precisely as requested. The Government made that clear, and they did so openly and publicly in their December 2017 response. Instead of flatly rejecting a large number of the recommendations, the Government were mindful of the importance of progressing the policy intent that lay behind them. That is why the Government undertook to take them forward to the fullest extent possible. They repeated that stance in the further lengthy progress updates they published in 2018 and most recently earlier this year, with the latest one running to more than 80 pages. The position now is that 16 recommendations have been completed, two have been rejected and 17 are in progress. Of those 17 in progress, 11 will be completed within 12 months and six thereafter.

Let me close by saying that enormous progress has been made, particularly in respect of the functioning and fairness of prisons. By way of one example, recommendation 3, which recommended the publication of datasets held on ethnicity, has been complied with, including in respect of home detention, curfew, release on temporary licence and prisons. All that data is set out in the official gov.uk updates on the "Ethnicity facts and figures" website, which is, by the way, arguably one of the most transparent sets of Government data in this field anywhere in the world. As a result, data on staff and prisoner ethnicity is significantly better than it used to be, allowing a spotlight to be more easily shone on disparities and action taken.

We have gone further, too, making progress in areas such as setting up the Race and Ethnicity Board to hold key partners across the criminal justice system responsible for improvement in their respective areas. Of course there is more to do, and I hope we can

continue the constructive dialogue in taking forward the recommendations of this excellent report. I know things are different now. The consensual has necessarily, because of the right hon. Gentleman's elevation, given way to a more adversarial approach. That is understandable, but great progress has been made. With common purpose and focus, we can finish the job.

Mr Lammy: In this country, we have two major political parties with different visions of our past and our future, but on some matters of political importance, it is right for us to work across the partisan divide to achieve lasting change. It was in that spirit of good faith that David Cameron asked me to complete an independent review into the disproportionality in the criminal justice system. It was with the same good faith and in the hope of forging political consensus that I completed it.

I was disappointed to hear the Prime Minister break that consensus last week when he claimed that 16 of the recommendations I made in the Lammy review had been, and I quote, "implemented", when in fact the majority of them had not. Inadvertently, he misled the House, and it is a shame he is not answering this urgent question himself.

There is a huge difference between implementing my recommendations and, as the Minister has said at the Dispatch Box today, completing the actions the Government committed to following my recommendations. In fact, I think the Minister said that they have completed 11 of those recommendations. Last week, it was 16. I hope that he recognises it is important on a matter such as this to give the public clear information. When he returns to his feet, I hope he will correct the record properly.

Recommendation 13, for example, was that "all sentencing remarks in the Crown Court should be published in audio and/or written form."

As the Government admit, that has not happened. They have done all that they said they would do on that recommendation, but frankly, that is nothing. They have not implemented it. In fact, they have rejected it. It is the same story for recommendations 8, 18, 19 and 35. They committed to not implementing my recommendations, and it is wrong to pretend anything else. Language matters and, as the Black Lives Matter movement makes its voice heard about systemic injustice here and abroad, the very least the Government could do is be honest about their actions.

Last week, the Prime Minister broke the consensus around my review; now I am asking the Minister to correct the record so that we can win it back. History is littered with examples of what happens if we abandon good faith. Without good faith, people get angry. Without good faith, people take to the streets. Without good faith, people give up hope.

The truth is that many of the injustices that I highlighted in my review have since got worse. When I completed the review, 41% of children in prison came from a black, Asian or minority ethnic background—and now the proportion is 51%. The proportion of all stop and searches on black people has increased by 69% over five years. The average custodial sentence for a black person is almost 10 years longer than that for a white person. To recognise the pain of these injustices, the Government need to go further than my review went, not cover up

for the recommendations they ignored. Change will happen only when we look in the mirror honestly. Change will happen only when we tell the truth. Change will happen only when we recognise that black lives matter. Do not take the community involved for fools.

Alex Chalk: I am grateful to the right hon. Gentleman for his remarks. Let me be clear: we say that 16 recommendations have been implemented. The point I was making about 11 is that there is agreement between the parties, so to speak, that 11 of those 16 have been implemented, or partially implemented—that is in the right hon. Gentleman's letter. There is a dispute about the other five, to which I shall come in a moment.

In 2017, after this excellent report was produced, the Government could have said in respect of recommendation 13—to which the right hon. Gentleman refers and which, by the way, requires that all transcripts of sentencing hearings should be printed and published—"Do you know what, Mr Lammy? That is simply not feasible. We are just going to turn our face against that." But instead, the Government looked behind the intention of that recommendation, and the intention—as set out in the text of the report, by the way—was to increase transparency. I will explain in a moment what then happened, but I wish to deal with this point first. In December 2017, the Government said in their response that they would not be able to implement every last word—in fact, the expression used was "to the letter", in paragraph 8, if the right hon. Gentleman wants to look at it.

In respect of recommendation 13, to which the right hon. Gentleman refers, what in fact have the Government said? The report from 2020—which, by the way, runs to some 80 pages, setting out what the Government have done in respect of each of the recommendations—talks about recommendation 13, and if he wants to find it, it is at page 60. I remind everyone of what recommendation 13 says:

"As part of the court modernisation programme, all sentencing remarks in the Crown Court should be published in audio and/or written form. This would build trust by making justice more transparent and comprehensible for victims, witnesses and offenders."

We said that transcripts for everything would be a gargantuan expense, and that money would have to come out of the legal aid budget and so on. We said that "the costs are prohibitive at this time",

but that the

"Ministry of Justice has however produced a four-part guide to support defendants as they move through the Criminal Justice System from charge to case completion, available online and in Courts. MoJ want to ensure that people are given the help they need to understand the Court process and the consequences of their own decisions, as well as those made by the Court. The guide includes information on sentencing".

In other words, we implemented the spirit of the recommendation.

Mr Lammy: Will the Minister give way?

Alex Chalk: In a moment; let me just finish the point.

The right hon. Gentleman also asked about going further. We have required police and crime commissioners, for example, to report on the number of BAME victims they are supporting through support services. We have set up the race and ethnicity board. We have committed to publish the victims strategy. We have done all these things, even though they were not in the Lammy review,

[Alex Chalk]

because we recognise that when it comes to cracking down on racism in the criminal justice system, we have to go further still.

Sir Robert Neill (Bromley and Chislehurst) (Con): I do not doubt the Minister's commitment to this personally, or his personal good faith in this matter, and I am sure that no one does, but it is fair to say that the detailed report in February 2020 that he refers to also recognises a particularly intractable issue with the youth justice system, and some of the figures on that have been mentioned. Can he help me specifically on what the timeframe is for moving towards the implementation and achievement of those shared overarching aims and objectives for the three principal agencies in the criminal justice system, which were identified in the February 2020 report? There is a lot of good work set out individually, but in evidence the Justice Committee heard a concern that we need to pull these things together, with a specific action plan for delivery.

Alex Chalk: I am very grateful to the Chair of the Select Committee, and I recall that in March 2019 his Committee conducted an inquiry into this. One of the most important themes that came from the Lammy review was the adoption of the principle "Explain or change"—in other words, explain why there are these discrepancies, or do something about it, to put it in plain English. One of the key tools to enable that change to happen is publishing data. Data is one of the most powerful tools in all this. One of the things that encourages me is that, because we have now published the data on ethnicity facts and figures, we can pick a certain minority, see the data on homelessness, for example, or on the kind of accommodation people are in, and put that alongside criminal justice data to see how the outcomes are going.

Joanna Cherry (Edinburgh South West) (SNP) [V]: If the words "black lives matter" are to have any real meaning, we must have honest appraisals of whether or not the Government have implemented the recommendations of the many reports that have already explored racial discrimination and disparities in the United Kingdom. There is no point in commissioning yet further reviews if the Government have not adequately addressed the recommendations in the reviews that have already been completed. In common usage, the word "implementing" in relation to a recommendation means giving it effect; it does not mean looking at it and then discarding it as inconvenient, or getting rid of it because it is too much like effecting real change.

It is important that we get to the bottom of what is going on here, because the Government's curious use of language is not confined to this report. Last week, the Home Secretary told us she was accepting the recommendations of the "Windrush Lessons Learned Review" in full and that she would be coming back to the House before recess to update us on how they would be implemented. But when she was pressed on the recommendation that requires a review of the hostile environment policy, she refused repeatedly to say that such a review would be carried out.

So can the Minister, for whom I have the greatest respect, clarify the position for us? Have the Government invented a new meaning for the word "implemented,"

or does it still mean "giving effect to recommendations," and will he be crystal-clear about which recommendations of the Lammy review are to be given effect, and when?

Alex Chalk: I am grateful to the hon. and learned Lady, for whom I also have a great deal of respect. In December 2017, the Government response to the Lammy review said, at paragraph 8:

"We have...sought to mirror the pragmatic, 'doable' tone of the Review by setting out how we will address the underlying issues behind recommendations where there are real constraints that prevent us from following it to the letter."

If the statement was in isolation—for example, "Have you implemented the change in the name of the Youth Justice Board?"—then, yes, the hon. and learned Lady would have a point, but what was made clear throughout was that the Government were determined to implement the policy objective even if doing things to the absolute letter would not necessarily be the best way of achieving that. I am proud of the fact that we have gone beyond a lot of what was stated in the Lammy review, so we have more data, more transparency, and a better way of drilling down on manifest injustices. Of course there is more to do, and this report has set us on a much better path.

Jeremy Wright (Kenilworth and Southam) (Con): The Lammy review was an important piece of work and it was also a wide-ranging one. As my hon. Friend knows, chapter 2 of the review deals with the Crown Prosecution Service. The right hon. Member for Tottenham (Mr Lammy) sensibly made some proposals for improvement within the CPS, but he also said this:

"Other CJS institutions should learn lessons from the CPS, including openness to external scrutiny, systems of internal oversight, and an unusually diverse workforce within the wider CJS."

My hon. Friend knows that the criminal justice system is an ecosystem and it is important that all parts work with the others, so will he do what he can to make sure that those lessons are learned within the system?

Alex Chalk: I thank my right hon. and learned Friend, who makes a characteristically pertinent point. If we want people to have confidence in the criminal justice system, they need to have confidence in the people who are bringing forward the prosecutions. That means that we need to make sure that it is diverse and representative. I must say that I know it is sometimes fashionable to kick the CPS—I am not suggesting he is doing this—but overall it does an excellent job and takes the issue of diversity extremely seriously. We want to empower it with the tools through the data to promote, entrench and enhance diversity.

James Murray (Ealing North) (Lab/Co-op) [V]: Five years ago, 25% of stop-and-searches across England and Wales were of black, Asian and minority ethnic people. Can the Minister explain why, in the most recent data, this has risen to over 40%?

Alex Chalk: I am grateful for that question. Stop-and-search is, we think, an important part of the tools required to keep the streets safe. It is worth emphasising that those most likely to be victims of the kinds of crime the police may have in mind—knife crime, for example—will disproportionately come from BAME backgrounds. The key to ensuring that people have

confidence in stop-and-search is to ensure that the data is published so that people can be satisfied that it is not being misused and misdirected. That is the focus of this Government and one that we are better able to deliver because of the work done to implement the recommendations of the Lammy review.

James Daly (Bury North) (Con): There is a chronic shortage of magistrates in Greater Manchester and other parts of the country. Can the Minister outline what steps are being taken to increase recruitment and, importantly, to ensure the magistracy is more diverse and representative of the areas it serves, as per recommendation 16 of the Lammy report?

Alex Chalk: My hon. Friend makes an excellent point. We need a diverse judiciary. Things have improved a bit—12% of magistrates were from BAME backgrounds as of April 2019, which was 4% higher than in 2012—but we need to go further. The magistrates recruitment and attraction steering group, jointly headed by the MOJ and the magistrates court leadership, held its first meeting in February 2020 and it is promoting the magistracy and increasing recruitment, with a particular focus on increasing diversity.

Florence Eshalomi (Vauxhall) (Lab/Co-op): I welcome the Minister's statement, and I want to return to the issue of stop-and-search. In my constituency and in the borough of Lambeth, black people are four times more likely to be stopped and searched, and in the last 12 months, more than 10,000 stop-and-searches were conducted on black people, compared with 5,000 on white people. I spoke to a group of year 12 students last Friday: almost 50% of the boys and one girl put their hands up to say they had been stopped and searched. Why is this still a big issue? Why is there this disproportionality?

Alex Chalk: I am very grateful to the hon. Lady for raising this directly but sensitively. My goodness, if people take the view that what has taken place is victimisation, of course it will corrode confidence in the criminal justice system and the police. Equally, though, we have to make sure that the police have the tools they require to try to hunt down crime and, as I have already indicated, it is very often people being stopped who themselves could be victims of crime. Forgive me for repeating a point I have made already, but the key to this is data—data to ensure that the right people are being stopped and, where they are not, it shines out like a beacon that there is an issue, in a particular borough, or wherever it is in the country, that needs to be addressed.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): There is a lot of pressure on time this afternoon. A lot of people want to speak now and in the next business, so can we have short questions and answers please?

Robbie Moore (Keighley) (Con): It is noted in the report that BAME young adults face high levels of deprivation and disadvantage that may make reoffending more likely. What steps is my hon. Friend's Department taking to reduce the likelihood of BAME children and young adults reoffending and entering the court system for a second time?

Alex Chalk: One of the really valuable things that emerged from the Lammy review was the point that many of the issues that lead to people being in the criminal justice are upstream. So when we look at how to try to address the issues my hon. Friend refers to, it is not purely about this Department; it is also about this Government. So when we talk about the levelling-up agenda, this has to be levelling up across demographics as well as across the country.

Janet Daby (Lewisham East) (Lab) [V]: Thank you, Madam Deputy Speaker, for granting this urgent question to my right hon. Friend the Member for Tottenham (Mr Lammy). I was disappointed to find out that the Prime Minister's response to my question last week turned out not to be quite as it seemed, and now he is not here to clarify his own statement. So can the Minister explain why only 1% of full-time police officers in 2019 were black and why this has not been improved since the implementation of the Lammy review?

Alex Chalk: Overall, diversity is improving. I do not know the specific figures on the police—I apologise, but that is a Home Office matter. For example, the Parole Board did not have a single black member, yet, as a result of the Lammy review, in recent recruitment 35% of new recruits were BAME. That is great news, but there is more to do.

Dean Russell (Watford) (Con): Does my hon. Friend agree with my view, following conversations I have had locally with a range of BAME representatives, including Luther Blissett, the England footballer and Watford football legend, that one role we need to take now is on community and education, ensuring that when we look around us we see the immense benefits of the vast diversity we have and that we value and celebrate it?

Alex Chalk: My hon. Friend puts the point beautifully. We need a community—a cohesive community—that recognises and celebrates difference, but remembers that, in the words of a Labour MP, “We have more in common”.

Christine Jardine (Edinburgh West) (LD): I, too, wish to thank the right hon. Member for Tottenham (Mr Lammy) for securing this important urgent question, particularly at this time. I wish to return to the point that has been made about stop-and-search. The review points out that

“Grievances over policing tactics, particularly the disproportionate use of Stop and Search, drain trust in the CJS in BAME communities.”

That point is critical. Although I take on board what the Minister says about data being important, what are the Government actually going to do about that data? Will they look at ending suspicionless stop-and-search because BAME communities are disproportionately affected by that specifically?

Alex Chalk: Of course the Government will pull on every lever they can, but I want to make this point about the data. It is online, on the ethnicity facts and figures website, for anyone to see. We are also conducting the race disparity audit, so the evidence is there; there is a big bright spotlight on this area, so people can start to take action. Lastly, this is about not just the police, but those who then deal with the punishment, particularly those on youth offender panels—that was

[Alex Chalk]

recommendation 18. We have delivered far more diverse youth offender panels, particularly in Hounslow and Wandsworth, and that is going to be a critical part of ensuring that justice is done.

Mark Pawsey (Rugby) (Con): Many of my constituents work at HMP Rye Hill, HMP Onley and the Rainsbrook secure training centre. On the workforce, what progress has been made in creating more diversity among officers and, in particular, in senior leadership teams in our Prison Service?

Alex Chalk: We are absolutely committed to ensuring that there is greater diversity, for precisely the reason my hon. Friend indicated. It is not enough just for the police to be more diverse, to represent the society they police; prison officers must be diverse, to represent the prisons that they manage. We are making great progress in that regard, not least, in part, thanks to the Lammy review, and we will continue to make progress.

Richard Burgon (Leeds East) (Lab) [V]: I want to pay tribute to the Black Lives Matter movement, here and around the world, which is making important demands to tackle systematic racism in state institutions. David Oluwale was a British Nigerian killed in Leeds in 1969. He was drowned in the River Aire and he is buried in my constituency. His death led to the first successful prosecution—one of very, very few—of British police for involvement in the death of a black person. So as well as finally taking action on the Lammy review, will the Minister agree to implement all the recommendations of the Angiolini report on deaths in police custody?

Alex Chalk: I am grateful to the hon. Gentleman for raising that important point. We are committed to taking forward recommendations across the piece. I do not know about every last one in respect of that review, but I undertake to him that I will look at it very carefully.

Tom Hunt (Ipswich) (Con): Following the tragic death of Tavis Spencer-Aitkens in Ipswich in 2018, which was caused by gang violence, Tavis's family have done an incredible amount of work to bring about positive change. Tavis's stepmum, Helen, has this week qualified as a youth worker and, alongside Tavis's father, Neville, has set up the Reflections youth club, to help prevent young people from falling into crime. Will the Minister join me in praising the incredible work they are doing? Does he agree with me on the importance of bottom-up community action in tackling the causes of knife crime and gang violence?

Alex Chalk: My hon. Friend pays a powerful and moving tribute to his constituents, but he also highlights such an essential point: the way we drive down, eradicate and root out the cancer of gang violence is by ensuring that we have cohesive communities—not just the older demographic, but the younger demographic—so that everyone feels that they have a stake in a diverse and fair society.

Sarah Owen (Luton North) (Lab) [V]: Intervention at school age is needed to end the structural racism identified by the Lammy review. The team at Lea Manor High School in Luton, with their inspirational head, Gwyneth

Gibson, are working innovatively within the curriculum, bringing more non-white perspectives and being representative of black communities. Does the Minister welcome that, and how are the Government working with schools and families to respond to the specific needs of young black, Asian and minority ethnic people?

Alex Chalk: I am very grateful to the hon. Lady for raising that, and I am quite sure that what is going on at Lea Manor High School is extremely enlightened and very advantageous to the children. I know that a number of schools are looking again at how they can make sure that the curriculum is modern and up to date. I would want to make sure that that curriculum does not seek in any way to eradicate history, as I am sure it would not, but to revisit it. That has been the purpose over the years of historical examination of the past and that will continue.

David Morris (Morecambe and Lunesdale) (Con) [V]: Will the Minister comment on the approach to embedding the principle of “explain or change” to inform the Government's priorities?

Alex Chalk: My hon. Friend has hit on probably the single most important principle that emerged from the Lammy report—I think that was recommendation 4. “Explain or change” is intended to ensure that unless we can demonstrate the reason behind the figures that we are seeing—if there is a discrepancy that calls for answers and we cannot answer them as a society—we need to change the system. That is a golden thread that runs through the report and it informs many of our policy responses.

John Spellar (Warley) (Lab): Frankly, while we certainly need data, we also need decisions and action. Page 62 onwards of the Lammy report takes on the discredited Disclosure and Barring Service. That was in 2017, and the Supreme Court added its criticisms in January 2019, yet the pathetic response emanating from the Home Office is that it is “considering” the Supreme Court judgment and will set out a response in due course. Meanwhile, now, as we face mass unemployment, the unacceptable burden of disadvantage and discrimination will get worse. The Ministry of Justice know that this is wrong. What is it going to do about that?

Alex Chalk: I am grateful to the right hon. Gentleman for raising that point. He is right that in January 2019 there was the Gallagher judgment from the Supreme Court. Judgments of the Supreme Court have to be implemented by this place—that is how it works in our society—and we will do that without delay. May I make a wider point? There is of course a balance that we have to strike: those who commit crime need to be held accountable for their actions, and that sometimes means in their records, but we also need to make sure that people can be rehabilitated and get on and build a brighter future.

Selaine Saxby (North Devon) (Con): If we are to live in a society based on mutual respect, does my hon. Friend agree that children need to leave school in no doubt about the evils of racism? Will he ensure that there is absolute zero tolerance of racism in our schools?

Alex Chalk: My hon. Friend makes an excellent point. We cannot hope to solve this issue as a society if people are leaving school with ingrained racist instincts. I think we have moved on a huge way in that respect, but of course we must never be complacent, and we must redouble our efforts to ensure that school is a place of tolerance and understanding and of building a better future.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Whenever the Government are asked about anything affecting BAME communities, they shout about the Lammy review, yet they have a long, long way to go to implement much of it. We heard from the author of the review of the prison population and stop-and-search increases. On lockdown fixed penalty notices, Katrina Ffrench of StopWatch said:

“The numbers are clear. Black and Asian people are disproportionately being given fines in comparison to their white peers. This ethnic disparity must be addressed and officers made to account for their decisions.”

Does the Minister agree?

Alex Chalk: That is the precisely the theme that I have been trying to advance in the course of these questions. Yes, of course—that is the whole point of “explain or change”. If there are these disparities, the whole purpose of the review is to get the data out there, and if they cannot be explained, people such as the hon. Gentleman, with his assiduous questions, will be shining the very light that we want to see him shine.

Felicity Buchan (Kensington) (Con): Youth clubs have a very important role to play in keeping children off the streets and out of the criminal justice system. Just before we went into lockdown, I took the Home Secretary to an inspirational youth club in my constituency, the Harrow Club. Does my hon. Friend agree with me about the importance of youth clubs?

Alex Chalk: I certainly do. For a long time, I have spent time with Earls Court Youth Club, which I think is in the neighbouring constituency to my hon. Friend’s. I saw there how lives were changed and futures were enhanced. Crucially, I saw that people had a strong sense of aspiration, when, because of their background—which, by the way, was no fault of their own—they made not have had any. Youth clubs can make a massive difference, and I commend my hon. Friend for the attention that she is giving to one in her constituency.

Jim Shannon (Strangford) (DUP): Does the Minister agree that it is essential that every community must feel heard, valued and understood? Can he outline the Government’s strategy to ensure that we have enough community workers and community police in every area of the UK to build community confidence, and outline how he believes this can be achieved?

Alex Chalk: This Government absolutely share that view, which is why we are committed to recruiting an additional 20,000 police officers—and, by the way, that process is making excellent progress. That will allow more officers to get out into communities to build up that crucial community intelligence to ensure that individuals are kept out of crime and victims are protected.

Mrs Flick Drummond (Meon Valley) (Con): Following on from the previous question, the review talks about building trust between the police and young people. What consideration has my hon. Friend given to assigning a police officer to a year group in each school who could then build relationships with that year group throughout their school career?

Alex Chalk: I am grateful to my hon. Friend for raising that point. I think that it is a proposal that has found favour in other jurisdictions—maybe even in the United States. I cannot speak for the Department for Education, but it strikes me as an extremely interesting idea, which I invite my hon. Friend to raise with DFE colleagues.

Clive Efford (Eltham) (Lab): We have seen a 69% increase in the number of black people stopped and searched over the past five years. At the same time, there has been a 69% decrease in the number of white people stopped and searched. Is it correct that the use of racial profiling to stop and search people is a waste of resources? If that is true, why the delay?

Alex Chalk: Of course if the wrong people are being stopped, it is a waste of resources. But one has to balance that against the knock-on impact of getting rid of this altogether. The point that I have made before, but which I am afraid bears emphasis, is that if that were to be the case and knives were not being taken off the streets, the very people we want to stand up for would be the very people who would fall victim.

Mr Peter Bone (Wellingborough) (Con): The excellent Minister has said that there is more to do, so what are the Government going to do next to improve the situation?

Alex Chalk: I am grateful to my hon. Friend for raising that point. There is a huge amount more to do, but what I indicated in the context of this urgent question is that there are 17 further recommendations, of which we want to do 11 within 12 months and six a little after. I have spoken to my right hon. and learned Friend the Lord Chancellor, and we are determined to put the afterburners on and really finish them all off without any delay.

Ruth Jones (Newport West) (Lab): I have been inundated with emails from constituents in Newport West asking me to press the Government to stop sitting on the recommendations of a number of reviews that they have commissioned in recent years. Today I add my voice to their: the time for full and comprehensive action is now. Will the Minister outline what recent discussions his Department has had about the review of my right hon. Friend the Member for Tottenham (Mr Lammy) with Ministers in the Welsh Government as part of the drive to implement the review fully?

Alex Chalk: The hon. Lady’s constituents are absolutely right. They want us to get on with it, and getting on with it we are. I do not have time now to go through what we have done: on recommendations 3, 23, 33 and 4. So much has improved. On the specific point she raised about liaising with Wales—I hope she will forgive me—I will write to her.

Sir Edward Leigh (Gainsborough) (Con): Every bit of social research makes clear the devastating result of family breakdown, yet this report says that black children are more than twice as likely to grow up in a lone-parent family. Will the Minister assure the House that the Government are fully committed to strengthening family bonds, promoting marriage and increasing resources for reconciliation? We spend just £10 million a year on this, when family breakdown may cost us £50 billion a year. Will he assure me that he is fully committed to families?

Alex Chalk: My right hon. Friend makes an excellent point, and has spoken about this precise issue in the House recently. He is absolutely correct. The right hon. Member for Tottenham agrees, I agree and my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) agrees; we need to address these issues upstream. Strong communities, marriages and strong relationships are essential to keeping people out of trouble and building them a better future.

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab) [V]: According to statistics provided by South Yorkshire police, you are 2.5 times more likely to be stopped and searched by the police if you are black, and 1.5 times if you are of Asian heritage. In many communities in the United Kingdom, there has been a complete breakdown of trust in the criminal justice system. Does the Minister acknowledge that, and will he work to fully implement the Lammy review without further delay?

Alex Chalk: The hon. Lady lights on arguably the most important word throughout all of this—trust. If it is the case that trust is breaking down, which I certainly hope it is not, one of the best ways of achieving trust, as she knows, is through transparency. Sunlight is the best disinfectant. This review, and the Government's response to it, has shone the brightest possible spotlight on this critically important area of our constitution and of our criminal justice system, and that will set us up for a better future for all.

Mr Richard Holden (North West Durham) (Con): We all want offenders to be rehabilitated and for reoffending to fall. Chapter 6 of the Lammy review goes into that in some detail. Can the Minister update the House on the progress in ensuring that our Probation Service reflects the society it serves, to help reduce reoffending, which is higher in some BAME communities at the moment?

Alex Chalk: My hon. Friend addresses an important issue. When we talk about the criminal justice system, we could be forgiven for saying, "Don't worry: it's all about the judges." It is not all about the judges. We want to ensure that people who are sentenced by the courts comply with community orders, which might be supervised by probation, or comply with whatever the requirements are in prison. That means ensuring that we have greater diversity. We have made some significant progress in respect of probation but also the Parole Board, as I have indicated, and in the Prison Service. We are not complacent, and we want to do more.

Vicky Foxcroft (Lewisham, Deptford) (Lab) [V]: On 16 July, the Youth Violence Commission, which I chair, will publish its final report on the root causes of youth

violence. The Lammy review highlights that systemic problems cannot be rectified by the criminal justice system alone, and that the work needs to start far earlier. What hope can the Minister give me that the Government will take our recommendations seriously, when we are still waiting for the recommendations of the Lammy review to be implemented?

Alex Chalk: We have to recognise that in implementing some of these recommendations, some are quite easy to do but some are much more difficult. For example, as part of this we are piloting plans for improved judicial recruitment. We have to recognise that recommendations will proceed sometimes in tandem, and I would be delighted to discuss with her the recommendations she refers to.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Black people from Wales are five times over-represented in prisons and BAME women face the extra disadvantage of having no women's centres to support rehabilitation. That is just one example of data crying out for tangible action. Will the Minister provide a clear road map of the Government's plans to open the first residential women's centre in Wales?

Alex Chalk: I am very grateful to the right hon. Lady for raising the issue of a residential women's centre in Wales. One of the things I am so proud of, in terms of the response to coronavirus, as the right hon. Lady will know, is the huge amount of money, as part of the £76 million that has been allocated, to support women in particular in the community—over £20 million coming from the MOJ itself. One of the things we want to do is to ensure that there is transparency about the data and who it helps. Crucially—this was not in Lammy, by the way—PCCs are now required to publish data on BAME representation, to ensure that those people as well are being properly represented and getting their fair slice of cake.

Brendan Clarke-Smith (Bassetlaw) (Con): Can the Minister comment on the approach to embed the principle of "explain or change" to inform the Government's priorities?

Alex Chalk: I am very grateful to my hon. Friend for raising this, because it is the golden thread that runs through this report—explain or change, put up or fix it. That is absolutely at the heart of it, and the right hon. Member for Tottenham was absolutely on the money when he said that. But we can only do that if we have the data out there so that people can observe it, see if there is a problem and then formulate a response. It is the golden thread that runs through the report and it will stand us in good stead for a fairer future.

Jacob Young (Redcar) (Con): Does my right hon. Friend agree that all public institutions, from the courts to the police to this Parliament, should be reflective of the communities they represent?

Alex Chalk: Absolutely right. Although we recognise that we have to go further, because we should never be complacent, my goodness, how far we have come. We should take a moment to recognise that we have come a long way. In fact, from memory, I think the introduction

of the Lammy review says precisely that. I will not read all of it out, because you would get cross, Madam Deputy Speaker, but it says:

“There is a growing BAME middle class. Powerful, high-profile institutions, like the House of Commons, are slowly becoming more diverse.”

We have done a lot: more to do.

Lucy Powell (Manchester Central) (Lab/Co-op) [V]: No disrespect to the Minister, but this is not about outputs or actions. This is about outcomes, and the outcomes for black and ethnic minority young people, in particular, in our criminal justice system are all going in completely the wrong direction. Does the Minister accept that the outcomes are going in the wrong direction, and that a lot more needs to be done to reverse that?

Alex Chalk: With respect, I think the position is more nuanced than that; I do not think that outcomes in education, for example, are all going in the wrong direction. One of the success stories over recent years is in how black British boys are achieving much higher standards than they were as little as 10 years ago. That is encouraging, but it is right to say that in some aspects of the criminal justice system, things are moving in a different direction. I completely get that, but it was this Government who commissioned the race disparity audit and then, when people thought it was going to be a one-off, actually decided that it had been such a valuable exercise that we would recommission it again and again. We have leaned into this issue because we recognise that if we want a fair society we have to make sure that outcomes are even too.

Points of Order

2.16 pm

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): On a point of order, Madam Deputy Speaker. Late on Friday night, a story was published in *The Guardian*, following the leaking of a Government document and briefing from officials in the Department for Education, saying that the Government appear to have committed in principle to moving university applications to after A-level results, commonly called post-qualification admissions. Yesterday, the Department for Education produced a written statement, but no mention of those changes were made, despite the huge impact they would have on university admissions and hundreds of thousands of students. I seek your advice on how the Government can be encouraged to keep the House updated on all policy developments, and ask if they have made any plans to bring a statement on higher education forward.

Madam Deputy Speaker (Dame Rosie Winterton): I am grateful to the hon. Lady for giving me notice of her point of order. Mr Speaker has made it clear on several occasions that new policy announcements by Ministers should be made in the House and not to the media. It is obviously for Ministers to decide whether to make a statement to the House. The hon. Lady will be well aware of the fact that there are different routes to summon Ministers to the House if a policy announcement has been made that warrants the attention of the House and it has been made to the media as opposed to the House.

Mr Peter Bone (Wellingborough) (Con): Further to that point of order, Madam Deputy Speaker. Many Governments have tried to bypass Parliament by making statements first to the media. Today, the Prime Minister has made a major speech on new policies, not to this House but to the media. What can Mr Speaker do to get the Government to abide by the rules of Parliament?

Madam Deputy Speaker: As I have just said, Mr Speaker has made it clear on several occasions that he believes that new policy announcements by Ministers should be made to the House and not to the media. I can only reiterate that. I am sure those on the Treasury Bench will have heard the disquiet of the hon. Gentleman and the hon. Lady, as well as the feelings of others in the House, and will take that back—[*Interruption.*] I understand it has been duly noted.

Sir Edward Leigh (Gainsborough) (Con): Further to that point of order, Madam Deputy Speaker, and one that I made last Thursday. This matter shows that, as soon as the lockdown effectively ends on 4 July, we should consider the end of call lists and go back to a much more spontaneous Parliament, because it would allow Members to be more fleet of foot and to come into the Chamber, without having to put in to speak a day before. It would also allow the Government to be more fleet of foot. I hope you will take that message back to Mr Speaker. We do not want to be like the Council of Europe, of which I am also a member—a dead parliament where everyone queues up on a written list. We want more spontaneity, more action and more of a traditional Parliament.

Madam Deputy Speaker: I thank the right hon. Gentleman for his point of order. Mr Speaker, the Commission and the House authorities have worked very hard to ensure that they note the advice from Public Health England and others on safety in the Chamber. The arrangements currently in place have been voted on by Parliament. They will continue to be updated as advice changes, and recommendations will presumably then be made to the House.

Virtual participation in proceedings concluded (Order, 4 June).

New Homes (New Development Standards)

Motion for leave to bring in a Bill (Standing Order No. 23)

2.21 pm

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): I beg to move,

That leave be given to bring in a Bill to require residential developers to meet minimum standards of provision for insulation, broadband connectivity and electric car charging points in new homes; and for connected purposes.

Thank you, Madam Deputy Speaker, for allowing me to bring this Bill before the House. My Bill will underpin in statute the requirement for all new-build houses to have full-fibre broadband connections, electric vehicle charging infrastructure and improved energy efficiency through increased standards for insulation.

It has been estimated that for England alone, 345,000 new homes a year will be needed to tackle the under-supply in the market. Through commitments including the affordable homes programme, the Government are ready to build, but we must ensure that, in the urgency to deliver, we do not compromise on the quality of these homes. As the Public Accounts Committee reported last year in the “Planning and the broken housing market” report, the standard of many new developments does not reach acceptable levels, with insufficient funding for their infrastructure. That is why these measures need to be underpinned by statute. With such a building boom planned, it is essential that we create the mandate to ensure the necessary infrastructure of our homes. Importantly, because the Government intend to achieve net zero carbon emissions by 2050, they must address the 15% of greenhouse gas emissions that currently come from the residential sector.

In the first part of my Bill, I propose that all new homes are full-fibre broadband connected. Historically, all new developments have been connected through a full-copper, part-copper or part-fibre connection. However, full fibre is 20 times faster than existing superfast broadband services and capable of download speeds of over 1 gigabit per second. If we had any doubt about the importance of reliable ultrafast broadband connectivity to new homes in Britain, the current covid crisis has surely dispelled that. Investment to install full fibre to the home will generate real and rapid benefits, helping communities to recover from the pandemic, and that is why it is so important that we underpin by statute full fibre across all our new homes. My hon. Friend the Member for Winchester (Steve Brine), who is sitting next to me, says that if we did that in statute, we could then enforce it through the planning system.

I welcome the steps being taken by the Department for Digital, Culture, Media and Sport to ensure that new homes are built with support for full-fibre and gigabit-speed broadband. With digital connectivity now underpinning so many different facets of our modern life, future-proofing our homes has never been more important. Full fibre will not just affect how we work but where we work. According to Openreach, as many as 400,000 additional people could choose to work remotely, opening up employment opportunities outside London and the south-east. Home working has become a new way of life in the Cotswolds, as it has in many parts of the country, with almost half of UK workers

doing so, according to recent Office for National Statistics figures. We are rapidly consuming more detail, and our future economic growth and connectivity will be based on having excellent broadband infrastructure. According to research in October 2019 by the Centre for Economics and Business Research, full-fibre broadband connectivity could boost labour productivity by nearly £59 billion by 2025.

Superfast broadband is currently available in 95% of UK premises, and I welcome the Government's multibillion funding to deliver gigabit-capable broadband nationwide by 2025. This will mean that the infrastructure is available even in the hardest-to-reach homes, of which we have a fair share in the Cotswolds. Incentives are there for the developers. Openreach provides full-fibre infrastructure for any development with 20 or more homes, and offers initiatives on shared costs with smaller developments. To prevent a digital divide between developments and to ensure that we have the aligned digital infrastructure for the future, we must mandate now for full-fibre networks to be installed in every new home.

On energy and insulation efficiency, the second part of my Bill will apply a standard for insulation in all new-build homes so that they can reach higher grades of overall efficiency. The Government's future homes standard legislates for house building standards and levels of efficiency to be substantially improved. An energy performance certificate provides information on the energy use of a property and the typical annual costs of running that property. The ratings of an EPC are graded between A and G. Landlords are expected to achieve at least E, while the overall average in England and Wales is D.

The Government's clean growth strategy has the aim to get as many homes as possible to EPC band C by 2035 and upgrade all fuel-poor homes to band C by 2030. However, I believe we should be much more ambitious than that, which is why this Bill will legislate for all new homes to reach that level now. It is far cheaper to build it into new homes than to retrofit afterwards. There are a number of ways that the energy efficiency and cost-effectiveness of a property can be improved, including the installation of solar panels which, with little or no maintenance, can power an entire household's appliances and lighting. The Government also have a target by 2025 that all new homes will be banned from installing gas boilers and will instead be heated by low-carbon alternatives.

I think it is shocking to read accounts of people living in new homes who report that they are cold and draughty. Well-designed, modern insulation and draught-proofing in a home mitigate the causes of damp and mould, make the home more heat-effective and lower the overall price of energy bills. Installing insulation, in conjunction with other building work, is also significantly cheaper than retrofitting. The energy company obligation is the only public scheme currently delivering insulation measures into homes in England to reduce carbon emissions and fuel poverty. Continuous and effective insulation is an essential aspect of making homes thermally efficient, creating warmer and more comfortable buildings, and reducing annual running costs.

Thirdly, on electric charging points, the final part of my Bill will also be vital in reaching our net zero goals by requiring electric charging points to be installed in all new-build homes. The 2018 £1.5 billion "Road to Zero" strategy sets out the Government's ambitious target that, by 2030, between 50% and 70% of all new cars will have ultra low emissions. The Government have brought forward their plan for ending the sale of all petrol and diesel vehicles to 2035. To support the growth in electric vehicles on our roads, the Government and the private sector have invested in the installation of more than 24,000 public charging points. Unfortunately, a league table released by the Department for Transport last November on electric charging availability across the UK found that there are still over 100 authorities with fewer than 10 public charging devices per 100,000 of population. The road is set for electric vehicles, but there are still significant concerns when considering the purchase of an EV. A YouGov and Aviva study from last year found that 74% of people stated worries about finding charging facilities.

We must ensure that the UK has one of the best electric vehicle infrastructure networks in the world. To achieve this, my Bill will require all residential developers to supply the electric charging points that are needed to make owning an electric vehicle as easy and practical as possible.

Today, the Prime Minister has made a headline speech on building infrastructure for Britain. The Bill will supplement that by future-proofing new homes. In supporting the Bill today, we will be improving all new build houses so that they have connection to superfast full-fibre broadband, insulation standards that improve their overall energy efficiency and electric vehicle charging points. It is far cheaper to install all those measures in the initial build than to retrofit them expensively some time down the line, which will be inevitable. They will literally transform our housing market, go a long way to reducing the shocking 15% of residential emissions, and play a massive part in helping the Government achieve their ambitious net zero carbon emissions target by 2050.

Question put and agreed to.

Ordered,

That Sir Geoffrey Clifton-Brown, Mr Clive Betts, Sir Paul Beresford, Bob Blackman, Lilian Greenwood, Meg Hillier, Simon Hoare, Gagan Mohindra, Neil Parish, Mark Pawsey, Mr Laurence Robertson and Jim Shannon present the Bill.

Sir Geoffrey Clifton-Brown accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 12 March 2021, and to be printed (Bill 149).

Madam Deputy Speaker (Dame Rosie Winterton): I shall suspend the House for three minutes before the next business.

2.31 pm

Sitting suspended.

Immigration and Social Security Co-ordination (EU Withdrawal) Bill

Consideration of Bill, not amended in the Public Bill Committee

New Clause 1

DUTY TO COMMISSION AN INDEPENDENT EVALUATION: HEALTH AND SOCIAL CARE SECTORS

(1) The Secretary of State shall commission an independent evaluation of the matters under subsection (5) and shall lay the report of the evaluation before each House of Parliament.

(2) The Secretary of State must appoint an independent person to undertake the evaluation (“the independent evaluator”).

(3) In this section, “independent person” means a person who is independent of Her Majesty’s Government.

(4) No person may be appointed under subsection (2) unless their appointment has been consented to by—

- (a) the relevant Scottish Ministers;
- (b) the relevant Welsh Ministers; and
- (c) the relevant Northern Ireland Ministers.

(5) The evaluation under subsection (1) shall consider an assessment of the effects of this Act on—

- (a) the health and social care workforce;
- (b) the efficiency and effectiveness of the health and social care sectors;
- (c) the adequacy of public funding for the health and social care sectors; and
- (d) such other relevant matters as the independent evaluator sees fit.

(6) In undertaking the evaluation, the independent evaluator must consult—

- (a) the Secretary of State;
- (b) the relevant Scottish Ministers;
- (c) the relevant Welsh Ministers;
- (d) the relevant Northern Ireland Ministers;
- (e) providers of health and social care services;
- (f) persons requiring health and social care services;
- (g) representatives of persons requiring health and social care services; and
- (h) such other relevant persons as the independent evaluator sees fit.

(7) The independent evaluator must prepare a report on the evaluation for the Secretary of State.

(8) The Secretary of State must lay that report before Parliament no later than one year after this Act is passed.

(9) A Minister of the Crown must, not later than six months after the report has been laid before Parliament, make arrangements for—

- (a) a motion relating to the report to be debated and voted upon by the House of Commons; and
- (b) a motion relating to the report to be debated and voted upon by the House of Lords.’—(Brendan O’Hara.)

This new clause would require an independent evaluation of the impact of the Act upon the health and social care sectors across the UK to be produced and laid before Parliament. It would require that the devolved nations are consulted as well as other interested parties.

Brought up, and read the First time.

2.36 pm

Brendan O’Hara (Argyll and Bute) (SNP): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Rosie Winterton): With this it will be convenient to discuss the following:

New clause 2—*Children in care and children entitled to care leaving support: Entitlement to remain—*

‘(1) Any child who has their right of free movement removed by the provisions contained in this Act, and who are in the care of a local authority, or entitled to care leaving support, shall, by virtue of this provision, be deemed to have and be granted automatic Indefinite Leave to Remain within the United Kingdom under the EU Settlement Scheme.

(2) The Secretary of State must, for purposes of subsection (1), issue guidance to local authorities in England, Scotland, Wales and Northern Ireland setting out their duty to identify the children of EEA and Swiss nationals in their care or entitled to care leaving support.

(3) Before issuing guidance under this section the Secretary of State must consult—

- (a) the relevant Scottish Minister;
- (b) the relevant Welsh Minister; and
- (c) the relevant Northern Ireland Minister.

(4) The Secretary of State must make arrangements to ensure that personal data relating to nationality processed by local authorities for purposes of identification under subsection (1) is used solely for this purpose and no further immigration control purpose.

(5) Any child subject to subsection (1) who is identified and granted status after the deadline of the EU Settlement Scheme (“the Scheme”) will be deemed to have had such status and all rights associated with the status from the time of the Scheme deadline.

(6) This section comes into force upon the commencement of this Act and remains in effect for 5 years after the deadline of the EU Settlement Scheme.

(7) For purposes of this section, “children in the care of the local authority” are defined as children receiving care under any of the following—

- (a) section 20 of the Children Act 1989 (Provision of accommodation for children: general);
- (b) section 31 of the Children Act 1989 (Care and Supervision);
- (c) section 75 Social Services and Well-being (Wales) Act 2014 (General duty of local authority to secure sufficient accommodation for looked after children);
- (d) section 25 of the Children (Scotland) Act 1995 (Provision of accommodation for children);
- (e) Article 25 of the Children (Northern Ireland) Order 1995 (Interpretation); and
- (f) Article 50 Children of the (Northern Ireland) Order 1995 (Care orders and supervision orders).

(8) For the purposes of this section, “children entitled to care leaving support” means a child receiving support under any of the following—

- (a) paragraph 19B of Schedule 2 Children Act 1989 (Preparation for ceasing to be looked after);
- (b) s.23A(2) Children Act 1989 (The responsible authority and relevant children);
- (c) s.23C(1) Children Act 1989 (Continuing functions in respect of former relevant children);
- (d) section 104 of the Social Services and Well-being (Wales) Act 2014 (Young people entitled to support under sections 105 to 115);
- (e) sections 29-30 Children (Scotland) Act 1995 (Advice and assistance for young persons formerly looked after by local authorities) as amended by s.66 Children and Young People (Scotland) Act 2014 (Provision of aftercare to young people); and
- (f) Article 35(2) Children (Northern Ireland) Order 1995 (Persons qualifying for advice and assistance).’

This new clause aims to ensure that the children of EEA and Swiss nationals who are in care, and those who are entitled to care leaving support, are granted automatic Indefinite Leave to Remain under the EU Settlement Scheme to ensure they do not become undocumented.

New clause 7—Time limit on immigration detention for EEA and Swiss nationals—

‘(1) For the purpose of this section, a person (“P”) is defined as any person who, immediately before the commencement of Schedule 1, was—

- (a) any person who, immediately before the commencement of Schedule 1, was—
 - (i) residing in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2016;
 - (ii) residing in the United Kingdom in accordance with a right conferred by or under any of the other instruments which is repealed by Schedule 1; or
 - (iii) otherwise residing in the United Kingdom in accordance with any right derived from European Union law which continues, by virtue of section 4 of the EU Withdrawal Act 2018, to be recognised and available in domestic law after exit day.

(2) The Secretary of State may not detain any person (“P”) as defined in subsection(1) under a relevant detention power for a period of more than 28 days from the relevant time.

(3) If “P” remains detained under a relevant detention power at the expiry of the period of 28 days then—

- (a) the Secretary of State shall release P forthwith; and
- (b) the Secretary of State may not re-detain P under a relevant detention power thereafter, unless the Secretary of State is satisfied that there has been a material change of circumstances since “P’s” release and that the criteria in section [Initial detention: criteria and duration (No. 2)] are met.

(4) In this Act, “relevant detention power” means a power to detain under—

- (a) paragraph 16(2) of Schedule 2 to the Immigration Act 1971 (detention of persons liable to examination or removal);
- (b) paragraph 2(1), (2) or (3) of Schedule 3 to that Act (detention pending deportation);
- (c) section 62 of the Nationality, Immigration and Asylum Act 2002 (detention of persons liable to examination or removal); or
- (d) section 36(1) of UK Borders Act 2007 (detention pending deportation).

(5) In this Act, “relevant time” means the time at which “P” is first detained under a relevant detention power.

(6) This section does not apply to a person in respect of whom the Secretary of State has certified that the decision to detain is or was taken in the interests of national security.’

New clause 8—Initial detention: criteria and duration (No. 2)—

‘(1) The Secretary of State may not detain any person (“P”) to whom section [Time limit on immigration detention for EEA and Swiss nationals] applies, under a relevant detention power other than for the purposes of examination, unless the Secretary of State is satisfied that—

- (a) “P” can be shortly removed from the United Kingdom;
- (b) detention is strictly necessary to affect “P”’s deportation or removal from the United Kingdom; and
- (c) the detention of “P” is in all circumstances proportionate.

(2) The Secretary of State may not detain any person (“P”) who section [Time limit on detention for EEA and Swiss nationals] applies to under a relevant detention power for a period of more than 96 hours from the relevant time, unless—

- (a) “P” has been refused bail at an initial bail hearing in accordance with subsection (5)(b) of section [Bail hearings (No. 2)]; or

(b) the Secretary of State has arranged a reference to the Tribunal for consideration of whether to grant immigration bail to “P” in accordance with subsection (2)(c) of section [Bail hearings (No. 2)] and that hearing has not yet taken place.

(3) Nothing in subsection (2) shall authorise the Secretary of State to detain “P” under a relevant detention power if such detention would, apart from this section, be unlawful.

(4) In this section, “Tribunal” means the First-Tier Tribunal.

(5) In this section, “relevant detention power” has the meaning given in section [Time limit on detention for EEA and Swiss nationals].’

New clause 9—Bail hearings (No. 2)—

‘(1) This section applies to any person (“P”) to whom section [Time limit on immigration detention for EEA and Swiss nationals] applies and who is detained under a relevant detention power.

(2) Before the expiry of a period of 96 hours from the relevant time, the Secretary of State must—

- (a) release “P”;
- (b) grant immigration bail to “P” under paragraph 1 of Schedule 10 to the Immigration Act 2016; or
- (c) arrange a reference to the Tribunal for consideration of whether to grant immigration bail to “P”.

(3) Subject to subsection (4), when the Secretary of State arranges a reference to the Tribunal under subsection (2)(c), the Tribunal must hold an oral hearing (“an initial bail hearing”) which must commence within 24 hours of the time at which the reference is made.

(4) If the period of 24 hours in subsection (3) ends on a Saturday, Sunday or Bank holiday, the Tribunal must hold an initial bail hearing on the next working day.

(5) At the initial bail hearing, the Tribunal must—

- (a) grant immigration bail to “P” under paragraph 1 of Schedule 10 to the Immigration Act 2016; or
- (b) refuse to grant immigration bail to “P”.

(6) Subject to subsection (7), the Tribunal must grant immigration bail to “P” at a bail hearing unless it is satisfied that the Secretary of State has established that the criteria in subsection 1 of section [Initial detention: criteria and duration (No. 2)] are met and that, in addition—

- (a) directions have been given for “P’s” removal from the United Kingdom and such removal is to take place within 14 days;
- (b) a travel document is available for the purposes of “P’s” removal or deportation; and
- (c) there are no outstanding legal barriers to removal.

(7) Subsection (6) does not apply if the Tribunal is satisfied that the Secretary of State has established that the criteria in subsection 1 of section [Initial detention: criteria and duration (No. 2)] above are met and that there are very exceptional circumstances which justify maintaining detention.

(8) In subsection (6) above, “a bail hearing” includes—

- (a) an initial bail hearing under subsection (2) above; and
- (b) the hearing of an application for immigration bail under paragraph 1(3) of Schedule 10 of the Immigration Act 2016.

(9) In this section, “Tribunal” means the First-Tier Tribunal.

(10) The Secretary of State shall provide to “P” or “P’s” legal representative, not more than 24 hours after the relevant time, copies of all documents in the Secretary of State’s possession which are relevant to the decision to detain.

(11) At the initial bail hearing, the Tribunal shall not consider any documents relied upon by the Secretary of State which were not provided to “P” or “P’s” legal representative in accordance with subsection (10), unless—

- (a) “P” consents to the documents being considered; or

- (b) in the opinion of the Tribunal there is a good reason why the documents were not provided to “P” or to “P’s” legal representative in accordance with subsection (10).

(12) The Immigration Act 2016 is amended as follows—

(a) After paragraph 12(4) of schedule 10 insert—

“(4A) Sub-paragraph (2) above does not apply if the refusal of bail within the meaning of section [Bail hearings (No. 2)] of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2019.”

New clause 10—*Commencement of detention provisions (No. 2)*—

‘Sections [Time limit on immigration detention for EEA and Swiss Nationals], [Initial detention: criteria and duration (No. 2)] and [Bail hearings (No. 2)] come into force six months after the day on which this Act is passed.’

New clause 11—*Report on the impact to EEA and Swiss nationals*—

‘(1) This Act shall not come into effect until a Minister of the Crown has laid a report before each House of Parliament setting out the impact of the Act on EEA and Swiss nationals in the UK.

(2) A report under subsection (1) must consider—

- (a) the impact on EEA and Swiss nationals of having no recourse to public funds under Immigration Rules;
- (b) the impact of NHS charging for EEA and Swiss nationals;
- (c) the impact of granting citizenship to all EEA and Swiss health and social care workers working in the UK during the Covid-19 pandemic;
- (d) the impact of amending the Immigration and Nationality (Fees) Regulations 2018 to remove all fees for applications, processes and services for EEA and Swiss nationals; and
- (e) the merits of the devolution of powers over immigration from the EEA area and Switzerland to (i) Senedd Cymru; (ii) the Scottish Parliament; and (iii) the Northern Ireland Assembly.

(3) A Minister of the Crown must, not later than six months after the report has been laid before Parliament, make a motion in the House of Commons in relation to the report.

(4) In this section, “health and social care workers” includes doctors, nurses, midwives, paramedics, social workers, care workers, and other frontline health and social care staff required to maintain the UK’s health and social care sector.’

This new clause would ensure that before this Act coming into force, Parliament would have a chance to discuss how EEA and Swiss nationals will be affected by its provisions, including no recourse to public funds conditions, NHS charging, the possibility of granting British citizenship to non-British health and social care workers, removing citizenship application fees and the potential devolution of immigration policy of EEA and Swiss nationals to Wales, Scotland and Northern Ireland.

New clause 12—*Status of Irish citizens*—

‘In addition to any rights enjoyed by virtue of their Irish citizenship under UK law, Irish citizens must be treated as having all rights enjoyed by persons with settled status under the EU Settlement Scheme.’

This new clause will ensure that Irish citizens enjoy the same rights in the UK as someone with settled status under the EU Settlement Scheme.

New clause 13—*Exemption from no recourse to public funds*—

‘(1) This section applies during the current Covid-19 pandemic, as defined by the World Health Organisation on 11 March 2020.

(2) Section 3(1)(c)(i) and (ii) of the Immigration Act 1971 cannot be applied to persons who have lost rights because of section (1) and Schedule 1 of this Act.

(3) This section could not be disapplied unless a resolution was passed by each House of Parliament.’

This new clause would delay application of No Recourse to Public Funds rules during the current pandemic and until such time as Parliament decides.

New clause 14—*Immigration Health Charge: Exemption for EEA and Swiss citizens who are healthcare and social workers*—

‘(1) The Immigration Act 2014 is amended as follows.

(2) After section 38 (Immigration health charge) insert—

“38A Health care workers and social workers from the EEA or Switzerland

(1) Any person who but for the provisions of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 would have the right of free movement is exempt from the Immigration health charge if that person is—

- (a) a healthcare worker; or
- (b) a social care worker.

(2) The exemption will also apply to a person who is a family member or dependant of an EEA or Swiss national who meets the conditions in section (1)(a) and (b).

(3) For this section—

“healthcare worker” means a worker who works in a healthcare setting within and outside the NHS who may come into contact with patients, including clinical administration staff, and care home staff; “social care worker” means a worker as defined by section 55(2) of the Care Standards Act 2000.’

This new clause would ensure that EEA and Swiss nationals coming to the UK to work as a healthcare or social care worker would be exempt from the Immigration Health Charge.

New clause 15—*Tier 2 Immigration skills charge*—

‘No Tier 2 Immigrations skills charge will be payable on an individual who is an EEA or Swiss national and is coming to the UK to work for the NHS.’

This new clause would exempt NHS employers from having to pay the immigration skills charge.

New clause 16—*Immigration health charge*—

‘No immigration health charge introduced under section 38 of the Immigration Act 2014 may be imposed on an individual who is an EEA or Swiss national.’

This new clause would prevent EEA or Swiss nationals paying the immigration health charge.

New clause 17—*Report on cost of recruitment*—

‘(1) The Secretary of State must lay before Parliament a report setting out the costs associated with the recruitment of overseas workers to the UK as compared to such other countries the Secretary of State considers appropriate.

(2) The report must also set out the Secretary of State’s assessment of the impact of the costs referred to in subsection (1) on different sectors of the economy.

(3) No regulations relating to costs for the recruitment of overseas workers may be made until such time as the report has been laid before Parliament and debated.

(4) In this section “costs” include, but are not limited to, the following in relation to the UK—

- (a) fees paid by an employer to register as a Tier 2 sponsor;
- (b) visa fees paid by a Tier 2 worker and family members;
- (c) immigration health surcharges for Tier 2 workers and family members;
- (d) the immigration skills charge
- (e) recruitment costs; and
- (f) legal costs,

and in relation to other countries, includes such fees and costs as the Secretary of State believes equivalent or otherwise relevant.

(5) “Overseas worker” means a worker whose right to work in the UK have been impacted by section 1 and schedule 1.’

This new clause would mean Parliament is aware of costs relating to recruitment of EEA workers to the UK compared with competitor countries, before it has to consider any regulations on fees tabled by the government.

New clause 18—Hostile environment—

‘(1) For the purpose of this section, a person (“P”) is defined as any person who, immediately before the commencement of Schedule 1, was—

- (a) residing in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2016;
- (b) residing in the United Kingdom in accordance with a right conferred by or under any of the other instruments which is repealed by Schedule 1; or
- (c) otherwise residing in the United Kingdom in accordance with any right derived from European Union law which continues, by virtue of section 4 of the EU Withdrawal Act 2018, to be recognised and available in domestic law after exit day.

(2) Regulations under section 4(1) may not be made until the Government has brought forward legislative measures to ensure that hostile environment measures do not apply to P, specifically—

- (a) sections 20-43 and 46-47 of the Immigration Act 2014;
- (b) sections 34-45 of the Immigration Act 2016; and
- (c) schedule 2, paragraph 4 of the Data Protection Act 2018.’

This new clause seeks to limit the application of the hostile environment.

New clause 19—Data Protection—

‘(1) For the purpose of this section, a person (“P”) is defined as any person who, immediately before the commencement of Schedule 1, was—

- (a) residing in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2016;
- (b) residing in the United Kingdom in accordance with a right conferred by or under any of the other instruments which is repealed by Schedule 1; or
- (c) otherwise residing in the United Kingdom in accordance with any right derived from European Union law which continues, by virtue of section 4 of the EU Withdrawal Act 2018, to be recognised and available in domestic law after exit day.

(2) Regulations under section 4(1) may not be made until the Government has made provision to ensure that P has safe and confidential access to essential public services by ensuring The Secretary of State, or any other individual or body on his behalf, must not process personal data, by any means, for the purposes of immigration control or enforcement, where that personal data has been collected in the course of the data subject accessing or attempting to access the public services identified in subsection (3).

(3) For the purposes of subsection (2), the relevant public services are:

- (a) primary and secondary healthcare services;
- (b) primary and secondary education; and
- (c) the reporting of a crime by the data subject or, where the data subject is a witness to, or the victim of, the crime, any investigation or prosecution of it.

(4) The prohibitions contained in subsections (2) and (3) do not apply where the data subject has given his or her explicit and informed consent to the disclosure of the personal data, for the purposes of immigration enforcement.’

This new clause seeks to limit use of data gathered by key public services for immigration enforcement control.

New clause 20—Recourse to public funds—

‘(1) For the purpose of this section, a person (“P”) is defined as any person who, immediately before the commencement of Schedule 1, was—

- (a) residing in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2016;
- (b) residing in the United Kingdom in accordance with a right conferred by or under any of the other instruments which is repealed by Schedule 1; or
- (c) otherwise residing in the United Kingdom in accordance with any right derived from European Union law which continues, by virtue of section 4 of the EU Withdrawal Act 2018, to be recognised and available in domestic law after exit day.

(2) Regulations under section 4(1) may not be made until the Government has brought forward legislative measures to ensure that P can access social security benefits, where P is habitually resident, including repealing or amending the following provisions insofar as they relate to P—

- (a) section 3(1)(c)(ii) of the Immigration Act 1971;
- (b) section 115 of the Immigration and Asylum Act 1999;
- (c) any provision in subordinate legislation, which imposes a “no recourse to public funds” condition on grants of limited leave to enter or remain; and
- (d) any other enactment or power exercised under any other enactment, which makes immigration status a condition to access social security benefits.’

This new clause seeks to restrict measures prohibiting access to public funds.

New clause 21—British Citizen registration fee—

‘(1) No person, who has at any time exercised any of the rights for which Schedule 1 makes provision to end, may be charged a fee to register as a British citizen that is higher than the cost to the Secretary of State of exercising the function of registration.

(2) No child of a person who has at any time exercised any of the rights for which Schedule 1 makes provision to end may be charged a fee to register as a British citizen if that child is receiving the assistance of a local authority.

(3) No child of a person who has at any time exercised any of the rights for which Schedule 1 makes provision to end may be charged a fee to register as a British citizen that the child or the child’s parent, guardian or carer is unable to afford.

(4) The Secretary of State must take steps to raise awareness of people to whom subsection (1) applies of their rights under the British Nationality Act 1981 to register as British citizens.’

This new clause would mean that nobody whose right of free movement was removed by the Bill could be charged a fee for registering as a British citizen that was greater than the cost of the registration process and would abolish the fee for some children.

New clause 22—Visa requirements—

‘Section E-LTRP.3.1 of Appendix FM of the Immigration Rules will not apply to persons who have lost free movement rights under section 1 and schedule 1 until the Coronavirus Act 2020 expires as set out under section 89(1).’

This new clause will ensure that EEA and Swiss nationals are not prevented from qualifying to remain in the UK as partners, merely because they cannot meet financial requirements in the Immigration Rules during the coronavirus pandemic.

New clause 23—Amendment of the Scotland Act 1998—

‘(1) The Scotland Act 1998 is amended as follows.

(2) In Schedule 5, at paragraph B6, delete the words “free movement of persons within the European Economic Area;”.

(3) In Schedule 5, at paragraph B6, insert at the end—

“(none) Retained EU law relating to free movement of persons from the European Economic Area; and the subject matter of section 1 and schedule 1 of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020.”’

This new clause would devolved retained free movement law and the subject matter of clause 1 and schedule 1 of the Bill to the Scottish Parliament.

New clause 24—Remote Areas Pilot Scheme—

‘(1) Within 6 months of this Act receiving Royal Assent, the government must introduce a Remote Areas Pilot Scheme to encourage EEA and Swiss nationals to live and work in remote areas.

(2) The scheme in subsection (1) must be designed in consultation with the Northern Ireland Executive, the Scottish Government and the Welsh Government.

(3) The scheme in subsection (1) must operate for at least two years after which an evaluation report must be published and laid before both Houses of Parliament.

(4) A Minister of the Crown must make a motion in the House of Commons in relation to the report.’

This new clause would require the government to introduce a Remote Areas Pilot Scheme, similar to the recommendations of the Migration Advisory Committee.

New clause 26—Right to rent (EEA and Swiss nationals)—

‘The Secretary of State must make provision to ensure that EEA and Swiss nationals, and dependants of EEA and Swiss nationals, are not subjected to right to rent immigration checks.’

This new clause would require the Secretary of State to ensure that landlords do not carry out immigration checks on EEA and Swiss nationals under the Right to Rent scheme.

New clause 28—Data protection: immigration (EEA and Swiss nationals)—

‘(1) The Data Protection Act 2018 is amended in accordance with subsection (2).

(2) In paragraph 4 of schedule 2, after sub-paragraph (4) insert—

“(5) This paragraph does not apply if the data subject is an EEA or Swiss national or a dependent of an EEA or Swiss national.”

This new clause would ensure that the immigration exemption in the Data Protection Act 2018 does not apply to EEA or Swiss nationals.

New clause 29—Family reunion and resettlement—

‘(1) The Secretary of State must make provision to ensure that an unaccompanied child, spouse or vulnerable or dependant adult who has a family member who is legally present in the United Kingdom has the same rights to be reunited in the United Kingdom with that family member as they would have had under Commission Regulation (EU) No. 604/2013.

(2) The Secretary of State must, within a period of six months beginning with the day on which this Act is passed—

- (a) amend the Immigration Rules in order to preserve the effect in the United Kingdom of Commission Regulation (EU) No. 604/2013 for the family reunion of unaccompanied minors, spouses and vulnerable or dependant adults; and
- (b) lay before both Houses of Parliament a strategy for ensuring the continued opportunity for relocation to the UK of unaccompanied children present in the territory of the EEA, if it is in the child’s best interests.

(3) For the purposes of this section, “family member”—

- (a) has the same meaning as in Article 2(g) of Commission Regulation (EU) No. 604/2013;
- (b) also has the same meaning as “relative” as defined in Article 2(h) of Commission Regulation (EU) No. 604/2013; and
- (c) also includes the family members referred to in Article 8 (1), Article 16 (1) and 16 (2) of Commission Regulation (EU) No. 604/2013.

(4) Until such time as Regulations in subsection (2) come into force, the effect of Commission Regulation (EU) No 604/2013 for the family reunion of unaccompanied minors, spouses and vulnerable or dependent adults with their family members in the UK shall be preserved.’

This new clause would have the effect of continuing existing arrangements for unaccompanied asylum-seeking children, spouses and vulnerable adults to have access to family reunion with close relatives in the UK.

New clause 30—Impact assessment on the social care workforce—

‘(1) No Minister of the Crown may appoint a day for the commencement of any provision of this Act until the condition in subsection (2) is met.

(2) This condition is that a Minister of the Crown has published and laid before both Houses of Parliament an assessment of the impact of the Act on recruitment of EU citizens, EEA nationals, and Swiss citizens to the social care sector.’

This new clause makes the coming into force of the Act conditional on the production of an impact assessment of the changes on the social care workforce

New clause 32—Non-applicability of hostile environment measures to EU citizens, EEA nationals and Swiss citizens—

‘(1) No amendment to the definition of ‘relevant national’ in section 21 of the Immigration Act 2014, so as to alter the provision made for a national of an EEA State or a national of Switzerland, may be made by regulations under—

- (a) Section 8, Section 23 and paragraph 21 of Schedule 7 of the European Union (Withdrawal) Act 2018;
- (b) Section 14 of the European Union (Withdrawal Agreement) Act 2020; or
- (c) Section 4 of this Act.

(2) In Paragraph 4 of Schedule 2 of the Data Protection Act 2018 (“Immigration”)

- (a) Omit “.” at the end of sub-paragraph (4),
- (b) At the end of sub-paragraph (4), insert—
“, and

(5) Sub-paragraphs (1) and (3) do not apply where the personal data is that of a national of an EU Member State, an EEA State or Switzerland.”

(3) This section comes into force on the day on which this Act is passed.’

This new clause would prevent the application of key aspects of the hostile/compliant environment to EU, EEA and Swiss citizens.

New clause 33—Differentiated immigration rules—

‘(1) The Secretary of State must publish and lay before Parliament a report on the implementation of a system of differentiated immigration rules for people whose right of free movement is ended by section 1 and schedule 1 of this Act within six months of the passing of this Act.

(2) The review in subsection (1) must consider the following—

- (a) whether Scottish Ministers, Welsh Ministers, and the Northern Ireland Executive should be able to nominate a specified number of EEA and Swiss nationals for leave to enter or remain each year;
- (b) the requirements that could be attached to the exercise of any such power including that the person lives and, where appropriate, works in Scotland, Wales or Northern Ireland and such other conditions as the Secretary of State believes necessary;
- (c) the means by which the Secretary of State could retain the power to refuse to grant leave to enter or remain on the grounds that such a grant would—
 - (i) not be in the public interest, or
 - (ii) not be in the interests of national security;
- (d) how the number of eligible individuals allowed to enter or remain each year under such a scheme could be agreed annually by Scottish Ministers, Welsh Ministers

and the Northern Ireland Executive and the Secretary of State; and

- (e) whether Scottish Ministers, Welsh Ministers, and the Northern Ireland Executive should be able to issue Scottish, Welsh and Northern Irish Immigration Rules, as appropriate, setting out the criteria by which they will select eligible individuals for nomination, including salary thresholds and financial eligibility.

(3) As part of the review in subsection (1), the Secretary of State must consult—

- (a) the Scottish Government;
(b) the Welsh Government;
(c) the Northern Ireland Executive; and
(d) individuals, businesses, and other organisations in the devolved nations’.

This new clause would require the Secretary of State to publish and lay a report before Parliament on differentiated immigration rules for people whose right of free movement are ended by this Act, and sets out a non-exhaustive list of issues that must be reviewed including the possible role of devolved government.

New clause 34—Late applications—

‘(1) Prior to the deadline for applications to the EU Settlement Scheme, the Secretary of State must publish a report setting out proposals for dealing with late applications and a motion to approve the report must be debated and approved by both Houses of Parliament.

(2) Until the report under subsection (1) is debated and approved by both Houses of Parliament, the EU Settlement Scheme must remain open for applications and the Secretary of State must extend the deadline for applications accordingly.’

The new clause will ensure that the EU Settled Status Scheme will remain open until such time as the Minister has published his proposals as to how to deal with late applications and that report has been approved by Parliament.

New clause 35—Visa extensions for health and care workers during Covid-19 pandemic—

‘(1) Where—

- (a) A person (“P”) meets either the condition in subsection (2) or the condition in subsection (3); and
(b) P’s leave in the United Kingdom would otherwise expire prior to 1 January 2021,

then P’s leave is extended until twelve months after the date on which P’s leave would otherwise expire without any further fee or charge being incurred.

(2) The condition in this subsection is that the individual is a health and care professional, or a social worker, or employed in another frontline health and care role.

(3) The condition in this subsection is that the individual is a family member of a person meeting the condition in subsection (2).

(4) In this section—

“health and care professional” is a person within the class of persons who are nurses or other health and care professionals, or medical professionals within the meaning of the regulations referred to in sections 2 to 5 of the Coronavirus Act 2020;

“social worker” is a person within the class of persons who are social workers within the meaning of the regulations referred to in sections 6 to 7 of the Coronavirus Act 2020.’

“employed in another frontline health and care role” means a person employed in a role conferring eligibility for the NHS and Social Care Coronavirus Life Assurance Scheme 2020.’

This new clause would put the Government’s policy of visa extensions on a statutory footing, and ensure that it includes all health and social care workers and other frontline employees including cleaners and porters.

New clause 36—Applications for citizenship from people with settled status—

‘Where a person with settled status applies for British Citizenship, then the period of person’s residence that qualified them for settled status shall be treated as not being in breach of the immigration laws.’

This new clause would ensure that persons who qualified for settled status cannot then be refused citizenship on ground that their residence during the qualifying period for settled status was in breach of immigration laws (for example, because of a period without Comprehensive Sickness Insurance).

New clause 37—Annual report on skills and the labour market—

‘(1) Within six months of this Act coming into force, and every 12 months thereafter, the Secretary of State must publish and lay a report before Parliament setting out how changes made to the Immigration Rules for EEA and Swiss nationals have affected skill shortages in the labour market.

(2) A Minister of the Crown must, not later than a month after the report has been laid before Parliament, make a motion in the House of Commons in relation to the report.’

This new clause would ensure that the Government has to publish an annual report on skill shortages and the labour market, and that it would be debated in Parliament.

New clause 38—European citizens’ rights—

‘(1) This section applies to EEA and Swiss nationals—

- (a) who are within the personal scope of the withdrawal agreement (defined in Article 10) having the right to reside in the United Kingdom; or
(b) to whom the provisions in (a) do not apply but who are eligible for indefinite leave to enter or remain or limited leave to enter or remain by virtue of residence scheme immigration rules.

(2) A person has settled status in the United Kingdom if that person meets the criteria set out in ‘Eligibility for indefinite leave to enter or remain’ or ‘Eligibility for limited leave to enter or remain’ in Immigration Rules Appendix EU.

(3) A person with settled status holds indefinite leave to enter or remain and has the rights provided by the withdrawal agreement for those holding permanent residence as defined in Article 15 of the agreement, even if that person is not in employment, has not been in employment or has no sufficient resources or comprehensive sickness insurance.

(4) The Secretary of State must by regulations made by statutory instrument make provision—

- (a) implementing Article 18(4) of the withdrawal agreement (right of eligible citizens to receive a residence document), including making provision for a physical document providing proof of residence;
(b) implementing Article 17(4) of the EEA EFTA separation agreement (right of eligible citizens to receive a residence document) including making provision for a physical document providing proof of residence; and
(c) implementing Article 16(4) of the Swiss citizens’ rights agreement (right of eligible citizens to receive a residence document), including making provision for a physical document providing proof of residence.

(5) A person with settled status does not lose the right to reside for not having registered their settled status.

(6) A person who has settled status who has not registered their settled status by 30 June 2021 or any later date decided by the Secretary of State may register at any time after that date under the same conditions as those registering prior to that date.

(7) After 30 June 2021 or any later date decided by the Secretary of State, a person or their agent may require proof of registration of settled status under conditions prescribed by the Secretary of State in regulations made by statutory instrument, subject to subsections (8) to (10).

(8) Any person or their agent who is allowed under subsection (7) to require proof of registration has discretion to establish by way of other means than proof of registration that the eligibility requirements for settled status under the provisions of this section have been met.

(9) When a person within the scope of this section is requested to provide proof of registration of settled status as a condition to retain social security benefits, housing assistance, access to public services or entitlements under a private contract, that person shall be given a reasonable period of at least three months to initiate the registration procedure set out in this section if that person has not already registered.

(10) During the reasonable period under subsection (9), and subsequently on the provision of proof of commencement of the registration procedure and until a final decision on registration on which no further administrative or judicial recourse is possible, a person cannot be deprived of existing social security benefits, housing assistance, access to public services or private contract entitlements on the grounds of not having proof of registration.

(11) The regulations adopted under subsection (7) must apply to all persons defined in subsection (1).

(12) A statutory instrument containing regulations under this section may not be made unless a draft instrument has been laid before and approved by a resolution of each House of Parliament.

(13) In this section—

“EEA EFTA separation agreement” means (as modified from time to time in accordance with any provision of it) the Agreement on arrangements between Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland following the withdrawal of the United Kingdom from the European Union, the EEA Agreement and other agreements applicable between the United Kingdom and the EEA EFTA States by virtue of the United Kingdom’s membership of the European Union;

“residence scheme immigration rules” has the meaning defined in section 17 of the European Union (Withdrawal Agreement) Act 2020;

“Swiss citizens’ rights agreement” means (as modified from time to time in accordance with any provision of it) the Agreement signed at Bern on 25 February 2019 between the United Kingdom of Great Britain and Northern Ireland and the Swiss Confederation on citizens’ rights following the withdrawal of the United Kingdom from—
(a) the European Union, and (b) the free movement of persons agreement;

“withdrawal agreement” means the agreement between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom’s withdrawal from the EU (as that agreement is modified from time to time in accordance with any provision of it).’

This new clause will ensure that all EU citizens have settled status (whether they’ve applied or not) and to require the Government to make available physical proof of settled status.

Amendment 34, in clause 4, page 2, line 34, leave out “, or in connection with,”

This amendment would narrow the scope of the powers provided to the Secretary of State in Clause 4, as recommended by the House of Lords Delegated Powers and Regulatory Reform Committee in connection with the equivalent Bill introduced in the last session of Parliament.

Amendment 36, page 3, line 8, at end insert—

‘(5A) Regulations under subsection (1) must provide that EEA and Swiss nationals, and adult dependants of EEA and Swiss nationals, who are applying for asylum in the United Kingdom, may apply to the Secretary of State for permission to take up

employment if a decision at first instance has not been taken on the applicant’s asylum application within 3 months of the date on which it was recorded.’

This amendment would require the Secretary of State to make regulations enabling asylum seekers to work once they have been waiting for a decision on their claim for 3 months or more.

Amendment 32, page 3, line 28, at end insert—

‘(11) Subject to subsection (13), regulations made under subsection (1) must make provision for ensuring that all qualifying persons have within the United Kingdom the rights set out in Title II of Part 2 of the Withdrawal Agreement, the EEA EFTA separation agreement and the Swiss citizens’ rights agreement and implementing the following provisions—

(a) Article 18(4) of the Withdrawal Agreement (Issuance of residence documents);

(b) Article 17(4) of the EEA EFTA separation agreement (Issuance of residence documents); and

(c) Article 16(4) of the Swiss citizens’ rights agreement (Issuance of residence documents).

(12) In this section, “qualifying persons” means—

(a) those persons falling within the scope of the agreements referred to; and

(b) those eligible under the residence scheme immigration rules, as defined by section 17(1) of the European Union (Withdrawal Agreement) Act 2020.

(13) Notwithstanding subsection (11), regulations must confer a right of permanent, rather than temporary, residence on all qualifying persons residing in the UK prior to such date as the Secretary of State deems appropriate, being no earlier than 23rd June 2016.’

This amendment would mean that EEA and Swiss citizens residing in the UK would automatically have rights under Article 18(4) of the Withdrawal Agreement (and equivalent provisions in the EEA EFTA and Swiss citizens rights agreements) rather than having to apply for them, and ensure that for the overwhelming majority, that status is permanent.

Amendment 33, page 3, line 28, at end insert—

‘(11) Regulations made under subsection (1) must make provision for admission of EEA nationals as spouses, partners and children of UK citizens and settled persons.

(12) Regulations made under subsection (1) may require that the EEA nationals entering as spouses, partners and children of UK citizens and settled persons can be “maintained and accommodated without recourse to public funds” but in deciding whether that test is met, account must be taken of the prospective earnings of the EEA nationals seeking entry, as well as an third party support that may be available.

(13) Regulations made under subsection (1) must not include any test of financial circumstances beyond that set out in subsection (12).’

This amendment would ensure that UK nationals and settled persons can be joined in future by EU spouses and partners and children without application of the financial thresholds and criteria that apply to non-EEA spouses, partners and children.

Amendment 38, page 3, line 28, at end insert—

‘(11) Regulations made under subsection (1) must make provision enabling UK citizens falling within the personal scope of the Withdrawal Agreement, the EEA EFTA separation agreement or the Swiss citizens’ rights agreement to return to the UK accompanied by, or to be joined in the UK by, close family members.

(12) Regulations under subsection (1) may not impose any conditions on the entry or residence of close family members which could not have been imposed under EU law relating to free movement, as at the date of this Act coming into force.

(13) References in subsection (11) to the Withdrawal Agreement, the EEA EFTA separation agreement and the Swiss citizens’ rights agreement have the same meaning as in the European Union (Withdrawal Agreement) Act 2020.

(14) For the purposes of subsection (11), “close family members” means

- (a) children (including adopted children); and
- (b) other close family members where that relationship subsisted on or before 31st January 2020 and has continued to subsist.’

This amendment ensures that UK citizens who have been living abroad in the EEA and formed families before the UK left the EU, can return to the UK with those families under the rules that were in force before the UK left the EU.

Government amendments 1 to 4.

Amendment 35, in clause 7, page 5, line 13, at end insert—

‘(1A) Section 1 and Schedule 1 of this Act do not extend to Scotland.’

Amendment 39, page 5, line 40, at end insert—

‘(4A) Section 4 and section 7(5) expire on the day after the day specified as the deadline under section 7(1)(a) of the European Union (Withdrawal Agreement) Act 2020.’

Government amendments 5 to 31.

There is a great deal of interest in this debate. I propose to start with a limit of six minutes on Back-Bench speeches. I know that those on the Front Benches are aware of the pressure on time.

Brendan O’Hara: New clause 1 stands in my name and in the names of the hon. Members listed on the Order Paper. It seeks an independent evaluation of the impact of the effect of this Bill specifically on the health and social care sector. The reason behind it is that the faith that this Government clearly have in their new points-based immigration scheme simply is not shared by tens of thousands of those working in the health and social care sector and millions of their service users.

As of this afternoon, no fewer than 50 organisations have given their backing to this new clause. Those organisations come from every part of the United Kingdom. They include: the Bevan Foundation; the Church of Scotland; Unison; the MS Society; the Scottish Council for Voluntary Organisations; the Centre for Independent Living in Northern Ireland; Disability Wales; the National Carers Organisation; Macmillan Cancer Support; the Royal College of Physicians of Edinburgh; social workers in Scotland, Wales and Northern Ireland; the Voluntary Organisations’ Network North-East; and the Alliance for Camphill to name just a few.

By supporting new clause 1, all we are asking is that the Secretary of State for Health and Social Care, having consulted the relevant Ministers in Edinburgh, Cardiff and Belfast, as well as service providers and those requiring health and social care services, appoints an independent evaluator to assess the impact that this Bill will have on the sector and for Parliament then to debate and vote on that assessment. By accepting new clause 1, the Government would be saying to the sector, “We hear what you are saying. We recognise your fears and concerns, but we are confident that this new proposal will not adversely affect those caring for the weakest and most vulnerable in our society.” The Government would then be saying that they are happy to have that independent evaluation of these changes once it has been implemented.

The reason that this new clause has received such widespread support in the sector is that they, as the people who work on the frontline, simply cannot see

how this Bill will help to deliver a better service to the millions of people throughout the UK who rely on it every day of their lives. One can understand their concerns, given that the sector is already struggling to recruit and retain the workforce that it needs right now to look after an ageing population, and a population with increasingly complex care needs.

At the end of September 2019, NHS England reported 120,000 unfilled posts. That is an increase of 22,000 on the previous year and it is a pattern that is being repeated across the United Kingdom. It is a bad situation, and it is one that is getting worse. There is genuine concern in the sector that the Government do not know what to do about it, and it is a concern that is only heightened by what is contained in the Bill.

In and of itself, filling those existing vacancies will be a major long-term challenge, but it becomes even more so if the Government are genuine about fulfilling the Prime Minister’s pledge to give every older person the dignity and the security that they deserve. To do that, they would not only need to fill the 120,000 vacancies that exist now, but would have to vastly increase the number of people recruited into the sector over a long and sustained period of time. The Nuffield Trust has said that providing just one hour of care to an elderly person with high needs who currently does not receive help would require 50,000 additional home care workers, rising to 90,000 if two hours’ care were to be provided. We must add to that the fact that one in four of the current health and social care workforce is aged 55 or over and therefore due to retire at some point in the next decade, resulting in a further 320,000 vacancies. I can understand why people are very worried. I cannot see how this Bill facilitates finding that army of workers, but, more importantly, no one I have spoken to in the health and social care sector sees how it can. In fact, there is a commonly held belief that the Bill will make recruitment of staff far more difficult and the delivery of what the UK Government claim they want well-nigh impossible.

I have said it before and I make no apology for repeating it: I believe that freedom of movement has been extremely good for this country and I bitterly regret seeing it go. It has been economically, socially and culturally beneficial for the UK. But if the Government are determined to abandon it, then the least they can do is to make sure that the weakest, poorest and most vulnerable are not disproportionately affected by it. I do not believe they have done that. I do not believe for a minute that they have considered the impact that this Bill will have on the health and social care sector—but I am prepared to be proven wrong. By accepting new clause 1, the Government will give the health and social care sector the confidence that this Government do know what they are doing, that they have carefully considered what the ending of freedom of movement will mean, and that they have a plan in place to protect the sector—and, more importantly, to protect those who rely on it.

Surely if the Government are really as confident about the efficacy of this new immigration Bill and the points-based system as they claim, they have nothing to fear from a comprehensive, independent evaluation that is there purely to assess the impact on the sector across the four nations of the UK. Indeed, it would be the prudent and responsible thing for the Government to

[Brendan O'Hara]

do in order to ensure that any changes to the immigration system do not, however inadvertently, adversely affect the care needs of our most vulnerable.

This independent evaluation would not only ensure that no harm has been done to service users, but give any future Government a head start when planning and making decisions in the sector, particularly around recruitment of staff and investment. Surely the Minister can accept that such a far-reaching change as this should not happen on a wing and a prayer without a proper bespoke impact assessment on the sector—which there has not been—or at least an appropriate mechanism by which this House and Parliaments across the UK are able to accurately measure the effectiveness or otherwise of such a radical change.

By accepting new clause 1, the Government would ensure that these issues were being tackled from a foundation of accurate and independent research, allowing national Governments, local authorities, health and social care sectors, third-sector organisations and other key agencies to make strategic planning decisions while being fully informed by robust and independent evidence, thus securing the long-term future of the sector.

As probably never before, the people across the nations of the United Kingdom have come to appreciate the outstanding contribution made by those who work in our health and social care services. I doubt there is a family anywhere in the UK who has not benefited from their help in the past few months. But along with our sincere thanks and gratitude, we owe them an assurance that we will do everything we can to support them and the sector, and that must include providing them with the assurance that no decision taken in this place will undermine or adversely affect them. I hope the Minister will see that the Government have nothing to lose, but rather lots to gain, from agreeing to such an independent evaluation of the impact of this Bill on the health and social care sector, and I implore him to accept new clause 1.

Tim Loughton (East Worthing and Shoreham) (Con): First, I declare my interests in the register. Secondly, it is getting rather difficult to talk to so many amendments in the space of six minutes. Perhaps I should have applied for a ten-minute rule Bill beforehand and got all my points in through that. I want to talk primarily to my new clauses 2 and 29. I certainly put on record my support for new clauses 7 to 10 tabled by my right hon. Friend the Member for Haltemprice and Howden (Mr Davis).

2.45 pm

The EU settlement scheme has been a great success, and the Government are to be congratulated. As at the end of the quarter in March, 3,147,000 people had concluded their applications. The problem is that only 14% of them—415,000—were from children, yet non-Irish EU citizen children are estimated to make up more than 20% of the non-Irish EU population in this country. Indeed, the 153 local authorities that responded to a survey done by the Children's Society had identified only 730 such children who had applied for status, just 20% of the 3,612 children that had been identified in that survey. Of them, just 11% had been given status. Of that, 122 have pre-settled status, meaning they need to reapply in five years.

We appear to have a problem with children in this scheme, and there is a particular and disproportionate problem with EU children in care or those who have recently left care. They are in the UK legally. Under the terms of the EU settlement scheme, they will be entitled to indefinite leave to remain. The problem is that in most cases, they rely on other people to apply on their behalf—typically, the responsible social worker, many of whom are stretched at the moment, desperately trying to find documents and going through overseas embassies to do that. The children will be minors and may have disabilities. They may not even maintain a close link with that social worker, who will frequently change. They may be runaways.

There are all sorts of problems as to how to identify those children and make sure they have the right documentation. If that documentation is not secured now and they are not registered on the scheme, we are looking at another potential Windrush, with a group of children who find themselves in this country with no legal status. That is what the new clause is trying to avoid.

Steve Brine (Winchester) (Con): A ten-minute rule Bill would have been good. In respect of new clause 29, which my hon. Friend is also speaking to, the Government will say that the matter is subject to negotiation, and that acting now would pre-empt and tread on that. I always listen with great respect to what he says, and I take a lead from him in many regards. Why is that not the pertinent point?

Tim Loughton: I have not actually come on to new clause 29 yet, and other people will speak to that point, but the problem is that the Government position has been weakened. They produced a negotiation document, which now has a discretionary scheme, rather than the mandatory scheme. The EU will be even less likely to want to agree to that, and it is absolutely essential that we have a scheme in place, otherwise on 1 January next year there will be no safe and legal route for the several hundreds of children who have been coming to this country safely to avail themselves of. That is the problem.

New clause 2 would ensure that all looked-after children and care leavers were identified and given status so that they do not become undocumented. Issuing settled status now would prevent another cliff edge in the future. These young people would have to re-apply for settled status in five years' time, perhaps without the help of the local authority. The evidential burden would be lowered for local authorities applying and for Home Office caseworkers, saving time with the complex application process. The amendment to the process for identification and granting status is time-limited. As set out in the new clause, it would be effective for five years after the settlement scheme deadline, until 30 June 2026.

These are really vulnerable children. We do a great job of looking after them in this country, from which we can take great pride. For goodness' sake, let us continue being able to do that job and keep them here legally without allowing them to become at risk. This is not about bringing lots of new children into the country—they are already here. We just want to make sure they have representation, recognition and the documentation to ensure that when they grow into adults and apply for a job, it is not all of a sudden found that actually they have no right to be here and they face deportation.

New clause 29—what a sense of déjà vu—was raised many times during the Brexit Bills. We were convinced by Ministers that that was not the appropriate place for it. I accepted that. We were told that it would be in the immigration Bill instead. It is not in the immigration Bill. We have been told that it is going to be down to the negotiations instead. Time is running out; the Dublin III scheme ends in exactly six months' time, and there is no replacement for it yet.

As I said, the Government published their negotiation document. The most fundamental problem with the scheme that is now being negotiated—it is not guaranteed—is that the text removes all mandatory requirements on the Government to facilitate family reunions and would make a child's right to join their relatives entirely discretionary. The text intentionally avoids providing rights to children, contains no appeal process and attempts to be beyond the reach of the United Kingdom courts. Other categories of vulnerable refugees, including accompanied children, would lose access to family reunion entirely, and a series of other key safeguards have been removed, including strict deadlines for responses and responsibility for gathering information being on the state rather than the child.

Tim Farron (Westmorland and Lonsdale) (LD): Will the hon. Gentleman give way?

Tim Loughton: I will—to whoever that was.

Tim Farron: I am at the far end of the Chamber, but I thoroughly agree with the hon. Gentleman; I am very close to him when it comes to the point he is making. Obviously, this is a very regrettable state of affairs. Does he agree that it would be right for the Minister, at the Dispatch Box today, to commit the United Kingdom to signing up to the equivalent of Dublin so that children who are here unaccompanied can have their family come and join them, and children from outside this country who are unaccompanied can come and join family members here? That is the right and decent thing to do, and it would be continuing our obligations to those people.

Tim Loughton: The hon. Gentleman is right. Actually, the Government have said all along that that is their intention. I have had meetings with many Immigration Ministers over the last few years. I remember going to see the then Immigration Minister, who is now the Northern Ireland Secretary, after Baroness Morgan and I visited Athens with UNICEF. We visited some of the camps out there and saw some of the children who would qualify for this scheme. We were given clear undertakings that it was absolutely the Government's intention to make sure that after we came out of the EU, when Dublin III no longer covered the United Kingdom, we would have a scheme at least as good as what there is now.

Again, we are talking about just a few hundred children. We are not talking about attracting thousands of children to this country; it is a few hundred specifically identified children—usually through some of our agencies operating in refugee camps and around the world—who have family links in this country. In some cases, those will be their only family links. They may have lost their parents in the civil war in Syria; they may be at the hands of people traffickers, fleeing abuse, fleeing war zones or whatever, and it may be that a brother, an uncle

or an aunt is the only family member they have left and that that person is legally in the United Kingdom. Those are some of the most vulnerable children whom we have done a fantastic job of giving a safe home to in recent years, and it is essential that we carry that scheme on. It is a mandatory scheme, and it is a scheme of which we should be hugely proud.

That is why now is the time for new clause 29. We have had fob-offs, frankly, over recent years about why it would not be appropriate to put this in legislation. We need a very clear statement and intent from the Government today that there will be a scheme in operation on 1 January. I know that it depends on negotiations, but if all else fails, we can put in place our own scheme that is at least as good as Dublin. That is what the new clause tries to achieve.

We have a great record in this area. We have taken almost 20,000 refugees under the Syrian scheme. We targeted 20,000; we have actually taken 19,768. We have invested more than £2.3 billion in Syrian refugees—more than any other country in the EU. We have filled the 480 Dubs places. We have a great record, so why on earth would we not want to make sure that we continue that great record for some of the most vulnerable children fleeing from danger, whom we have been able to afford safe and legal passage to join relatives in the United Kingdom?

That is what the new clause asks for. We have to do better. I and my constituents will not be able to understand it if we fail to give a strong commitment that this country continues to want to do the best by those really vulnerable children. For that reason, I support new clause 29 as well.

Holly Lynch (Halifax) (Lab): It is a pleasure to return to the Chamber for the Report stage of this important Bill and to follow the hon. Member for East Worthing and Shoreham (Tim Loughton). I will return later to the merits of new clauses 2 and 29, but I will focus my comments on the merits of new clauses 13 to 15, tabled by the Leader of the Opposition. I will also outline our support for several other new clauses that have appeal across the Labour Benches, not least new clause 1, the lead amendment in this group.

I am sorry that we could not persuade the Government to engage further with us on any of the amendments or new clauses that we tabled in Committee, but we have the opportunity on Report to make the case again for different approaches in certain areas. In Committee, my hon. Friend the Member for Stretford and Urmston (Kate Green) spoke to new clause 13, which called on the Government to review “no recourse to public funds” with a focus on vulnerable groups, including those with children and victims of domestic violence. We had hoped that such a review would establish an evidence base allowing for a more informed parliamentary discussion on the broader issue.

In the immediate term, we have already called for “no recourse to public funds” to be suspended for the duration of the coronavirus crisis. On 21 April, we asked the Government to lift NRPF as a condition on a person's migration status, in order to ensure that nobody was left behind in the public health effort undertaken to fight against coronavirus.

Stephen Timms (East Ham) (Lab): My hon. Friend is right. “No recourse to public funds” is one reason for what is happening in Leicester. Is she aware that both

[Stephen Timms]

the Home Affairs Committee and the Work and Pensions Committee, on a cross-party basis, unanimously called for the suspension of the “no recourse to public funds” restrictions for the duration of the pandemic?

Holly Lynch: My right hon. Friend, alongside the Chair of the Home Affairs Committee, has done an awful lot of work in this area, not least with the support of the Prime Minister. In response to his question about NRPF on 27 May, the Prime Minister said:

“Clearly people who have worked hard for this country, who live and work here, should have support...we will see what we can do to help”.

My right hon. Friend was right to raise this important point. The Children’s Society estimates that about 1 million people and at least 100,000 children have no recourse to public funds. Although new clause 13 has been drafted to sit within the scope of the Bill, it would start to deliver on the spirit of the Prime Minister’s commitment.

Local authorities have already had instructions from central Government to this effect. On 26 March, Ministers from the Ministry of Housing, Communities and Local Government wrote to all councils asking them to utilise alternative powers and funding to assist those with no recourse to public funds. People are, however, still facing destitution and a postcode lottery at the discretion of their local authority without a clear steer from the Home Office. With this in mind, we hope that new clause 13 will have the support of the House. It would prevent any extension of this condition to those who would lose their free movement rights for the course of the pandemic, and would ensure that NRPF could not be re-imposed without a proper parliamentary debate and a vote in both Houses.

Tim Farron: In addition to the imposition and the hardship that comes from “no recourse to public funds”, there is the burden that many asylum seekers face when it comes to being able to work. Does the hon. Member agree that it is right that we give asylum seekers the right to work while they wait for their application to be heard, not least because it would save the public money and give those people the dignity of work and the ability to provide for their own families and to begin to integrate much earlier?

3 pm

Holly Lynch: I am grateful to the hon. Gentleman for his intervention. We spoke in favour of the “Lift the Ban” campaign, which would have given asylum seekers the right to work after six months of not receiving a decision on their asylum claims. He is absolutely right that that would restore a degree of dignity to those in the system who have skills and are willing to work and want to contribute to the communities that they call their new homes. He is right to raise that important point.

On new clause 14, we very much welcome the Government’s commitment to scrap the NHS surcharge for migrant health and care workers. However, given that the commitment was made more than a month ago and that, to date, no progress as to how it will be delivered has been forthcoming, we have tabled new clause 14, which has, once again, been crafted to sit within the scope of this legislation and would make a start on enshrining the commitment in law.

The fee was described as “appalling, immoral and monstrous” by Lord Patten, the former Conservative party chairman. The general secretary for the Royal College of Nursing, Dame Donna Kinnair, said, “it is a shame it took this pandemic for the government to see sense.”

The British Medical Association, the Royal College of Nursing, the Royal College of Physicians and Unison have all written to the Prime Minister to ask for practical clarification on his commitment. I also asked the Minister at Committee stage for an update on rolling out the policy change, but we are no nearer to having any insight into what progress, if any, has been made.

We worked with EveryDoctor, the doctor-led campaigning organisation to reach out to the 25,000-plus doctors on their Facebook group. It started a poll on Friday asking doctors to let it know if they had had to pay the immigration health surcharge since 21 May. So far, we have heard back from 55 doctors—all 55 have had to pay the charge.

I spoke to three of those doctors this morning. I thank them for their service to the NHS in our hour of need. Upon hearing their stories of what we make them go through in order to stay in this country and work in our NHS, I was genuinely embarrassed. They have each changed their roles within the NHS over the last three months. The automatic visa extension only covers those who are in the same job. If someone is moving to or from a 12-month specialist training post, for example, which is common in the NHS, they need to apply for a new visa, as they will be transferring sponsor, even though the move is within the NHS. They will not get a new visa without first paying the health surcharge.

I heard from Dr Olivia Misquitta, who is switching to a training placement role from paediatrics and who has been asked to pay the health surcharge twice in seven months—the last time being just last week, on 24 June. She hopes that eventually she will be refunded. I also heard from Dr Ahmed Bani Sadara, from Pakistan, who is working in orthopaedics but starts his GP training in August. His change in visa means that, on 1 June, he had to pay the health surcharge for himself, his wife and his six-month-old daughter, having already been asked to pay the charge for his daughter when she was born in this country just six months ago.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Does my hon. Friend recognise that social care workers and NHS porters and cleaners—those who do some of the most important jobs on the covid frontline—have not been included in the free visa extension and, as a result, are also being pressured to pay the immigration surcharge? Does she agree that the free visa extension ought to be extended to cover the lowest paid staff in the NHS and social care?

Holly Lynch: I entirely agree with my right hon. Friend. In her capacity as Chair of the Home Affairs Committee, she has pushed for this issue a great deal, and I commend her for that work. I agree with her wholeheartedly.

In the long term, we need to look at the sponsorship issue. If medical professionals had simply the NHS as a sponsor, rather than individual trusts, that simple step would transform the visa system and the fees for those working on the frontline of healthcare provision.

On the health surcharge, we seek to press new clause 14 to a vote, unless we are given a clear steer and assurances about how and when the changes will come into effect, and how those who have had to pay the fee since the announcement was made will be reimbursed.

New clause 15 would quite simply exempt NHS employers from having to pay the immigration skills charge. As things stand, NHS trusts pay the skills charge for those coming to work in the NHS from countries outside the EU, and they will be expected to pay those costs for those coming from the EU after free movement ends. However, in the context of the NHS, where certain clinical skills are simply not available in the domestic labour pool, levelling a tax on NHS trusts for having no choice other than to plug their staff shortages from the international talent pool is nothing short of an outrage. An NHS trust cannot unilaterally decide to train more nurses from the domestic labour force, for example; it needs Government intervention to deliver that uplift.

We have clinical workforce shortages almost right across the board in the NHS, and that is while we have had free movement. We submitted freedom of information requests to 224 NHS hospital trusts in England, asking them how much they were losing from their budgets to pay these charges back to the Government. To give an indication of what some hospitals are paying out, Portsmouth Hospitals NHS Trust told us that in just one year—the 2019-2020 financial year—it paid the Government £972,000. It has paid over £2 million in immigration skills charges since 2017. Over the past three financial years, Lewisham and Greenwich NHS Trust had to pay the Government £961,000 in immigration skills charges. Only 21% of trusts have responded to the FOI request so far, but this tells us that nearly £13 million has been taken back out of NHS budgets and handed over to the Government since 2017. That is nearly £13 million from just 21% of the hospital trusts in England. The fact that some hospitals could be paying out nearly £1 million in immigration skills charges in a single year must surely be a sign that the system is not working as intended, and this is all while people have been able to come and work in the NHS under free movement, where fees would not have been applicable. That is about to come to an end. I urge the Minister to adopt new clause 15, to mitigate any further detrimental impact on the NHS workforce and to ensure that NHS funding stays in the NHS.

I will briefly touch on the two other changes we have proposed. Amendment 39 would time-limit the Henry VIII powers in the Bill. These powers have been widely criticised by experts, and efforts from both Labour and the Scottish National party in Committee to curb the powers or to ask the Government to state explicitly on the face of the Bill what they would be used for have been to no avail. Amendment 39 would tie them to the end date of the EU settlement scheme.

I want to take this opportunity to say that we also support new clause 29, tabled in the name of the Chair of the Home Affairs Committee, my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), with cross-party support. This new clause would seek to continue the existing arrangements for unaccompanied child refugees and maintain our commitment to family reunion. I was reassured by the Minister's positive response to the hon. Member for

Barrow and Furness (Simon Fell) on this issue during the urgent question yesterday, and I hope that discussions can continue in that positive spirit. We also support new clauses 7 to 10, tabled in the name of the right hon. Member for Haltemprice and Howden (Mr Davis), which reflect the sustained cross-party appetite to ensure that immigration detention is limited to 28 days, bringing about an end to unfair and unjust indefinite detention.

We are also keen to support new clause 2, tabled in the name of the hon. Member for East Worthing and Shoreham (Tim Loughton), who has already given his very articulate explanation as to why it matters so much. We tabled new clause 58 in Committee to the same effect as his new clause, seeking to grant settled status to all those eligible children who are currently in the care of local authorities or who are care leavers. I am grateful that the hon. Gentleman has been able to share with the House some of the latest research from the Children's Society, which foresees a bleak outlook if we do not take action on this important issue now, taking the responsibility from local authorities who are stretched as they have never been stretched before in order to make an application on behalf of a child. This is a cohort of children and young people who are our responsibility. We, the state, are acting as their legal guardians. They have already had the worst possible start in life, so let us do the best we can for them by at least giving them confidence in their immigration status.

As we have already heard through freedom of information requests, the Children's Society identified a sample of 404 children who have had their status confirmed through the scheme, out of an estimated 9,000. Of those, 282 were granted settled status and 122 were granted pre-settled status. Given everything that those kids have been through, let us not sign them up for more years of paperwork and burdens of proof by giving them pre-settled status. Let us take all that uncertainty off the table for them by adopting new clause 2 and giving them indefinite leave to remain, as was so articulately outlined by the hon. Gentleman.

I very much hope that the Minister is open to the concerns that have been raised during the passage of the Bill and will no doubt be raised again this afternoon, but we are minded to take new clauses 13, 14 and 15 further if we are not satisfied that the Government are taking steps to mitigate the impact of the Bill and deliver on the promises that they have already made, not least to our brilliant NHS care workers.

Mr David Davis (Haltemprice and Howden) (Con): I will speak to new clauses 7 to 10, but before I do, may I add my support to new clauses 2 and 29 in the name of my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton)? As an ex-Brexit Secretary, I see no reason whatever to wait on the negotiation in order to take his clauses forward.

Today there is no limit on the amount of time for which people can be held in immigration detention in the United Kingdom. We are the only country in Europe that takes this stance. At the end of 2019, the individual detained in a holding centre for the longest period had been held for 1,002 days. In earlier years those numbers were even worse. These people are detained without trial or due process, oversight or basic freedoms, and they are carrying the debilitating psychological burden of having no idea when they will be released.

[Mr David Davis]

This flies in the face of centuries of British justice. Its operation has been severely criticised by the chief inspector of prisons, the chief inspector of borders, the Select Committee on Home Affairs, the Joint Committee on Human Rights, the Law Society and the Bar Council—quite a bunch of radicals, I would say. As a result of this early criticism, the Home Office had to reduce the numbers in the system, for which it claimed credit in a briefing note issued this morning. This is an improvement towards bringing down the numbers, but is still nowhere near right. We need a 28-day limit on immigration detention, and that is the purpose of my new clauses.

The Government also claimed in that briefing note that 97% of the occupants of immigration holding centres are foreign national offenders. Well, that is technically true, since at the moment, under covid-19 emergency arrangements, we have temporarily put out into the community a significant majority of the people who were detained in holding centres, keeping in only the most serious cases. In fact, in normal times—to which we will presumably return when the covid-19 crisis is over—the average proportion of foreign national offenders who have been detained over five years is 22%. The figure is never more than 23% and is normally at 19% to 20%. That tells us that four out of five detainees in these centres have no criminal action against them whatever; they are innocent people.

Mr Andrew Mitchell (Sutton Coldfield) (Con): I completely agree with what my right hon. Friend is saying. Not only is his point correct, but I have found out, as a result of tabling a question to the Home Secretary, that over the past five years the taxpayer has had to pay out in excess of £20 million to people who were unlawfully detained. Is he aware of that?

Mr Davis: My right hon. Friend makes a good point, to which I will return in a moment because it impinges on another claim made by the Home Office that is plainly not true.

We have established what these people are not—they are not all foreign national offenders—but we should understand what they are. I do not have time in the six minutes available to me to go through all of them, but I have in front of me case after case of people who have suffered human trafficking, torture, rape, forced prostitution and modern slavery—mostly before they got to these shores, but in some cases after they arrived here too. Many are damaged people to whom the world has dealt a very, very rough hand. And what do we do when they come here for our help? We lock them up for an indefinite period.

Tim Farron: The right hon. Gentleman will be unsurprised to hear that I fully agree with everything that he has said so far. Is he aware of the detailed research by the Jesuit Refugee Service that looks into the psychological condition of the very people he is talking about? The research finds that that psychological condition is influenced by even the shortest of stays in indefinite detention and discusses what that means for those people and their families for the rest of their lives. I am sure that he understands that the Government need to consider the mental health and psychological impact of this kind of inhumane treatment.

Mr Davis: The hon. Gentleman is right: any stay is damaging. If someone was psychologically damaged before they arrived, it is even more damaging. If they do not know how long they will be detained, it is even more damaging again. He may remember that we had huge battles in this House over 90 days' detention without charge, with the great defeat of Blair. We are now talking about detention of three months, four months, five months and three years.

3.15 pm

The hon. Gentleman is right: these people are damaged. As it turns out, the immigration system has a classification for these people. They are classified as adults at risk, and we are talking about those in categories 2 and 3. In May this year, the chief inspector of prisons found that 40% of the detainees then—the smaller, limited group—were in the “adults at risk” category; in other words, they were psychologically fragile people.

The Government claimed that people were held for more than four months only with a compelling reason. I called Bella Sankey, who works for the Detention Action group, and she told me:

“Detention Action supports victims of slavery and trafficking in detention who are routinely held beyond four months”,

and—this goes back to the point that my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) made—

“The Government regularly pays out millions of pounds per year in unlawful detention claims for those held for four months or longer.”

Actually, it is bigger than it sounds. In the last five years, the Government have conceded 850 cases of unlawful detention. My right hon. Friend the Member for Sutton Coldfield said that the total cost is over £20 million. Last year alone, the Government paid out £8 million. What could we have done to improve the asylum system with £8 million? Quite a lot, but they paid that out. By the way, while they were at it, they lost five article 3 cases—something that this Government had never done before 2010. The vast majority of detainees are not the villains that the Home Office would have us believe—just the reverse; they are the victims.

Mr Steve Baker (Wycombe) (Con): My right hon. Friend is making an extremely compelling case, and I am proud to have signed his new clauses. Will he take this opportunity to put on record a view that I think he shares with me—that people who are serious offenders should be promptly deported, not living in the UK at taxpayer expense?

Mr Davis: My hon. Friend pre-empts the point that I am about to come to. A few are villains, and I would be the first to concede that, along with him. Predictably, as the Home Office always does when it has a weak case, it trotted out the gory details this morning—it listed 29 rapists, 52 violent offenders, 27 child sex offenders and 43 other sex offenders—designed, no doubt, to make our blood curdle.

That brings me to the other point of these new clauses. My question to the Minister, which I hope he will answer when he winds up the debate, is: when precisely did the Government start deportation proceedings on all those serious cases? Did they start the day that those people went into prison or sufficiently far in advance that those serious villains could go straight

from prison to plane, with no stop at the detention centre? No, they did not, I am sure, but I would like to hear whether the Minister thinks they did the right thing on that.

The fact is that, to borrow a phrase from a former Home Secretary, the Home Office is not fit for purpose in managing deportations. Part of the point of these new clauses is to force the Home Office to get its act together, deal with the villains and stop punishing the innocent. That is why there is a six-month delay built into the new clauses—to give it time to get a grip.

I have one simple thing to say to the House. I have long been proud of our British justice system, but I am ashamed of what our incompetent deportation system does to people who arrived on our shores already badly damaged by human trafficking and modern slavery. It is time we put it right with new clauses 7, 8, 9 and 10.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): It is a pleasure to follow the right hon. Member for Haltemprice and Howden (Mr Davis). I am in the unusual position of agreeing with pretty much everything that has been said by all four speakers so far, which I do not get to say very often, particularly in relation to my hon. Friend the Member for Argyll and Bute (Brendan O'Hara).

We in the SNP believe that this is a bad Bill—bad for families and bad for businesses—that sells EU nationals short and extends the scope of the hostile environment. Meanwhile, we have seen the Home Office move from disinterest in specific solutions for devolved nations to disdain bordering sometimes on contempt. It has been made clear during the passage of the Bill that there is to be no remote areas pilot scheme, despite that being a recommendation of the Migration Advisory Committee and an earlier Home Office commitment. Our amendments give Parliament a last chance to remedy these defects, and we will support other amendments that seek to find a silver lining to this Bill, such as amendments on putting a time limit on immigration detention, protecting care leavers, and protecting family reunion rights.

Turning first to the issue of family, sadly, this Bill will destroy more families by extending the scope of some of the most anti-family migration rules on earth. The degree of complacency that there is in Parliament about the damage these rules do to families and children surprises me. Five years ago, just three years after the rules were introduced, England's Children's Commissioner estimated there were nearly 15,000 Skype families in the UK—kids separated from a parent overseas because of these ludicrous financial thresholds. These rules do not even take into account the prospective income of the persons applying to come into the country. The commissioner said at the time:

“Many of the children interviewed for this research suffer from stress and anxiety, affecting their well-being and development. It is also likely to have an impact on their educational attainment and outcomes because they have been separated from a parent, due to these inflexible rules which take little account of regional income levels or family support available.”

Amendment 33 puts a brake on extension of these rules and, as the commissioner recommended, starts putting the heart back into the policy.

A second group of families that are being put in an impossible position by this Bill are those formed by UK citizens living across the EEA who may in future want

to come back here with their family. These are UK nationals who would have had no reason to doubt that if they had a family while abroad, they would have derived rights to return here with their family members to the UK without having to jump the impossible hurdles of the UK's domestic family migration rules; they could not have predicted Brexit, and applying the UK family rules to them, denying many a right to return here with their family, would seem incredibly unfair.

To be fair to the Minister, he has acknowledged that there is an issue here and has provided a grace period until 2022, during which such families can return, but this is essentially just kicking the can a little bit further down the road. It still leaves many with horrible decisions to make: do they uproot their families now, just in case they do not qualify to return later on? None of these families could have predicted that they would be in this position, so why not remove the cut-off point altogether, as amendment 38 seeks to ensure?

Finally on the issue of family, we are 100% behind the cross-party amendment on family reunion. The right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) will say much more about that shortly, and we fully support what the hon. Member for East Worthing and Shoreham (Tim Loughton) has already said, but it is plain to see that, despite talking a good game, the Government's proposals mean they are backsliding on earlier commitments made to the House; they mean fewer safe legal routes for children to get to family here, and that means more children risking dangerous, unsafe routes. The Government's stance is a boon for traffickers and people smugglers and a disaster for children and families, and that is why we must support new clause 29.

This Bill is not just anti-family; it is anti-business. I have spoken enough at previous stages about the huge problems that salary and skills thresholds will cause when the new system is brought into force, but today I want to focus briefly on the problems that the Bill will cause even if a job qualifies for a visa under the tier 2 system. Our system will make it unbelievably difficult and expensive to bring workers in, and will make this country an eye-wateringly unattractive place for people to come to. Figures from the international immigration law firm Fragomen show that under the future immigration system a tier 2 worker who enters the UK to work for five years with a partner and three kids could potentially involve a total payment to the Home Office of £27,000 upfront from October, once costs such as sponsorship licence fees and the immigration health surcharge are included. That is over 12 times as much as the equivalent for Canada and over 17 times as much as Germany, and it is similarly uncompetitive for other family arrangements.

Of course, skilled workers from the EEA are able to work in any other EEA country without paying a penny and with no need for the stress and uncertainty of a visa application. So if there is a skilled and sought-after French worker, that person can go to Dublin without paying a penny, no questions asked, but to get to Belfast they will need to pay many thousands of pounds and endure a Home Office visa process. It is a perfect incentive for skilled workers to go elsewhere, and it is a perfect incentive for key employers to move their businesses elsewhere. That is why we have tabled new clause 17, so

[Stuart C. McDonald]

that the Government have to be upfront and open with Parliament about the costs they are imposing on businesses and unskilled workers.

It is also why we have introduced new clause 16, a first step to removing the ridiculous immigration health surcharge, which makes up most of these humungous fees—a nonsensical double poll tax on workers, which is set to increase to £624 per person per year, all of which needs to be paid upfront.

So this Bill risks making it very hard to attract European workers to come to the UK in future, but what of the EU workers who are already here and other EU nationals? Amendment 32 would ensure that all EU citizens who are already here have automatic rights to remain and physical proof of their status. We support new clause 2, which would put in place that same right for looked-after children. Assuming, with regret, that the Government are not about to do that, they need to tell us much more about how they will respond when we wake up on 1 July next year to find an extra few hundred thousand undocumented EU migrants, without rights and potentially subject to removal. What will the Home Office do when a 70-year-old French woman writes to say: “I had permanent residence under the old scheme. I didn’t think I needed to apply, but now the DVLA have refused my driving licence and they say I’m here illegally.” What is the Home Office going to do in such circumstances?

The Government say that they will be “reasonable”, but what exactly does that mean? In Committee, the Minister helpfully explained that he will publish guidance for caseworkers with a non-exhaustive list of examples in which late applications will be allowed. That would be welcome and useful, but the key point is that I want to see it—and I want to see it before we close the EU settlement scheme to applications. Parliament should know precisely how late applications are to be treated before it allows the scheme to close. That is what new clause 34 would ensure.

Two other new clauses seek to push the Government towards fairer treatment of EEA nationals. New clause 36 flags up a new problem relating to EEA nationals who seek to become UK citizens. In fairness to previous Home Office Ministers, when the settlement scheme was established, the Home Office did not insist, as it could have done, on proof of comprehensive sickness insurance in deciding who had been legitimately exercising free movement rights. For some reason known only to itself, the Home Office has now decided to insist on that when it comes to applications for citizenship. That seems an awful miserly approach to take, and I urge the Minister to revisit it.

New clause 21 flags up the issue of those EEA nationals who have a right in law to register as British citizens, and I am grateful for the cross-party support for the clause. We are talking not about adults who have made a proactive choice to come here but about children and young people who were born here or who have been here since they were young, whose parents have subsequently settled or who have lived the first 10 years of their life here. In short, they are children and young people who had no choice over the fact that this is their home country. In law they have just as much right to British citizenship as you, Madam Deputy Speaker, or me; the

only difference is that they have to register. When Parliament passed the relevant careful laws, the fee for the process was set simply at the cost of processing, but it has now rocketed to over £1,000—just to access British citizenship. That is profiteering on the backs of children and it has to stop.

Finally, I turn to the issue of the devolved nations. The end of free movement will have drastic implications for Scotland, and if anything the challenges for Northern Ireland will be even more extreme. Home Office disinterest in any notion of a differentiated system has transformed into hostility. New clause 33, which has cross-party support, simply makes the modest proposal that, instead of its usual dismissive attitude, the Home Office looks seriously at the options for addressing issues in Scotland, Wales and Northern Ireland. With the Government refusing to look at any regional variation, some in Scotland had at least taken comfort from the MAC recommendation of a remote areas pilot scheme to encourage migration to areas that have a very small labour market. Originally, the Home Office accepted that recommendation, yet in Committee the Government said it had been abandoned. New clause 24 would restore that provision, and I certainly hope that MPs from all parties who represent constituencies with remote areas will insist that the Home Office thinks again.

It is clearer than ever that the only way we will have an immigration system that remotely reflects our needs and circumstances and fixes the injustices that it contains is if we design one ourselves but, given the Home Office intransigence, I have no problem making the case that control over migration will be a key advantage of independence.

Edward Timpson (Eddisbury) (Con): There is no doubt that the Bill represents an important milestone in both the restructuring of the UK outside the European Union and the fulfilment of the promise that we made to, and that was endorsed by, the British people at the 2019 general election to end free movement. As an overarching policy, it is one that I endorse but, as with any wholesale reform to a national system—in this case immigration—there will be people caught up in the shifting sands created around them who, because of their own personal circumstances, will need specific understanding, attention and support to prevent them from being pushed to the very edges of society. Those people include, as we have heard, children in care and care leavers entitled to ongoing support. To that end, as a former Children’s Minister, I instinctively have sympathy for new clause 2, which proposes the provision of automatic settled status for all children in care and care leavers. In the short time available to me, I shall confine my remarks to new clause 2.

As we transition to a new legal framework for our immigration system, it is only right that, as my hon. Friend the Minister has said previously, we help to ensure that no one is left behind. As I understand it, new clause 2 is an attempt to put that principle into practice for children in care and care leavers, rather than leave it to chance.

3.30 pm

Here, I think there is unanimity. I do not believe that any of us wants to have reached the deadline for applications to the EU settlement scheme on 30 June 2021 without absolute confidence that all those children in care and

care leavers eligible to apply via their local authority have done so, together with the determinant evidence of lawful status necessary. However, based on the best evidence available of current trajectories, a significant proportion of the estimated 5,000 children in care and 4,000 care leavers will miss that deadline, and those numbers are likely to increase as we move towards the end of the transition period.

The ability of those people to apply is not helped by the particular issues that make the process more difficult, including identification. My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) set out very well many of those issues in his own contribution. If people have a long tax or benefit history, establishing their status is pretty straightforward, but if they do not, as will be the case for many children in care and care leavers, it is much more difficult. The establishment of the evidential basis required to settle their migration status is often complex and time-consuming, and it can require specialist and professional intervention and knowledge. No doubt this will have been compounded by covid-19 stretching the capacity of local authorities to prioritise such work.

I understand the Minister's concerns about creating a two-tier status system and the desire to avoid compounding problems in the future, so I am looking to him and the Government for reassurances; I thank him for speaking to me yesterday. First, the Minister has previously suggested that, for EU children in care and care leavers, late applications would be accepted within a reasonable timeframe. It would be helpful to know: how late is late and how reasonable is reasonable? The reality is that if a local authority has not acted while a child or care leaver has been under its care, a lack of settled status may not come to light for many years, so there needs to be some recognition and compassion shown in that respect.

Secondly, in Committee, my hon. Friend set out some of the support services the Home Office is providing to assist local authorities in this important endeavour. However, as we have heard, work done by the Children's Society suggests that the awareness and activity still remain patchy at local level. It would be helpful if my hon. Friend set out what he and his Department are doing, as well as across Government, to ensure that all local authorities are well equipped and supported in their role as corporate parents. Can I make a suggestion to him? I know he has written, along with the Children's Minister—the Under-Secretary of State for Education, my hon. Friend the Member for Chelmsford (Vicky Ford)—to the leaders of councils, but he may also want to engage the services of chief executives of those councils. I often found in the past that that gets things done.

Thirdly, to reassure Members that acceptable progress is being made to identify and trigger the applications of all eligible EU children in care and care leavers up to the point of transition on 31 December this year, I would ask my hon. Friend to provide updates to the House both this autumn and again early next year, so that we can be clear that sufficient progress has been made.

Tim Loughton: As my hon. Friend and I have both done the same job, I think we appreciate the real problems that social workers and local authorities are having in identifying these children. Does he agree with me that part of the problem is that the Department for Education

does not routinely collect data on the nationality of the children it looks after in the first place? Is it not essential that that is the very minimum that needs to happen if we are to identify all of those children who would be covered by this scheme?

Edward Timpson: I am grateful to my hon. Friend, and he is right. When one is trying to understand the consequences of the actions one takes as a Minister—as we heard in the statement earlier from the Under-Secretary of State for Justice, my hon. Friend the Member for Cheltenham (Alex Chalk)—the enrichment of data can help us appreciate whether we are making good progress. In the independent school exclusions review that I carried out for the Government last year, a lot of my recommendations were about getting better data about the children in our systems, why they are there and how we can better track them, so that we know we are making good decisions on their behalf. I agree that that information would be relevant to the considerations under new clause 2.

It is important that we get this right. The corporate parenting principles that we legislated for in 2017 are designed for circumstances just like these. Please can we make sure that we live up to them?

Yvette Cooper: I support the points made by the hon. Member for Eddisbury (Edward Timpson) and new clause 2, which was tabled by the hon. Member for East Worthing and Shoreham (Tim Loughton), because we have a responsibility to ensure that children in care do not miss out on the European settlement scheme through no fault of their own, and that we do not end up with another Windrush generation because nobody was looking out for those young people and they missed out on their rights—just never got the right papers.

I will speak to new clauses 29, 30 and 32, as well as other new clauses that I support. New clause 29 seeks only to continue the UK's current commitments to help child refugees. I welcome the work the Government have done to support Syrian families, to speed up the Dublin scheme and to support the Dubs scheme, as well as the recent flight from Greece. All of that work resulted from cross-party debates in this House that the Government rightly responded to. We should not turn the clock back now or rip up that progress.

Paul Blomfield (Sheffield Central) (Lab): My right hon. Friend will know that the Government have talked about their

“proud record on supporting the most vulnerable children”.—[*Official Report*, 22 January 2020; Vol. 670, c. 318.]

Does she accept that there can be no children more vulnerable than those she is talking about, and that the Government simply must maintain this commitment?

Yvette Cooper: My hon. Friend is exactly right. We are talking about children and teenagers who are alone, with no one to care for them, but who have family here who could look after them.

The Government have said that we should instead rely on the draft text they have put forward in the transition negotiations. However, the Minister knows that the draft text represents a major downgrade in support and rights for lone child and teen refugees. All it does is allow EU member states to request the transfer

[Yvette Cooper]

of an asylum claim. There is no obligation on the UK even to consider it, never mind accept it. There are no objective criteria on which an application could be based, no appeal rights and no safeguarding timetables to make sure that a case does not drift endlessly, leaving a child in danger and in limbo, and the child with no family will no longer have legal rights.

Let us consider the case of a 14-year-old stuck in the awful Moria camp on Lesbos, whose older sister or aunt is living here and could care for them. If the Home Office loses, ignores or refuses the Greek request for a transfer to the UK to join family, there will be nothing the child, the family or anyone else can do. That is wrong.

The Government do not need to wait for the negotiations to be completed. We should just decide what we think is right. We have the ability to do that. Whatever other countries decide, we in Britain should continue our support for child and teen refugees who are alone and need support. Any Member of this House who has visited the camps in Greece or northern France will know how desperate, unsanitary and dangerous the conditions can be. No child should be abandoned alone in a dilapidated refugee camp or shelter when they have close relatives here who would welcome them with open arms, care for them, get them back into education and reclaim a future for them.

Some child and teen refugees have fled war or escaped being child soldiers. Many have been abused, sexually exploited or assaulted, and many have lost family members along the way. Without safe legal routes to sanctuary, they will be easy prey to trafficking and smuggler gangs, and we know quite how perilous that can be. Desperate young people have already lost their lives; we should not turn our backs on them now. We need to sustain those safe and legal routes. That is why I urge the Minister to support new clause 29.

New clause 30 is intended to ensure that the new immigration system helps rather than harms our economy and public services by calling for a proper assessment of its impact on social care, similar to that in new clause 1, which I support. The Migration Advisory Committee said in its report that these changes will “increase pressure on social care”, yet so far there has been no plan from the Government on how they are going to address that. Social care and those workers are far too important to be ignored. That is why, as well as supporting new clauses 13 to 15—tabled by my hon. Friend the Member for Halifax (Holly Lynch) on the Front Bench—about supporting the contribution made by many of those workers during the covid crisis, I also urge the Minister to accept the spirit behind one of the other clauses that we tabled which is not in scope today, but which urges the Government to extend the free visa extension to social care workers, as well as to the NHS, doctors and medics. Supporting doctors and nurses is right, but excluding the care workers who hold dying residents’ hands, the cleaners who scrub the door handles and the floors of the covid wards, or the porters who take patients to intensive care is just wrong. We should be supporting them as well.

I will also speak to new clause 32, which is about trying to make sure the system operates fairly, because by default, the Bill extends the hostile environment,

even though the Windrush scandal has shown the damage that some of those measures can do. The housing provisions do not benefit the immigration system, but they do lead to discrimination for legal residents and British citizens, including discrimination based on the colour of their skin. That is why the Home Affairs Committee recommended a full review of the hostile environment and why Wendy Williams’ report has called for the same. Extending those hostile environment measures now, rather than accepting the recommendation of Wendy Williams’ report, is the wrong thing to do.

I also support new clauses 7 and 8 in the name of the right hon. Member for Haltemprice and Howden (Mr Davis). Again, those reflect recommendations of the cross-party Home Affairs Committee, because we have found that by not having a limit on detention and not having proper reviews and safeguards, too often, the system just drifts. Too often, people are just left in limbo because there are not proper safeguards to make sure things happen in time.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Will my right hon. Friend give way?

Yvette Cooper: I will not—I am conscious of time. The Government have a responsibility through this Bill to ensure that they build a system that can build consensus and cross-party support; that supports our economy and public services and does not undermine that; that recognises and rewards the huge contribution that people have made to this country, including and especially during the covid-19 crisis; that is fair and respects people; and that continues to support those who are most vulnerable, and particularly children and child refugees. The amendments that I and others have put forward are in that spirit of building a system that can provide consensus across the country. I urge the Minister to accept them.

Dehenna Davison (Bishop Auckland) (Con): Having served on the Public Bill Committee and knowing how much my constituents across Bishop Auckland care about this important Bill, it is my pleasure to speak in support of it in this debate.

We must never lose sight of why we are having this debate and why it is so important: this Bill symbolises the trust that voters put in our nation to decide our own immigration rules and, in turn, the trust that they put in this place to get those rules right. The Bill marks the start of a journey that will provide the framework to allow doctors, scientists and engineers to come to this country, contribute and make it their home, whether they are from Austria or Australia, Italy or India. There are some who mourn the end of free movement and indeed some—mainly on the Opposition side of the House—who would keep it indefinitely, but rather than seeing the changes to free movement as the end of a chapter of our migration story, we should view this as the start of the story in which Britain opens its arms to the rest of the world.

Turning to the amendments from my right hon. Friend the Member for Haltemprice and Howden (Mr Davis)—he is no longer in his place, but I have great respect for him and he has long been a proud champion of liberty—it is important that we look in detail at immigration detention and remember the reason why it is used. In moving into this new immigration system, we must remain robust

and firm. We must have a level and fair immigration system, but one where those who fall foul and offend are dealt with and face sufficiently serious consequences.

Let us be clear: immigration detention is only ever used as a last resort. It is only used as an immediate precursor to removal from the country or where there is a serious risk of someone absconding or causing harm to the public. As with any system, there will be those who slip between the nets, and I would be grateful for the Minister's reassurances that these people are being fully considered in this legislation. However, looking at the current immigration detention figures, we see that 97% of people currently in detention are foreign national offenders, who have committed some of the most serious, heinous, disgraceful crimes—crimes such as murder, rape and child abuse.

By implementing an arbitrary time limit on immigration detention, we could make it much more difficult for those offenders to be removed from our country. That is not good enough and it is not something my constituents in Bishop Auckland would accept.

3.45 pm

Richard Fuller (North East Bedfordshire) (Con): I am enjoying listening to a number of the arguments I have heard being put forward. On this issue of foreign offenders, is not the right answer to deal with their immigration status while they are in prison serving their term, rather than throwing them into a detention system because we have not worked out how to do that in the first place?

Dehenna Davison: One could certainly argue that; I would argue the opposite, but I thank my hon. Friend for his point. Let me give a tangible example. Had a 28-day limit been in place in December, it would have resulted in the immediate release of some foreign nationals who were awaiting deportation, including 29 rapists, 27 child sex offenders and 52 violent offenders, including a number of murderers, and more.

Stuart C. McDonald: The hon. Lady is doing a good job of regurgitating what the Government put out this morning—

Steve Brine Patronising.

Stuart C. McDonald: Well, it is, almost literally. All of these points can be rebutted. This series of amendments provides for a six-month process in which the Government could transition, so it is not an overnight thing. There would be six months for the Government to deal with foreign national offenders and to have them removed.

Dehenna Davison: The point I make is that these are some of the most serious offenders, and, as I said, my constituents would not accept something along those lines. Furthermore, when we look at statistics on current detention times, we see that for the majority those are very short, with 74% detained for less than 29 days. For those held for substantial time periods, there must be a compelling reason, such as public safety. For example, we have the example of a man who gang-raped a 16-year-old, has a history of absconding and has delayed his own removal with five unsuccessful judicial reviews. Lawful immigration detention is needed to keep the public safe, so I cannot support these amendments. My constituents want a fair immigration system but they also rightly expect that system to keep them safe.

Turning to new clause 2—

Christine Jardine (Edinburgh West) (LD): Will the hon. Lady give way?

Dehenna Davison: I will not give way any further.

I praise my hon. Friends for their commitment to protecting children in care, particularly my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), who has long been a champion for children. Vulnerable children should always be in our minds when we make policy, and I echo the comments of my hon. Friend the Member for Eddisbury (Edward Timpson) on ensuring that nobody is left behind. However, I know that the Minister shares my concern that this proposal may inadvertently create a two-tier system. So rather than legislating in this manner, we should be strongly doing all we can to encourage local authorities to identify those vulnerable children and make sure that their EU settlement scheme applications are processed so that they have full and proper proof of their status and access to the documents for the rest of their lives, because we must never allow another situation such as Windrush to happen again.

On new clause 29, we have a proud history in this country of providing safe refuge, whether to the Kindertransport children or to Ugandan Asians fleeing Idi Amin. These are human stories and they should always be in our minds when we look at our policies today. The UK's resettlement schemes have offered a safe route to the most vulnerable and given them a safe home on our shores. Unaccompanied children who are seeking international protection in an EU member state and have specified that family members are here in the UK should continue to be reunited with them, and I am glad that the Prime Minister has stressed the importance of that. The Government have approached the EU to offer a future reciprocal arrangement for the family reunion of unaccompanied asylum seeking children, and we know that a legal text was published in May to contribute to those negotiations. Getting a reciprocal arrangement is in the best interests of those vulnerable children and those families. We must not act unilaterally, as this amendment would have us do, as that would have a negative impact on the number of children who receive our help. Instead, we must work with the EU to form a joint agreement, and we in Parliament must allow time for these negotiations to play out, without binding the hands of our negotiators. We have seen what happens when Parliament tries to do that in past negotiations and we do not want to see a repeat of that.

This is an important Bill. It delivers on the referendum result and helps those of us on the Government Benches in particular, to repay the trust that the British people put in us in December. I vowed in December that I would do my utmost to represent the views of my constituents, whether in Bishop Auckland, Shildon, Barnard Castle or Spennymore, and that means backing this Bill and supporting a fair, robust immigration system that opens our arms to people across the world who have the talents and skills that our country needs to prosper.

Alexander Stafford (Rother Valley) (Con): This Bill defines the type of country that Britain will be for decades to come and, more importantly, it reflects the

[Alexander Stafford]

type of country we want to be. My constituents and I care deeply about fixing our broken immigration system and replacing it with a regime that puts the United Kingdom first.

I wish to make it clear that the Bill has the support of my constituents. Rother Valley demanded an end to free movement: the Bill ends free movement. Rother Valley urged the Government to introduce a fairer points-based system for immigrants: the Bill does that. Rother Valley called for a transition to a high-wage, high-skill and high-productive economy: the Bill delivers that change while protecting our businesses and essential public services. We voted overwhelmingly for Brexit in Rother Valley. For too long, our voices were ignored on issues such as immigration. We watched our area decline from chronic underinvestment, which caused business closures, soaring unemployment and a lack of skills, training and education.

Meanwhile, Britain experienced an unlimited and uncontrolled influx of cheap labour from Europe. Thanks to the tyranny of the European Union, there was nothing we could do to manage our borders. A fundamental aspect of sovereignty was stripped from us and left us without a voice, but we have now found our voice. We took back control in 2016 and we are taking back control today with this very Bill, unamended.

In the wake of the coronavirus, we shall have a new immigration system in place that attracts the best and brightest from around the world, no matter where they come from—from Europe and beyond.

Christine Jardine: How would the hon. Gentleman react to the news that I had from my constituency that a professional couple who have lived here for 40 years—they were both born in France—and whose children were born here, who have contributed and brought skills to this country, are now thinking about leaving because of this sort of hostile environment that has been created by the Bill? Surely that goes against everything he has just said.

Alexander Stafford: I question whether the hon. Lady's constituents are leaving because of this Bill, but I welcome everyone wherever they came from. In fact, my grandparents came to this country, and so I do not think the Bill is scaring anyone away. To say so once again underlines why the Bill is so important and the fact that those on the Opposition Benches do not get this country.

Crucially, this Government are ensuring that there will no longer be an automatic route for low-skilled foreign workers into the UK. We shall take immigrants as and when our economy needs them, but on our terms and not forced on us by bureaucrats in Brussels or by the real power brokers in Berlin.

Tim Farron: Will the hon. Gentleman give way?

Alexander Stafford: I have given way already, so I am not going to do so again. I will make some progress first.

We in Rother Valley are strong supporters of law and order. For that reason, I wish to address lawful immigration detention and highlight why it is necessary to keep the public safe. It has been suggested by some that we should impose a 28-day limit on immigration detention. I strongly reject that assertion, but I understand why

hon. Members may suggest it. I also wish to remind the House that anyone wishing to leave immigration detention can do so at any time simply by leaving the country as they are legally obliged to. Nobody is forced to be in detention.

A 28-day limit would result in an immediate release of many foreign nationals who are criminals, as some of my hon. Friends have said. We want to emphasise that rapists, murderers and paedophiles could still be in this country under that system, and I for one—and the people of Rother Valley—do not want that.

Richard Fuller: I tried once, and I will try again with another Conservative colleague on this very question. We hear people trot out the stories that the Home Office has put forward about the people who are in detention and their heinous crimes. Does my hon. Friend agree that that is a job for the criminal justice system, not a job for the immigration detention system?

Alexander Stafford: I am glad for that intervention. I am not here to say whose job it is, but one thing I can say is that I do not want rapists or paedophiles over here. If they can be deported, let them be deported. Let them be detained. That is what I stand for: strong law and order.

Rather than imposing 28-day limits, we should ensure that the whole asylum and removal system works much faster and more efficiently. Currently, the legal process can take years with protracted appeals. I am pleased that the Government are considering reforms to ensure that genuine asylum claimants can claim asylum faster, that decisions are made more quickly, and that delays will be eliminated. That is the efficiency of a Conservative Government. This will benefit not only communities such as Rother Valley, but those who find themselves in the system. The changes mean that the numbers in immigration detention will drop. I am proud that this Government are taking real action on immigration after decades of mismanagement by Labour. We in Rother Valley and across South Yorkshire know more than most about the Labour party ignoring our wants and needs. We have taken note of the fact that Labour voted against ending free movement and taking back control of our borders, yet again dismissing the will of the British people. Labour voted against our immigration Bill on Second Reading and the Leader of the Opposition, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), has declared that he would bring back freedom of movement if he were ever to become Prime Minister.

Labour cannot be trusted with control of our borders and it has proved that time and again. This Bill marks a new beginning for Rother Valley and for the United Kingdom as we exit the EU transition period and bounce back from coronavirus. We must build back better, build back greener, and build back faster. A sensible robust immigration system that works for Britain plays a central role in this strategy and guarantees a bright new future for my constituency and for our country. This Bill, unamended, does that. We promised this in 2019 and we are delivering. We are a Government who deliver. We are taking back control of our borders while those on the Opposition Benches want open borders.

Mr Deputy Speaker (Mr Nigel Evans): Order. The time limit is now five minutes and it is likely to be reduced further later on.

Alison McGovern (Wirral South) (Lab): That was an interesting contribution from the hon. Member for Rother Valley (Alexander Stafford). If he is concerned about Labour's policies and about "leaving our borders open" then heaven knows what he will make of his own Government's policy and how they are dealing with what could potentially happen at the end of the year and with what is happening with Brexit. He should have a word with Ministers about the things that they will need to do because of the arrangements that have not been made for our borders.

Let me return now to the substantive points of this debate. It was important to hear the points of the hon. Member for East Worthing and Shoreham (Tim Loughton) and my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) who have pursued the issue of the rights of child and teenage refugees in this House with diligence, and I support them in their work. I also thought that my hon. Friend the Member for Halifax (Holly Lynch) on the Front Bench made an excellent contribution, and I support all the points she made.

I rise to speak to new clause 37, which is, shall we say, broadly drawn and asks for a report from the Secretary of State on the impact of the new immigration system on skills and the labour market and how changes made to the immigration rules for European economic area and Swiss nationals have affected skills shortages in the labour market. If this clause were to be put in the Bill, I expect that that report would be quite a long one, because the impact of Brexit and the new immigration system on our country will be extensive. However, I just want to make a few short comments about a particular industry that is likely to be badly affected, especially as that comes on top of the very serious impacts that it has suffered from covid-19—that is the creative industries. You know, Mr Deputy Speaker, how important those industries are to our country. In making these points, I am proud to draw the attention of the House to my entry in the Register of Members' Financial Interests, because I could not be more honoured to have received the support of a great trade union, the Musicians' Union.

The creative industries are currently in turmoil. They employ 3 million people. It is an underestimate to say that not all of those people are wealthy. I know that there are some very wealthy people in the creative industries, but the vast majority of them are not at all wealthy. They earn around the average income in this country.

Brexit is already a challenge for this industry. The creative industries face myriad issues—a panoply—from copyright to intellectual property protection and so on. As I said, covid-19, with the restrictions on their ability to do their jobs, is also having a radical impact. We must add to this Brexit and the end of the transition period coming down the line, because the ability to travel has a huge impact on creatives, whether it is touring or working in Europe more generally for those who work in the visual arts, in dance or in other areas.

4 pm

Of course the Government will say that the impact on the creative industries and people's ability to get visas to travel to work, with a good system of immigration that helps them, will be subject to reciprocity through agreements with the EU. But for creatives, this is not a

zero-sum game: it is not about us benefiting, versus others. We will benefit, too, if EU nationals are able to work here: think of the great orchestras and the artists who display their work in our galleries.

Therefore, we need to know now what the Government's intentions are and we need to secure new clause 37 so that we can monitor the impact of their policies. I ask the Minister: what kind of future do they envisage for our creative industries? What kind of reciprocity do they foresee on social security arrangements and other practical limitations on the ability of those working in the creative industries and the arts to work elsewhere in Europe? How do they plan to underpin the ability of some of our finest artists, our best musicians and our most talented creatives to work across the continent, and the ability of their partners in the creative pursuits to work here? This could have a massive impact on the future of one of Britain's most important sectors.

Mr Deputy Speaker (Mr Nigel Evans): I call Liz Saville Roberts.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Diolch yn fawr iawn, Mr Dirprwy Lefarydd.

I rise to speak to new clause 11 in the name of my hon. Friend the Member for Arfon (Hywel Williams), and to support the amendments in the names of the right hon. Members for Haltemprice and Howden (Mr Davis) and for Normanton, Pontefract and Castleford (Yvette Cooper), and of the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald).

Immigrants have always played an integral part in the vitality of our communities, but we have been told, of course, that covid-19 changes everything. That prompts the question: does it change how we handle immigration as much as it does our approach to health and the economy? There has been some interesting mention of the value of the high-skilled jobs that we will expect from this immigration policy, but it is worth taking a step back and considering how things have changed under covid. I understand that 70% of people believe that the crisis has shown the key role of immigrants in running our essential services—the essential services that we have been clapping on the streets for many Thursdays; I think there is another clap here on Sunday—while 64% of people say that they now value so-called low-skilled overseas workers. We are now looking at who provides our services, and how, in a different way.

Surely what we have here is a hostile, inhumane immigration environment, and that is exactly what we should be questioning. Does such an immigration policy reflect the sort of society that we hope to be after covid-19? Plaid Cymru's proposal in new clause 11 challenges how this Bill presents a radical change in UK immigration policy without allowing a thorough debate about the details of its replacement or the implications—although, as can be seen from the nature of the amendments, there is much concern about those implications. Before we legislate, we should have a proper comprehension of the following: the impact of discriminatory "no recourse to public funds" conditions; the impact of NHS charging; the merits of removing all fees for visas and citizenship applications; and the merits of devolving powers over immigration to our nations, recognising the different needs of the different nations.

[Liz Saville Roberts]

Finally—crucially, in the current context—our new clause calls on the Government to investigate the possibility of granting citizenship to all health and social care workers who have given so much during this crisis. A former Government did the right thing and granted citizenship to the Gurkhas. Health and social care immigrant workers have been fighting heroically on two fronts. They have fought on our behalf against the virus; they are now facing having to fight a hostile environment in the Government's immigration policy. The new clause would be a means to right that wrong; it would reflect the public mood, and I beg the Government to consider adopting it.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): I support the Bill, which I believe will make our immigration system better, and fairer. Some hon. Members—today, and before today—have bemoaned the fact that the new points-based system will end freedom of movement. I heard the hon. Member for Argyll and Bute (Brendan O'Hara) say so earlier this afternoon. In fact, there was no such thing as freedom of movement; the concept was an illusion, a chimera, apart from for those who were fortunate enough to live on the continent of Europe.

I benefited from the system—my wife is from Sweden, and for a while I lived and worked in Belgium—but it is a bad system, an outdated model, a discriminatory model, a system that works for Europeans but against the rest of the world. It is unfair. It discriminates against people who want to come here—people whom we want to welcome, people who help us build, run and support our country, who add value to our communities, contribute to our national debate and bring talent, expertise and drive, but who struggle to get entry purely because they are not from Europe. I am glad that we seek to replace that system today.

To those who are already here from Europe in this country, that have made it your home, that have raised families, invested, worked, lived and contributed to our society, we must repeat and repeat that they will always be welcome here.

Alison McGovern: How welcoming was the hostile environment?

Andrew Bowie: I remind the hon. Member that the hostile environment was created by the previous Labour Government and had no effect on anybody who was coming into this country from the continent of Europe under freedom of movement in the first place. It is incredibly good news that more than 3.5 million applications to the EU settlement scheme have already gone through, and we can be very proud of that.

Christine Jardine: Does the hon. Gentleman feel that the Prime Minister should honour the pledge he made during the general election that all EU citizens here had no need to worry about settled status and would have guaranteed citizenship?

Andrew Bowie: What the Prime Minister sought to do during the election was to reassure anybody who was here and had come here under freedom of movement

from the continent of Europe that they would always be welcome here. All hon. Members in this place should urge anyone they know who has not applied thus far for the settled status scheme to do so immediately, because they are welcome here and contribute hugely to our national debates and national life.

Douglas Ross (Moray) (Con): My hon. Friend is making an excellent speech. On his point about encouraging people to apply for settled status, does he agree that it is absolutely wrong for senior elected SNP politicians in Scotland to be urging people not to apply for settled status?

Andrew Bowie: If that is indeed the case, it is shameful. They should be doing everything in their power, from the position of responsibility they hold, to help and support those in this country who may be unsure about their future status here. They should urge them to apply for settled status, so that they can remain, and contribute to our country as we move forward.

Stuart C. McDonald: The hon. Gentleman may rest assured that the Scottish Government are investing a lot of time and resources in encouraging people to take part in the EU settlement scheme. We have our differences on immigration, but will he join me in encouraging the Home Office to think again about having abandoned the remote areas pilot scheme, which would be of huge benefit to lots of constituencies around Scotland—such as his, I suspect?

Andrew Bowie: I share the hon. Gentleman's views on that issue. In fact, I will come to the seasonal agricultural workers scheme briefly in my speech—if I get that far this afternoon.

In Scotland we have a problem—as I said in my speech on 11 February in this place, we are, as a country, simply not attracting enough people to live, work or invest. The Office for National Statistics estimates that Scotland attracted only 8% of immigrants to the United Kingdom between 2016 and 2018. That is fewer than the north-west of England, Yorkshire and Humber, the west midlands, the east of England, the south-east, London or the south-west. We now have a growing population in Scotland and we need it to continue to grow, but even with freedom of movement we are not attracting enough people to make up for what will soon become a declining population, with deaths already outnumbering births. In 2019, there were 7,000 more deaths than births in Scotland and the problem is even starker in rural communities, as the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) was just saying.

In speaking to new clause 1 the hon. Member for Argyll and Bute was right to draw attention to the effects that the changes to our immigration system will have on the health and social care sector. Although I do not support new clause 1, I urge the Government here and the Government in Edinburgh to work together to find imaginative and creative solutions to the issue, and to work with all stakeholders to see what can be done through the UK-wide immigration system to support and continue to grow the Scottish population, particularly with regard to the health and social care sector on which we rely so much.

Before I move on, it would be remiss of me not to use the opportunity of a debate on immigration to talk about seasonal agricultural workers. I know that I am at risk of sounding like a broken record, as the Minister has heard representations from Scottish Members of Parliament on this issue a few times before, but the fact remains that Scottish agriculture relies on, and therefore simply needs, seasonal labour. A farm in my constituency saw a 15% shortage of seasonal labour last year, which led to an estimated loss of over 100 tonnes of produce. Although I welcome the quadrupling of the seasonal agricultural workers scheme from 2,500 to 10,000 workers—a very welcome first step in this direction of travel—the needs of Scottish agriculture for seasonal labour are, in fact, considerably higher.

Numerous amendments and new clauses have been tabled to the Bill, and no doubt they all have a good intention behind them: Members want to create an immigration system that is fair, humane and understandable. I say in particular to my hon. and right hon. Friends who tabled new clause 29 that although the intent is good, we must allow the negotiations with the European Union time to play out. We have presented an offer to the EU on the future reunion of unaccompanied asylum-seeking children, where it is in the child's best interests. For the UK to act unilaterally now—as the amendments seek us to do—would undermine the negotiations and make it less likely that we would secure a reciprocal arrangement, which might mean that the number of children we could help would be reduced.

We in this country are rightly proud of the steps that we have taken over the years to provide shelter to refugees fleeing war and persecution from around the world. We have been a beacon of light to the poor and oppressed of the world for generations, and we continue to be that country. We are rightly proud that so many people across the world seek to call the United Kingdom—this country—their home, and I am proud that in moving the Bill forward today we will be taking one more step towards making our immigration system fairer, non-discriminatory and fit for the 21st century.

Bell Ribeiro-Addy (Streatham) (Lab): I rise to speak against this Bill in general and for any new clause that seeks to end the hostile environment.

Ministers seem to create confusion about the contents of the Bill. If they speak in public, they claim that it will introduce a points-based immigration system, which is not true. In any event, it is doubtful whether primary legislation is needed for such a system. When Ministers speak it is clear that they have no intention of introducing a points-based system, but rather an income-based one. There will be some exemptions because Ministers have been forced to accept the fact that many nursing professionals will not meet their planned income threshold, yet at the same time Ministers seem blissfully unaware that social care workers earn nothing like the proposed salary thresholds—and nor do the cooks, cleaners, security guards, porters and many others who have seen us through this pandemic.

Many of these people were on subsistence wages even before years of real-term cuts by the Conservative-led Government from 2010 onwards. There have been huge shortages of all these workers. Ministerial plans—if not this Bill—will only make those staff shortages much worse in care homes, in the NHS and in many other

sectors of the economy, both public and private. It is as if this entire public health crisis has passed Ministers by. A plan that will exacerbate the crisis in the NHS and social care is one of the last things that this country needs.

The Bill in its current form is a disaster, so I am pleased to support the new clauses that would impose a strict 28-day limit on immigration detention; end the immigration surcharge, which should be ended for all; reform deportation law and citizenship fees for those who are brought to the UK as young children; and ensure that our moral obligation to child refugees for family reunion remains a legal one. Such provisions would address the glaring issues of our immigration system.

There is a further issue that I want to raise. Last week, the Home Secretary astonished most of us when she said that she would implement the recommendations of the Windrush lessons learned review “in full”. The entire spirit and some parts of the letter of that review run completely counter to the whole thrust of this Government's immigration policies. In essence, to right the injustices perpetrated on the Windrush victims and to prevent their reoccurrence, the Government's hostile environment policies have to go in their entirety, full stop.

4.15 pm

Steve Brine: The hon. Lady keeps referring to this hostile environment. Let me just quote for her. In May 2007, the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), then the Labour Immigration Minister, stated in a consultation document put out by the Home Office:

“We are trying to create a much more hostile environment in this country if you are here illegally.”

Will she accept that and apologise to those of us on the Government Benches, please?

Bell Ribeiro-Addy: I will not apologise, but I will point out that the Conservative party has been in power for 10 years. To continuously blame various different Labour leaderships makes no sense. I have said it before and I will say it again: this is the second time in a decade that a Conservative Government have retrospectively changed the rights of migrants after they have entered this country. We saw the misery that the Immigration Act 2014 caused the Windrush generation. What does it say about us that we are bringing EU nationals under the same rules?

I turn to what is in the Bill and its real effects on workers here, whether they are from overseas or not. There is a real risk that the effect of the Bill will be to lower the rights of all migrant workers in this country and, in that way, lower rights and terms and conditions for all workers. Crucially, the right to residency will be dependent on employment status. There is no right to a family life enshrined in the Bill, and “no recourse to public funds” remains an explicit policy. The combination of those and other factors effectively creates another, lower tier of the workforce, with fewer rights and very limited means of enforcing even those.

That is dangerous enough to migrant workers, but it can also rebound on the entire workforce as unscrupulous employers play divide and rule. Our legislation on health

[Bell Ribeiro-Addy]

and safety, on equal pay and on opposing discrimination is not enforced vigorously enough as it is. If a large section of the workforce can be treated as second class, the situation will get worse for everyone. Quite simply, the Bill is not fit for purpose as it stands.

Saqib Bhatti (Meriden) (Con): I am pleased to speak on the Bill, not least because immigration is a topic that can invoke the strongest of emotions, yet it is imperative that we have an immigration system that works for us as a free and independent sovereign nation.

Immigration policy is not just a buzzword for me, nor is it an excuse to play identity politics; it is the reason I am here. I am the son of a man who came to this country from halfway across the world. He came here for a better life for his family. Indeed, to my father, having anything but a system over which we have control is, frankly, odd, and that is the reason many from south Asian communities voted to leave the European Union back in 2016.

My father's desire to be in this country was nothing short of a desire to pursue what I often term the great British dream. I know at first hand that it is a love like no other, the love held for this country by the hopeful migrant who arrives here in pursuit of opportunities and freedom—the patriotism of the one who singles out this country as the place they want to call home; the one who comes to this country and chooses to be British.

The result in the European Union referendum in 2016 was a vote for control—for control over our laws, control over our spending and control over our borders. This was not about pulling up the drawbridge, as it is so often described by those who want to belittle the referendum result; it was a cry for a greater stake in the way our communities and our country move forward. It was a vote for migration, albeit migration on our terms: looking out to the world beyond our immediate neighbours and forging relationships with new countries and old friends. The Bill captures the true essence of that desire for an immigration system that works for us—an immigration system that allows us to be agile, and one that allows us to adapt to the economic needs of our country.

It is important to point out that the Bill enshrines the will of the British people—a will that has been expressed on a number of occasions over the past four years. Clearly, I am firmly of the view that immigration has been a success for this great nation, and the Bill acknowledges and celebrates that success by working to make sure that the system is even stronger.

We must have a system that works for Britain so that we can ensure that the best opportunities are available to everyone in this country. It is only with a thriving economy and a strong society that Britain will continue to be such a nation and such an appealing destination for those around the world who want to come here and start a new life.

Britain was built on generations of immigrants, from the post-war migrants who came here to help us rebuild after the devastation of war to the seasonal workers who come to the UK every year to contribute to our agricultural sector and support British farmers. What we can learn from this is that immigration is not a static concept; it is a dynamic one, and it must adapt to suit

our domestic and economic needs. Just as other countries adopt systems that best support their needs, the UK can be no different.

The Bill paves the way for a new system that prioritises the most talented and highly skilled. Crucially, control over our own system will allow for an unwavering commitment to protect those who come into our country from the evil prey of traffickers and unethical working practices as we move away from cheap labour and unchecked movement. I know that the Bill does not provide for the details of our new points-based immigration system, but, given my background in business, I know that, to operate to its full potential, our new system will require a continuous dialogue between Government and industry. I ask the Minister to ensure that we have a reactive approach, with the needs of the national health service, business, academia, hospitality and many other sectors being listened to. Particularly in the case of business, the channels of communication must remain open, because it is only by listening to the business community that we will avoid a time lag between what business needs and what Government implement.

Contrary to the naysayers, I believe that our country is progressive and forward thinking. We need an immigration system that matches that—one that allows us to advance in research and development and further our technological innovation as we compete on the global stage, and one that emboldens us to lead the world in medicine, technology, film making, science and sport. Simply put, we must have an immigration system that attracts the best and brightest from across the world. As we venture into the world as a free, independent nation, we have to model ourselves on what we believe we can achieve.

While we are repealing freedom of movement, it is vital that we have the EU settlement scheme, to protect the rights and legal status of EU citizens who have made Britain their home. The contributions of EU migrants are extensive and undeniable, whether that is imported cuisines from the continent or the groundbreaking research we see in our universities. I welcome this legislation because I am excited by what lies ahead for our great nation. With greater control over migration, we will continue to attract the brightest and best while remaining a tolerant and welcoming society.

Nadia Whittome (Nottingham East) (Lab): We must not forget that this Bill arrives before us today in the context of the Conservatives' hostile environment—a hostile environment conjured as a pernicious smokescreen to blame migrants for the economic damage inflicted upon working-class communities by Tory austerity, predatory capitalism and years of neglect and lack of investment.

Saqib Bhatti: Will the hon. Member give way?

Nadia Whittome: I will not be taking any interventions; I need to make progress.

The hostile environment, from right-to-rent checks to the immigration health surcharge, is built upon the premise that migrants should be discouraged from coming to the UK. Not satisfied with the disaster of the Windrush scandal, this Government seem determined to press ahead with this unjust, discriminatory and poorly designed piece of legislation. The Home Secretary has yet to set out the details of what will come in place of freedom of

movement. This Bill does not do that. Instead, it introduces multiple Henry VIII powers, which remove much needed scrutiny from our future immigration system.

I am afraid that the benefits of a points-based immigration system are a myth. Under such a system of employer sponsorship, workers are heavily restricted in their access to public funds, which puts many at risk of destitution. They are also less likely to join their colleagues in employment struggles for better terms and conditions. Migrants have been blamed for low wages, but it is not them who drive down employment standards—it is exploitative bosses who do, and it is this Government who allow them to do that. We have to make it clear that nobody's rights should be linked to an employer. A person's worth is not determined by their economic value.

Instead of removing EU citizens' rights, the Government should have focused on making up the injustices that they have inflicted on the Windrush generation and other migrant communities. The Windrush compensation scheme is clearly not working. Does the Minister have anything to say to these families waiting in limbo?

This punitive, discriminatory piece of legislation is a slap in the face to the carers, cleaners, drivers and shop assistants who have risked their lives on the frontline to keep this country running throughout the pandemic, and who Members here have applauded every week. The scale of the Government's hypocrisy is breathtaking—clapping for carers one day and downgrading their status in law the next. This Bill would class many vital jobs as low-skilled and prevent people from getting a new work visa or extension. That would include care workers—people like my colleagues who I worked with before becoming an MP and during the pandemic. The work may be low-paid and badly undervalued by those in power, but it is not low-skilled. Will the Minister, for the avoidance of doubt, clarify whether the Home Secretary still considers care workers to be low-skilled?

A recent report, "Detained and Dehumanised", is based on interviews with people who experienced detention in UK centres. It was done before the pandemic. The report highlights a disturbing level of despair. One person said:

"I saw people cutting themselves, someone who tried to hang himself, someone who died in detention".

Another said:

"The most awful thing was an uncertainty: Not knowing whether I will be released and what they're going to do to me".

As the right hon. Member for Haltemprice and Howden (Mr Davis) has said, this is a terrible, inhumane position to be in. Ultimately, nobody should be imprisoned because of where they were born, yet the UK is the only country in Europe that does not have a time limit on how long a person can be held in immigration detention. Twenty-eight days is absolutely the longest time allowed in any other context.

I urge the Government to do the right thing, even at this late hour. They should not block the many sensible amendments and new clauses. Carers, shop assistants and cleaners are risking their lives on the frontline looking after us. The least we can do for them is to use our votes today to look after them.

Richard Fuller: I am very glad that I sat in on this debate today to learn the origins of the hostile environment. We learned today that the author of the hostile environment

was none other than the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), the Labour candidate to be Mayor of the West Midlands. That is right. He is the author of the hostile environment for immigration. We have learned that today.

The second reason I wanted to contribute today was to be able to say thank you to my right hon. Friend the Home Secretary for bringing forward the points-based system for immigration. Like her, I felt that the opportunity to bring forward an immigration system that did not discriminate based on the origins of where someone came from was one of the strong reasons to support Brexit in the referendum. I am pleased that she has confounded her critics by coming forward so quickly in this Parliament with a new Bill that does precisely that. She knows, and many Members here know, that many areas of the Home Office do not work well, and I am pleased she has started there. Now let us turn to some other areas.

I will turn to what I can only describe as a shameful briefing note on immigration detention put out by the Home Office earlier today. In that note, the Home Office claims that 97% of the people in immigration detention were foreign national offenders. Do they think we are stupid? Do they not think we understand that most of the people in immigration detention have been put out of the detention estate during covid-19?

The note goes on to describe in the most lurid details what may be the case about the backgrounds of individuals, forgetting all those other people who have been put through immigration detention who have perfectly legitimate cases to remain in this country and who may have been victims of communal rape or child trafficking. It is a shameful document that was put out by the Home Office today, and that is why I am very pleased to support the new clauses in the name of my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) that deal with 28 days as a limit on detention.

Tim Loughton: My hon. Friend gets it absolutely right about the misinformation that has been dispatched this morning. Is it not the case that a six-month grace period would be the result of the new clause? Those people would not be put out on the streets from the detention centre. The problem is that 63% of those in detention centres are released back into the community because the process has failed, and that includes serious sex offenders, rapists and other serious criminals, so it is happening now and not as a result of what the new clause would achieve.

Richard Fuller: My hon. Friend is absolutely right, particularly in stressing that the issue is not the people but the process: it is the process that does not work. An immigration detention estate is a manifestation of a completely failed process that fails the person coming to this country right from the start. We should not have an immigration detention estate; we should not have it at all. We only have it because of the accumulated errors of the Home Office going back well over a decade, as my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) said.

4.30 pm

As Members of Parliament who have been here for a while will know, we have had to deal with problem after problem with the immigration application process. Some

may remember back in 2013 the lost letters that were found in an immigration office in Croydon that went back to 2003. Many constituency MPs will have dealt with migrants who are on the sixth or seventh application for another reason, their right to remain in the country. We should not have to deal with all that. This is a failed process in the immigration system, and detention is essentially the worst aspect of that completely failed process.

As the United Kingdom seeks to establish its place as global Britain, it should be standing up for the highest principles of justice, and the highest principle of justice is how we look after the weakest and most vulnerable in our society. Those who come to this country looking to claim asylum include many who come from the most difficult of backgrounds. We should be looking to change the system completely and I will be interested to hear whether my hon. Friend the Minister can give any indication of how it might change so that we do not have a system that ends up with such a scar on our principles of justice as the immigration detention estate.

What we need is something that essentially says, “We’re going to invest the money—the £90 million-plus we spend on immigration detention—in a reformed system that actually tries to give the best advice to people, so we have the best counselling, the best legal advice and the best psychological therapy for people who come to this country right at the start of their claim, so that we can have a system that appraises asylum seekers in this country that is the best in the world in terms of the consideration it gives to the legitimate claims, but also has the expeditiousness in the appeals process so that the system cannot be undermined by those who would seek to undermine that honourable phrase of an asylum seeker by making bogus claim after bogus claim after bogus claim.” It is time that the Home Office brought this failed period to a close, which is why the amendments in the name of my right hon. Friend the Member for Haltemprice and Howden for a 28-day time limit are so important.

As the Member of Parliament for North East Bedfordshire, with Yarl’s Wood in my constituency, I can attest to the human tragedies that have occurred in detention over the past decades. When I became a Member of Parliament in 2010, the last Labour Government were imprisoning children, and I am quite clear that the hon. Member for Halifax (Holly Lynch) on the Opposition Front Bench would find that unconscionable today. We have been making progress over the years, and a time limit on detention now is the next change that we should make. I say to the Minister that if he cannot reform the process—if he cannot today say he is going to reform that process—the time is up on what this Conservative Government are doing on detention.

Claudia Webbe (Leicester East) (Lab): I am afraid that this Bill fails on every conceivable measure of a humane and just immigration policy, and I am concerned that my constituents are particularly vulnerable to the predatory aspects of this legislation. Some 43% of Leicester East residents were born outside the UK, as opposed to 10% nationally, and our citizens hail from over 50 countries around the globe. This diversity is what makes our city special, yet with a two-week lockdown extension announced in my home city, this Bill fails to protect its most vulnerable citizens. To ensure that every Leicester resident can seek the medical help they need

during this increase in coronavirus, it is vital for full citizenship rights to be extended to undocumented workers, those with no recourse to public funds and people with no indefinite leave to remain, yet the Bill fails to provide the necessary protections.

Under most visa categories, migrants who are legally in the UK working and paying tax cannot access publicly funded support. The Migration Observatory estimates that nearly 1.5 million people currently have no recourse to public funds, including those with children who were born in the UK. For people who already face uncommonly difficult challenges in their daily lives, this pandemic has only deepened fears over how to maintain an income, remain healthy or even stay alive. Citizens Advice has recorded a 110% increase in people seeking advice about having no recourse to public funds during the pandemic, and a recent report from the Children’s Society found that almost half of children whose parents were born abroad live in poverty. The Government must introduce an amnesty for all migrants, including residency rights, for the duration of this pandemic and end the callous policy of no recourse to public funds.

An estimated 1 million undocumented workers lack any entitlement to support from the state. Many of these people are destitute and living in the shadows, unable to access healthcare and fearful of what will happen to them if they identify themselves. In nearly all cases, undocumented people are not criminals but simply those who have fallen through the cracks of the Government’s callous hostile environment policies. For people forced to endure this level of insecurity, it is impossible to comply with Government guidance on self-isolation and social distancing. With the overwhelming rise in coronavirus cases in my constituency and with a rate of infection that is beyond acceptable, it is imperative and in the best interests of everyone in our country that the basic needs of all our residents are met, especially given the disproportionate impact of covid-19.

The tragic irony is that many undocumented people, or those with no recourse to public funds who are living in constant fear of the state, work in the frontline services that the Government have been at pains the praise during this crisis. We must ensure that all frontline workers, regardless of their immigration status, are valued and protected as we rebuild our economy and society. It is vital that we repay the extraordinary contribution of frontline workers during the pandemic with a permanent extension of migrant rights. That means an end to the hostile environment, shutting detention centres and granting indefinite leave to remain for anyone living in the UK. In Leicester, the coronavirus pandemic has caused widespread suffering for too many individuals and communities, with widespread job losses—

Mr Deputy Speaker (Mr Nigel Evans): Order. I am sorry but we have to move on.

Paul Blomfield: There is clearly much to comment on in this Bill, but I rise specifically to speak in support of new clause 7 and to commend the right hon. Member for Haltemprice and Howden (Mr Davis) for the powerful case that he made in speaking to it. Back in 2014, I was pleased to serve as vice-chair of a cross-party inquiry into immigration detention. We included parliamentarians from both Houses and all the main parties, many with huge experience, including a former Law Lord and a former chief inspector of prisons. There were more

Government Members than Opposition Members, including the hon. Member for North East Bedfordshire (Richard Fuller), who also spoke powerfully on this issue a few moments ago. I pay tribute to Sarah Teather, who chaired the inquiry and who now leads the Jesuit Refugee Service UK, as others have mentioned. After an eight-month inquiry, our recommendations included the limit on detention that is proposed in new clause 7. That was endorsed by the House of Commons in September 2014, so it is disappointing that we are still discussing the issue—but it is important that we are, because, contrary to some suggestions, it is not a particularly controversial proposal.

The truth is that we have become too dependent on detention, which takes place in immigration removal centres. The clue to the purpose of those centres is in the title. They are intended for short-term stays, but the Home Office has become increasingly reliant on them, under successive Governments. Home Office policy states that detention must be used sparingly, but the reality is different.

In our evidence we heard from many organisations, NGOs and so on, but, most powerfully, we heard from those in detention over a phone link. One young man from a disputed territory on the border between Nigeria and Cameroon told us that he was trafficked to Hungary as a 16-year-old, where he was beaten, raped and tortured. He managed to escape and eventually made his way to Heathrow, using a false passport, which was discovered on arrival, and he was detained. He told us that he had been in detention for three years. His detention conflicts with the stated aims of the Home Office in three respects—that those who have been trafficked should not be detained, that those who have been tortured should not be detained and that detention should be for the shortest possible period. His case is not the only one. There are more people like him than there are so-called foreign national offenders, which the Home Office briefers urged Members to refer to. Time and again, we were told that detention was worse than prison, because in prison you know when you are going to get out. One former detainee said:

“The uncertainty is hard to bear. Your life is in limbo. No one tells you anything about how long you will stay or if you are going to get deported.”

A medical expert told us that the sense of being in limbo, of hopelessness and despair is what leads to deteriorating mental health, and that

“those who were detained for over 30 days had significantly higher mental health problems”.

It is not simply the impact on detainees that demands change. A team leader from the prisons inspectorate told us that the lack of a time limit encourages poor case working, saying that,

“a quarter of the cases of prolonged detention that they looked at were a result of inefficient case-working.”

It has become too easy for the Home Office to use administrative detention, and that is what needs to be challenged. The Home Secretary talked about the culture change in the Home Office only a few days ago, in response to the Windrush review. Removing indefinite immigration detention would make a significant contribution to achieving that culture change, because with no time limits, it has simply become too easy for people to be detained, for too long, with no meaningful way of challenging that detention.

Our report gave a number of examples of alternatives to detention, which are being used by countries often held up as hard on immigration, such as Australia. We know that the Home Office is developing pilots on community-based alternatives, including one at Yarl's Wood, which is a year in and is running well.

Richard Fuller: As the hon. Gentleman has raised the point about Yarl's Wood, does that not show that with experimentation on alternatives, the Government can find ways to do what they want to do, but to do it better?

Paul Blomfield: I thank the hon. Gentleman for that intervention. He is absolutely right. It is not simply the case that alternatives to detention are more humane—they are more efficient, more effective and more cost-effective for the Government.

I understand that the Government are shortly to announce a second pilot, and that is to be welcomed—I would be glad to hear anything that the Minister would like to say on that—but the pilot we have already seen and the experience of other countries have already demonstrated the effectiveness of community-based alternatives. We need to move faster. The proposal to end indefinite administrative detention in new clause 7 would be more humane, less expensive and more effective in securing compliance. The time really has come for Members from both sides of the House to get behind the proposals in new clause 7.

4.45 pm

James Sunderland (Bracknell) (Con): I was pleased to contribute on Second Reading of this Bill, and I am pleased to be able to speak now, notwithstanding a sore throat.

In recent weeks, people have told me that the Bill is contentious, but it should be regarded as what it is, not as what others fear it to be. For a start, it allows our country to evolve in the post-Brexit era as we wish it to evolve, and allows us to decide who comes in. For too long, we have seen uncontrolled immigration and a failure to remove those who have accepted our hospitality but sought to do us harm. We have indeed seen lower rates of deportation. Inasmuch as we should be more in control of who arrives on our shores, we should equally be more robust about who leaves. If the process takes more than 28 days, then so be it. I am not therefore convinced by new clauses 3 to 11.

For those who come to the UK and are proud to live here, the opportunities are plentiful. Contrary to what many of our political opponents might think, this is the land of milk and honey for those who are prepared to work hard. Let us look at what is on offer. We will give everyone the same opportunities wherever they come from. Our points-based system will allow us to identify the skills we require. We will protect the rights of EU citizens, and we will protect the long-held rights of Irish citizens to live and work in the UK, so I am mindful of new clause 12.

People have told me that this Bill flies in the face of what has been achieved by so many during the pandemic, particularly in the NHS. Nobody here should need any reminder of the admiration and the awe with which the British people regard these heroes. The Government have rightly agreed to extend the visas of frontline NHS

[James Sunderland]

workers, so I am mindful of new clause 35. They have rightly introduced a new NHS visa, offering fast-track entry to the UK for qualified overseas doctors and nurses under more generous terms. The contribution of all public sector employees, public servants and low-paid staff is the stuff of legend, and we will always be grateful.

For the avoidance of doubt, immigration is a good thing, and we have built a proud nation on the back of our history, shared values and unrivalled diaspora. I have been honoured to serve alongside so many brilliant foreign and Commonwealth soldiers, but there is a problem here, too. Although this is not directly relevant to this Bill, I urge the Minister to take note. We have recruited many to join our armed services, but the House will know that a small number have slipped through the net by not applying for indefinite leave to remain when they would otherwise have been entitled to do so. Given that some now face particular difficulties in not being British citizens, including crippling NHS bills, I believe it is now time to offer an amnesty to the entitled few who have proudly worn the uniform and borne arms but not become naturalised. Once we have done this, we should then review the crippling visa fees, which remain beyond the reach of most servicemen and women and their young families.

Let us disincentivise those who come here via illegal means, remove those who commit serious crime and place the ruthless people traffickers behind bars, but the quid pro quo is to provide those whom we willingly invite to serve in our armed forces with the security they deserve. It is time that we did the right thing for all of our Commonwealth veterans and fully recognise the sacrifices that they too have made for our great nation.

As for the future of this Bill, I expect it to become law, but inasmuch as it promises a points-based immigration system that mirrors those of other countries in the free world, we need to be careful that it does not become a blunt instrument. The legislation must therefore be flexible and agile enough to respond to the employment market at any given time, particularly in terms of the skills being offered. There will be a need for seasonal labour, and we must be able to attract all those that we need when we need them.

To conclude, as contentious as the Bill might be to some, it is what many have requested for the past four decades, and it is what the Conservative Government have promised. We must also do more to reunite children under the vulnerable children's scheme, and we therefore need an enduring scheme to be in place by 1 January next year. I am therefore sympathetic towards new clause 29. To be worthy of its pre-eminence, the UK must take back control of its borders.

Catherine West (Hornsey and Wood Green) (Lab): I concur with the point made by the hon. Member for Bracknell (James Sunderland) about armed servicemen and women from the Commonwealth. I hope that the Minister will bear that in mind when the next immigration Bill is introduced, because there are some egregious cases that desperately need to be looked at fairly.

We will not vote for the Bill tonight, mainly because it seems to have been written before the covid crisis. It seems to ignore the fact that we need a new approach to

immigration based on solidarity, decent jobs, employment protections and quality public services for all, with all EU citizens guaranteed the right to remain in the UK. Anybody who has been watching "Sitting in Limbo" and following the fantastic work done by the journalist Amelia Gentleman on Windrush will know that it is these sorts of debates that sometimes end up creating systems that cause huge problems for hard-working families.

I wish to speak briefly to some of the amendments and new clauses. First, my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) has tabled a proposal that emphasises the need for a plan for and provision in the crucial area of social care. We are nowhere near through this pandemic and we desperately need to encourage those working day in, day out in the care sector. Those watching this, perhaps in the course of their duties today, may well feel a bit down and depressed that we are not backing them a little more with this Bill.

Secondly, I wish to talk briefly to the question of care leavers, as addressed by new clause 2. Care leavers face numerous levels of disadvantage. Anyone who has worked in a local authority context will be aware of just how many placements the average child in care goes through. Many children go from home to home, from foster carer to foster carer, into residential care and out again, and into their own flat. Throughout that journey they often lose documents and the phone numbers of their legal advisers. Changes to legal aid mean that they can no longer access legal aid. We then have a very disadvantaged and needy 17-year-old who desperately needs immigration advice when they are about to turn 18. Such are the realities of children's lives in care. We are talking about a tiny number of individuals. It is the sort of clause that we should all be voting for so that a very small number of people are not left out of the system.

Thirdly, I call new clause 29 the Dubs clause. So many Members from all parties have spoken in favour of it, particularly the hon. Member for North East Bedfordshire (Richard Fuller), who has Yarl's Wood detention centre in his constituency. Many children are desperate to join family members here in the UK. Many other immigration systems in developed countries have positive family reunion programmes that are quick, that include a system in which people do not have to go in and out of the rules and write to MPs and everything, and that are clear and provide for children who have been torn from their families, mainly by conflict, so that they can get that reunification.

David Simmonds (Ruislip, Northwood and Pinner) (Con): Does the hon. Member agree that one of the big challenges for local authorities in making offers has been that in so many cases young people brought to the UK for family reunion find that the family member simply cannot take care of them? Does she welcome the fact that the Government have, at long last, announced a very substantial increase in the funding rate for local authorities that are caring for those young people as they go in adulthood? That will go some way to assisting the issue, about which many Members have talked today, of ensuring adequate provision for care leavers who have arrived in this country as unaccompanied minors or through family reunion, which can rapidly make them unaccompanied because their family member cannot care for them.

Catherine West: Indeed. The hon. Member and I may, I think, previously have been on joint, cross-party delegations to Ministers in respect of several subjects in the course of our local government work. It is important that the Government recognise the important specialist work that local authorities do, and the costs involved in having extra social workers, foster carers and so on, so that young people are properly supported in that process. I welcome any additional funding for local authorities to discharge that important duty.

Finally, I want to talk briefly about my experience a couple of years ago of visiting Brook House detention centre—in the constituency, I believe, of the hon. Member for Crawley (Henry Smith)—on the back of the report in 2014 that my hon. Friend the Member for Sheffield Central (Paul Blomfield) mentioned. He and other Members visited and did an extensive piece of work on indefinite detention and concluded on a cross-party basis that future legislation, such as this Bill, which is a wonderful opportunity, should introduce a 28-day limit, like every other European country has, on detention in immigration facilities.

We are not talking about the 300,000-plus people who arrive in the UK every year. We are talking about a tiny proportion of total immigration—very small numbers each year. I visited with the Gatwick Detainees Welfare Group, a volunteer group that visits facilities to provide friendship, second-hand clothing, mobile phones, and so on, to very vulnerable prisoners. These detainees are the only detainees in the whole country who go into detention and count up. Most prisoners count down from, say, one year—364, 363, 362, and so on. These individuals in immigration detention go in and potentially get lost in the system.

If any Member has ever had a case with the Home Office, they will know that the Home Office can make mistakes—[*Interruption.*] I see smiles. We could do something practical tonight and vote for this amendment, which has lots of cross-party support, and ensure a just outcome for this tiny number of people in immigration detention.

Mr Steve Baker: I rise to speak to new clauses 7 through 10, tabled in the name of my right hon. Friend the Member for Haltemprice and Howden (Mr Davis). I am proud, as I said earlier, to have put my name on those amendments with him, and I pay tribute to the superb speech he made earlier. I have heard him make many compelling speeches, but I would say to the Front Bench that his speech earlier was probably his most compelling yet and I agreed with all of it.

I signed the amendments because I want a humane and just immigration system, and of course one of the principles of justice is that we treat people equally. I am very happy to say that as we leave the EU my right hon. and hon. Friends are working towards an immigration system that treats people much more equally, and I am delighted because of course it is the sort of pledge I have been making to my very diverse community in Wycombe. I am delighted and wish Ministers well as they deliver it.

I want to turn to a particular point though. In talking about foreign national offenders, my hon. Friends the Members for Bishop Auckland (Dehenna Davison) and for Rother Valley (Alexander Stafford) said that constituents would not want these people loose in the UK. I am

quite certain that the constituents of Wycombe do not want these people in the UK, but I say to my right hon. and hon. Friends and the whole House that we do not in the United Kingdom imprison people indefinitely on suspicion that they might reoffend.

Indeed, in 2003, Labour introduced a system of imprisonment for public protection, very much along those lines, and a Conservative Government repealed that system of IPP. I hope that my hon. Friends will not mind my saying that I feel a bit long in the tooth for remembering that we repealed that system. We did that because it was right to do so. I want to treat persons from outside the United Kingdom as morally, legally and politically equally as we properly treat people in the United Kingdom, and that means it is not right to detain people indefinitely on suspicion.

Of course, I do not think it is right either that we should be keeping serious offenders in the UK and paying for their upkeep. We should certainly be reforming the system so that such people are promptly deported, which the Home Office insists requires indefinite detention. I agree again with my right hon. Friend the Member for Haltemprice and Howden that were the new clauses to pass it would put pressure on the Department to ensure that people are promptly removed.

I want to put on the record exactly what the Home Affairs Select Committee said about indefinite detention:

“lengthy detention is unnecessary, inhumane and causes harm”.

It also recommended bringing

“an end to indefinite immigration detention and implementing a maximum 28-day time limit.”

I am absolutely in favour of doing that in combination with seeing to it that we can remove foreign national offenders.

I possibly have not got time, but I want to cover a couple of other points.

Mr David Davis: My hon. Friend and I have fought together on other battles, not least Brexit, with one thing being that we viewed Britain as rather distinctive. Does he, as I do, see it as shameful that the one thing we are distinctive on in this case is that we are the only country in Europe that allows the indefinite detention of people in our country?

5 pm

Mr Baker: I am grateful to my right hon. Friend for that, and I certainly share his sentiment, but, for reasons that I am going to come on to in a moment, I am going to try to avoid any words of condemnation. I wish to thank Detention Action for providing a helpful briefing, which points out that the claim that trafficking victims, with whom it works, are rarely detained beyond 28 days is “not true”. It has given us a number of accounts, but I am sorry to say I do not have time to read all of them into the record. However, it states:

“J had to leave her country of origin because her partner, who held a senior position in the army, was abducted and she was raped by the people who abducted him. When she tried...to leave her country, she ended up being trafficked”.

The story goes on and on. Such a person ought to be helped. We have a real problem with people who have been trafficked all too often ending up with criminal offences; we end up prosecuting, whereas they are people for whom we should have compassion. I do not doubt that these cases raise extremely delicate and tricky issues

[Mr Steve Baker]

of evidence and justice, because, of course, some people will plead falsely that they have an excuse under a trafficking law, but we really do have to rise to the challenge of looking after people such as J, and indeed A and P, whose stories are in this briefing.

On this point about the availability of bail meaning that people are not detained for longer than they should be, let me say that that is not correct. I understand that £8 million was paid out in unlawful detention cases in 2019, and that judges have wide discretion—indeed, my right hon. Friend’s new clauses try to reduce that discretion. Bail decisions can be made on the basis of very limited evidence, and first tier tribunal judges in bail hearings do not have jurisdiction to decide the lawfulness of detention, only the High Court can do that. On and on the evidence goes, but I do not have time to put it all on the record.

What do I really want to say to the Minister? I want to praise him and officials, because I recognise, after 10 years of representing Wycombe, diverse as it is, that dealing with immigration is an extremely delicate, difficult and tricky job, characterised by very high volumes of often heartbreaking case work. I want to pay tribute to officials and I do not want us to be in an environment of condemnation, where people who are working hard and doing their best, with high levels of skill, end up with so much incoming fire. I do, however, want to say to the Minister that I could have stood here for another 20 minutes going through cases of injustice and setting out areas where there is opportunity for reform.

As a former Brexit Minister responsible for legislation, I recognise that this is an EU withdrawal Bill and its scope is:

“To make provision to end rights to free movement of persons under retained EU law”

and so on. Listening to the debate, it seems that we have perhaps forgotten that this is the Report stage of such a Bill. I understand the scope of the Bill and that this is not the end of the journey on immigration, but I say as gently as possible to the Minister that when he comes to the Dispatch Box I am hoping that he will set out something of where the Government intend, in the round, to get to on these issues of justice in the migration system and, in particular, on the principle of indefinite detention. It is right, morally, that we should treat people equally, wherever they come from, whether they are UK citizens or not. With that in mind, we really should be working towards ending indefinite detention, and we should certainly make progress on all those other areas on which I can and will provide details to the Minister. I hope we can do that without an endless series of urgent questions and Adjournment debates.

Christine Jardine: I wish to speak to new clauses 26 and 28, and to support new clauses 1, 7 to 10, 13 and 29. I believe this Bill is hugely flawed and potentially damaging because of the atmosphere it will create and the way in which it will undermine people who make a valuable contribution to our economy. If we accepted the jigsaw of amendments, we could turn the Bill on its head and it could become a positive and welcoming piece of legislation, which would value people who come to this country and make a contribution. It would welcome children, reunite them with their families and send a positive message to the rest of the world.

New clause 26 would remove the right-to-rent charges, which the High Court ruled in March 2019 caused landlords to discriminate on the basis of ethnicity when demanding proof from proposed tenants, and therefore breached their fundamental human rights. I would think that a right-thinking Government would want it in the Bill, to protect those human rights.

New clause 28 is about the sharing of data between public bodies such as police, the national health service and schools with the Home Office for immigration enforcement purposes. That is a fundamental pillar of the hostile environment that has appalling implications for those it affects, and often prevents victims and witnesses of crimes from coming forward for fear of being detained or deported.

As I say, those two new clauses could fit with the jigsaw of amendments placed before Parliament today, and fundamentally change not just the Bill but the atmosphere it creates and how it treats those who come to this country in search of a new life, including those whom we have for the past three months gone out many Thursdays and applauded for the contribution they make to our national health service and social care—the contribution they have made by putting their lives on the line for us. Instead of demanding a surcharge from them to work in that service, we should offer them indefinite right to remain in this country.

By making these changes, we would move away from the hostile environment, which I learned the origins of today, and I have to say that I am not as concerned about those as Conservative Members are. I am concerned about the impact it has had and continues to have on this country. I therefore ask the Minister and the Government to seriously consider these amendments, which would send out a message that we value people for who they are and the skills they bring to this country, and not just the monetary value of what they earn. We could do away with the NHS surcharge and allow those who have contributed to remain in this country and feel valued. We could create a system that reunites lonely, vulnerable, displaced children with their loved ones and gives them an opportunity to have a fine life, a good life in this country. We could say that we recognise that it is inhuman to keep people in detention for more than 28 days, and we could give asylum seekers the right to work, to contribute, to bring their skills to the table and help build and enhance our society and our economy, rather than denigrate them, rob them of their dignity and see, as a result, the sort of tragedy we witnessed in Glasgow last week.

We could send a message that we want to welcome people, that we will value them, and treat them humanely and with compassion. That is the country I have always understood us to be. An hon. Member said earlier that some of us on the Opposition Benches just do not get this country. I would contend that it is those of us on these Benches who do get this country, who get the people in this country and who get what they want to offer the people who come here to make a contribution and who have helped to make this country what it is.

Mr Mitchell: I have listened carefully to what has been said by Opposition Members, and I am not persuaded that the Bill is anything other than a good piece of legislation on the whole. The question for the House this afternoon is whether it could be improved, and that

is why I put my name to the amendments and new clauses tabled by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), by my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) and by the Chair of the Home Affairs Committee. I will listen carefully to what the Minister says, but he should remember that the Bill has a long journey still ahead of it down to the other end of the Palace, where undoubtedly some of these issues will be prominent in the minds of their lordships.

Like the hon. Member for Hornsey and Wood Green (Catherine West) I had the opportunity, courtesy of the Home Office, to visit Brook House. I went there following the “Panorama” programme, which led us to believe that the conditions were inhumane. Actually, I thought the conditions were both humane and decent.

I will come directly to the point I wish to make about the proposal for a 28-day limit. The problem is that the best regime in the world cannot ameliorate the fundamental injustice of a system that arbitrarily imprisons people without time limit, solely for administrative reasons. This is a matter not of criminal justice, but of the administration of our immigration rules—the distinction is important.

Many people in immigration removal centres have never been charged with any crime, while some have previously been in prison following conviction for a criminal offence, but have served their time. All are detained purely and simply because they are liable for removal. Some go on to be removed, but more than half are released at an arbitrary later date and are able to remain in the United Kingdom either temporarily or permanently. As other Members have said, we remain the only country in Europe to detain people indefinitely for the purposes of immigration enforcement.

If individuals have no right to remain here, our priority should be to strongly encourage other countries to accept the return of their citizens. That is something the coalition Government spent a lot of time trying to do from 2010 to 2015. Indeed, we should negotiate such deals and procedures as an urgent necessity. In this way, individuals are no longer left in limbo in immigration detention.

The proposal for a 28-day limit applies only to the use of arbitrary indefinite administrative detention. Convicted criminals will serve their sentences and then face removal if they have no right to remain. If the crime is particularly serious and the prisoner presents a risk to public safety, it will be for a criminal parole board to carry out a risk assessment and decide when and if they can be released. In those extreme cases, we should surely expect the immigration service to have removal arrangements in place to coincide with the release date.

The proposal is not a seismic change, but it would save the country the more than £500 a week per person that is currently spent on detention. That is a significant saving, since 27,331 people entered detention in 2017 alone. In addition, I was surprised to discover, as I indicated to my right hon. Friend the Member for Haltemprice and Howden, that over the past five years, £21 million has been paid out in damages for unlawful detention. That figure came from a recent Home Office question. That figure could be vastly reduced, if not eradicated, if a 28-day time limit were in place.

Mr Steve Baker: Of necessity, the amendments that have been selected apply only to EEA and Swiss nationals. Will my right hon. Friend join me in saying to Ministers that we would like the Government to adopt this proposal, but for everyone?

Mr Mitchell: My hon. Friend makes an extremely reasonable point. I am sure that the Minister, who will have listened to the reasonable points that have been made on both sides of the House, but particularly on his own side, will take it on board.

The absence of a time limit does nothing to promote speed and efficiency in the administration of justice by the immigration service. I believe that the introduction of one would improve working practices, as well as creating a more humane system of immigration control.

Mr Deputy Speaker (Mr Nigel Evans): There are eight people on the call list and we have just over half an hour. If everybody sticks to four minutes, even if they take an intervention, we will get everybody in. Help your colleagues, please.

Stephen Farry (North Down) (Alliance): I want primarily to address new clause 12, which appears in my name and the names of other hon. Members, but I will first make a couple of other points. I agree with the many Members on both sides of the House who have spoken in opposition to the hostile environment. To those who are, in a sense, celebrating the end of freedom of movement, I stress that it has worked both ways. It has also provided opportunities for UK citizens inside the European Union, which we are now walking away from.

I want to make a few detailed comments on new clause 33, of which I am a co-sponsor. The ending of freedom of movement in relation to Northern Ireland brings some potential distortions, above and beyond the challenges facing the UK economy and society overall. Northern Ireland exists in both a UK-wide and all-Ireland context. Under the Ireland/Northern Ireland protocol, we stay in the single market with respect to goods, but the four fundamental freedoms are interconnected. That includes the freedom of movement and the ability to engage services. The protocol makes reference to the wider context of north-south co-operation. That will create some degree of difficulty, particularly for EEA nationals who are engaged in enterprises that operate on both sides of the border in Ireland. We run the risk of seeing industries that depend heavily upon labour from elsewhere in Europe not being competitive any longer and moving out of Northern Ireland, southwards into the Republic of Ireland.

5.15 pm

New clause 12 seeks to ensure the priority of rights, opportunity and treatment for Irish citizens within the United Kingdom. Historically, Irish citizens have relied on the common travel area, which is informed by a number of pieces of legislation, including the British Nationality Act 1948, the Ireland Act 1949 and the Immigration Act 1971. However, it is still largely essentially a convention between the UK and Ireland. In more recent times, common travel area rights have been overlaid by freedom of movement, due to the joint membership of the European Union by the UK and Ireland. We do not know exactly what will happen whenever that is stripped away.

I do not doubt the sincerity of the UK Government in relation to the common travel area. Indeed, this has been part of the Brexit negotiations, and there is a memorandum of understanding between the UK and Ireland. But we have seen some mixed signals around Irish citizens and the EU settlement scheme. We have been told that they do not need to apply but can apply, while Irish citizens from Northern Ireland should not be applying. It is a confusing picture, which at the very least suggests that there is something more tangible in terms of the EU settlement scheme than under the common travel area.

On the surface, clause 2 goes some way to give reassurance to Irish citizens and address some of the anomalies, but the explanatory notes are clear that this will only apply to immigration issues. The EU settlement scheme covers much more, including residence, family reunion, equality of treatment, rights of workers, rights of the self-employed, recognition of qualifications and voting. Only voting is currently explicit within UK law.

The Northern Ireland Human Rights Commission has referred to the common travel area as being “written in sand”. There was no public consultation on the memorandum of understanding, so it has not been stress-tested. There may well be concerns whenever we look to the implementation of the citizenship clauses of the Good Friday agreement and how people who are solely Irish will be impacted down the line if that particular area is properly addressed in UK law. Ideally, I would like to see a UK-Ireland treaty to encapsulate the common travel area, but short of that, this new clause would go some way to giving that reassurance and ensuring that things are entirely future-proofed.

Gary Sambrook (Birmingham, Northfield) (Con): I was pleased to serve on the Bill Committee, which was my first in this place. It was a whole five days of my life that I will never get back, but it was very enjoyable and informative. I particularly enjoyed the submissions from the Migration Advisory Committee, the Federation of Small Businesses and No5 Chambers, a Birmingham law firm. It was good to see a Birmingham firm down here contributing to our national debate. I cannot say that I agreed with most of what it said, but it was good that it was contributing.

A number of Government Members, including my hon. Friends the Members for North East Bedfordshire (Richard Fuller) and for Winchester (Steve Brine), have mentioned the real genesis of the hostile environment. They named him, but he is actually a Member of this place—the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), who was also the architect of austerity, because we all remember the little note he left behind as Chief Secretary to the Treasury. He still sits on the Labour Benches. Labour MP after Labour MP stand up and complain about the hostile environment and austerity, but sat among them is the architect of austerity and the hostile environment. That is the sort of double standards that I do not want to see representing the west midlands in the mayoral election next year.

The ending of free movement of labour is a key cornerstone of the manifesto that I stood on in December and something that I am keen to get into legislation as quickly as possible. People have been calling for this for many years and many a politician have ignored their wishes. Included in this points-based system are things

such as having a job offer or a sponsor before coming here, or being able to speak English sufficiently well, or meeting tougher criminality checks. Those are the sorts of things that people have been calling for and I am pleased that I am supporting those measures in this Bill tonight.

On the issue of immigration detention, I say to my colleagues that I hear their concerns, but I am convinced that immigration detention is used as a last resort. It is an absolutely necessary tool to ensure that we keep people safe on the streets of our country.

As my hon. Friends the Members for Bishop Auckland (Dehenna Davison) and for Rother Valley (Alexander Stafford) mentioned, the list of people who would possibly have been released early had we put in place a 28-day limit would have made it hard for me to look any of my electors in the eye. I would not have been able to say that I had allowed those people on the streets early when I was out door-knocking. It is not as if those people are just banged up and forgotten about; they have rights. If they think their immigration detention is unfair, they can apply to a judge, and their case is often heard within a matter of days. Anyone wishing to leave immigration detention can do so at any time by simply leaving the country. I agree that, in general, the whole asylum and removal system needs to work much faster, but we also need to have a tough and robust system in place.

Many Opposition Members would have us believe that, if we did not have EU migration, the social care sector and the NHS would fall apart overnight, but as we heard in the evidence sessions from Brian Bell from the MAC, only 5% of the social care sector comes from EU migration. The hon. Member for Hornsey and Wood Green (Catherine West) said that she thought the Bill had been written before the covid crisis. I can tell her that, a couple of weeks ago, during the crisis, the latest claimant count from my constituency was 10.2%. Is she and many other Labour Members—

Mr Deputy Speaker (Mr Nigel Evans): We have to move on, sorry.

Wendy Chamberlain (North East Fife) (LD): I speak in support of new clause 38, tabled by my hon. Friend the Member for Edinburgh West (Christine Jardine), and new clause 36, tabled by the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), both of which I have signed.

The largest employer in my constituency is the University of St Andrews. I visited there back in February as part of the Royal Society’s parliamentary pairing scheme. I enjoyed seeing the amazing work that is being undertaken by researchers from across the EU and beyond and supported by EU funding. Their status and the funding that supports their ground-breaking work are both at risk. As of May 2020, more than 9,000 EU nationals in Fife have applied for settled status, yet nearly 4,000 are either still waiting for a final decision or have only been granted pre-settled status. I am not convinced that the Home Office will be properly able to manage the settled status applications of my constituents and the 3 million other EU citizens living in this country. Providing no certainty is no way to treat them. A British Futures report estimates that the difficulties in navigating the application system and the lack of awareness of the

process will result in 175,000 EU citizens living in the UK with an insecure immigration status or no status at all. We risk the denial of legal rights of jobs, homes and medical care to EU nationals who are entitled to them but cannot prove it, and that is not right. That is why I speak in favour of new clause 38, which would ensure that all EU citizens have settled status and require the Government to make available physical proof of that status.

A particular concern has been raised with me by constituents relating to comprehensive sickness insurance and I thank Fife4Europe for its representations to me in this regard. CSI was not a requirement for settled status until Government policy appeared to change on 15 May this year. EU citizens who are students or classed as self-sufficient do not need it. That is unjust. There was no CSI requirement for a number of years, and many of my constituents who are EU citizens are understandably concerned. There are some urgent questions for the Government to answer. Why has the requirement been introduced at this time? What are the reasons for it? What steps are the Secretary of State and the Minister taking to ensure that EU nationals are aware of this new requirement? Will it be applied retrospectively? What does it mean for applications currently being considered? I ask the Minister to provide clarity on this issue.

There has been little communication, zero justification and the cloud of uncertainty over EU citizens is growing. My constituents are concerned that the retrospective application of the CSI requirement could be used to prevent people from attaining settled status and prevent those who do have settled status from gaining citizenship. The fact that EU citizens in my constituency are worried about this indicates the total lack of trust and communication between the Government and these individuals, who have been left frustrated and concerned by intolerable delays. Therefore, I urge Members to support new clause 36 in the name of the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East, which would ensure that not having CSI could not be used to disqualify an EU citizen with settled status from citizenship.

Finally, I would like briefly to address the role for workers in our agricultural sector. I welcome new clause 37, tabled by the Leader of the Opposition, which would require the Government to publish data on where skill shortages are in our economy. If we do not have the data, we will not be able properly to assess our agricultural needs. Farms in my constituency have access to the seasonal workers pilot scheme, but it is clear that we need a lot more people to be able to come here to work under the scheme. The figure of 10,000 was almost plucked from thin air. It was clearly never going to be sufficient.

Obviously there are challenges this year in relation to covid, but farmers are being told that they need almost to go back in time in how they harvest their crops, and that is simply not sustainable. I commend the local workers who are working on our farms—some during furlough—but we should note that fruit picking is no longer some part-time hobby occupation. These are operations with multiple complex supply chains that cannot operate on a hand-to-mouth basis while waiting to hear what crumbs the Government are going to provide to augment the workforce. I must also mention

that many of the workers who come from abroad also train other people. The Government simply have to do more in this regard.

Mr Richard Holden (North West Durham) (Con): I was delighted to sit on the Bill Committee with my hon. Friends the Members for Bishop Auckland (Dehenna Davison) and for Birmingham, Northfield (Gary Sambrook), who have spoken in this debate. It is always interesting to get that extra Birmingham-west midlands angle, particularly in relation to the previous comments by the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) about the hostile environment.

As my hon. Friend the Member for Meriden (Saqib Bhatti)—another west midlands Member—said, this Bill paves the way for a new system that values people on what they can contribute to the UK, rather than where they are from. That is the fundamental underpinning of what we are doing today. I associate myself with the comments made by my hon. Friend the Member for Bracknell (James Sunderland), who said that those who have served our country deserve to be treated with dignity and respect for the contribution that they have made. I hope that the Government will continue to look at ways in which those who have served this country, either in the military or in other forms of public service, can be sped through the immigration system to make it easier for them. Overall, there is no doubt that immigration has made a massive contribution to the United Kingdom, whether that is through many of my constituents who came over decades ago from the Republic of Ireland, or the people who came to the other parts of the UK from the Commonwealth and across the world more widely.

Let me turn to the amendments. I share some of the concerns raised by my hon. Friends the Member for East Worthing and Shoreham (Tim Loughton) and for North East Bedfordshire (Richard Fuller), and my right hon. Friend the Member for Haltemprice and Howden (Mr Davis), who made some really strong arguments. However, I worked with the Minister in Committee and know that he is working hard to ensure that as many concerns as possible are addressed. I hope to hear more about that in his winding-up speech.

On new clause 7, it was good to hear the hon. Member for Sheffield Central (Paul Blomfield) mention that new options for detention are being looked at, including perhaps in a community setting. If such measures save money and deal with situations more efficiently, they are exactly the sort of things we need to be looking at.

I also share the concerns raised through new clause 12, as this is an issue that is particularly dangerous; we need to ensure protections for those from the Republic of Ireland who have been here for very many years, and with whom we have a different and historical relationship. We should not be splitting up that relationship through this legislation or treating those people as we would other people from across the world. The EU settlement scheme has been a great success. I urge the Government, as I do my constituents, to do everything possible to ensure that people who can settle here are settled here. It might be time for a big Government communications programme to the public on that point.

My hon. Friend the Member for West Aberdeenshire and Kincardine (Andrew Bowie) said that the system will be better and fairer. I really do hope that that is

[Mr Richard Holden]

the case. It is particularly important for my constituents—whether from Weardale, Consett, Crook or Willington—that they see the system that we promised at the election coming forwards: a system that values everybody equally. This Bill really honours that commitment. It honours not only the referendum but the result of the last general election, which delivered a majority for the Conservative party not seen for 30 years, and in which seats like mine finally woke up to the fact that the Labour party was not listening to them any more on issues like this.

The Bill will therefore have my support today, but I hope that the Minister will be able to address some of the issues raised by hon. Members from across the House.

5.30 pm

Matt Rodda (Reading East) (Lab): I am grateful for the opportunity to speak in this important debate. Before I start, I would like to thank Members from across the House for their support for me, the victims of the tragedy in Forbury Gardens and indeed our whole local community. It has been a very difficult time for our town.

This debate addresses a series of important issues, which, as Members have said, affect the rights of European citizens living in Britain and many other vulnerable people. I support the concerns that have been expressed on a number of points and very much recognise the powerful speeches that have been made. I am aware of the limits on time, so I want to focus on new clause 2, on vulnerable children, and new clause 14, on scrapping the surcharge. I want to talk about the loss of rights that is, I am afraid, a defining characteristic of Brexit.

This is a very serious issue for people in my constituency living in Reading and the neighbouring town of Woodley. We have over 7,000 EU residents living in our constituency and I pay tribute to them. These are hard-working people who make a significant contribution to our community and indeed the whole country. They have made Reading and Woodley their home, and they should be supported and respected. That, for me, is the context of these two new clauses.

New clause 2 relates to the issues affecting vulnerable children. I am very aware of the problems with the settled status scheme. I have dealt with a number of issues facing EU residents in my area. For example, it is difficult for someone to go through the scheme if they have limited documentation. They might perhaps have an incomplete set of payslips because their employer does not provide them, they may have lost them, or there may be some other issue. They might have had to come in and out of the UK to visit or support relatives in the EU. They may be a long-standing resident, perhaps retired, who moved to this country after world war two and has made a contribution for many decades. All these categories of people are struggling to go through the settled status scheme.

Imagine the difficulties, then, faced by vulnerable children and their social workers, as described so effectively and eloquently by the hon. Member for East Worthing and Shoreham (Tim Loughton). This is a really challenging issue for hard-pressed social workers. In my area, and indeed possibly in his constituency, social services are under severe pressure. We struggle with a lack of funding for them. We have high living costs locally. The last

thing a hard-pressed social worker is going to be able to do is to provide a great deal of extra documentation and support, however much they wish to do that. It is worth considering supporting this new clause, and I urge Members from across the House to do so.

The point about the surcharge has been well made, and I concur with my hon. Friend the Member for Halifax (Holly Lynch). At this time, when so many of the workers in our health and social care services are from the European Union, surely we should be supporting them and doing absolutely everything to make them feel welcome in this country. Enshrining the Government's words in law is very important at this point. Hundreds of people in my constituency work in the local hospital and have been on the frontline during the covid crisis. Some of them have actually stayed across the road from the hospital in temporary accommodation—effectively, in Portakabins—to maintain social distancing from their families. These are the sorts of people we should be showing support and respect for tonight. I therefore urge Members to support the new clause.

Nicola Richards (West Bromwich East) (Con): I support the contents of this Bill. It is straightforward and to the point: we are delivering on our promises in ending the free movement of people from the EU. The calls to end free movement of people were never about some skewed idea that the British people are inherently xenophobic. They were never, as some have attempted to brand them, part of a wider project to shut our island off from the rest of the world.

I have always been a strong believer in the need to open up our immigration system to the best talent from across the world, and not limit ourselves. This Bill is not designed to shut people out. The coronavirus pandemic has shown that we need to co-operate with our friends and partners across the world even more closely as we look towards our collective recovery. We are of course committed to controlling and reducing migration overall, but this must be done by extending the opportunities open to those from other countries outside the EU.

On new clauses 7 and 8, I hear the concerns of my colleagues across the House.

Sir John Hayes (South Holland and The Deepings) (Con): My hon. Friend is right about the balance between migration from outside the EU and from within it, but we need to cut immigration per se. It is not just a question of displacement. This is a question of cutting immigration, as we committed to do and as the British people want us to.

Nicola Richards: I agree with my right hon. Friend. Obviously, we want to reduce the numbers on immigration. We were not able to do that while we were members of the European Union, but overall, it limited the number of countries and the areas that people were able to come from and that is what we are putting right now.

On new clauses 7 and 8, I hear the concerns of colleagues across the House, but I am pleased to hear that the Home Office already looks to avoid detention altogether where this is possible through community engagement programmes, and that detention is only really made where there is a reasonable timescale for the removal of an individual. I agree that detaining an individual indefinitely is wrong and should not happen.

Our current dual immigration system is simply not fit for purpose and does not serve our interests as a country. That is exactly what the people of West Bromwich East tell me. From Friar Park to Great Barr, people have been saying the same thing—that the EU does not and did not work for us. It became a one-size-fits-all club, especially with regard to immigration, and we have had enough.

I have said in the House before that we Black Country folk are proud of our diverse communities and we value those foreign nationals, both from the EU and elsewhere in the world, who help to deliver a world-class health system. I am really pleased that the new points-based immigration system will not just allow, but actively welcome a range of health professionals to this country. Our NHS simply would not function without the dedicated army of foreign nationals who work in it. We can see this on display in every hospital across the country, including Sandwell General Hospital, which serves so many of my constituents so well. The Bill allows us to further protect our treasured health service, as we can go beyond the strict arrangement that we have been bound to while in the EU by adding more flexibility to the way that we recruit our doctors and nurses. So we should embrace this opportunity.

This short Bill is the natural precursor to the immigration framework that we want to operate under once the transition period ends. It is surely right that, in an open, tolerant meritocracy, such as the one we have in Britain, we should have an immigration system based on skills rather than nationality. I also welcome the Immigration Minister's commitment to a "digital by default" system. I know from my own casework that this has been a difficulty for some people and I am pleased that we are looking to make these necessary changes.

A simpler, fairer immigration system is what the Bill will pave the way for. I think that it is a landmark moment, given the strength of feeling about immigration in our communities, and it proves that the Government are getting on and delivering on their promises. This is democracy working at its very best. We are stripping away the old and allowing ourselves to be bold and ambitious moving forward. I want the people of West Bromwich East to know that this is what we voted for and it is what we are delivering on. I commend the team at the Home Office for their work, and I commend the Bill in its current form.

Jim Shannon (Strangford) (DUP): Like many others, I have been inundated with briefings and questions regarding the Bill, and I understand the importance of us all getting things right today, if possible. We certainly must, at all costs, protect our social care sector.

I was very happy to add my name, along with my hon. Friend the Member for Belfast East (Gavin Robinson), to new clauses 3 to 10, in the name of the right hon. Member for Haltemprice and Howden (Mr Davis). I hope that he presses these amendments to a Division and that the Government perhaps will accept them, even at this late stage. I feel strongly about the time limit on immigration detention. New clause 3 would hopefully change that to protect people by having a period of 28 days. The other proposals relating to bail hearings, the criteria and duration are also important, and it is so important that we get this right.

I have seen the existing pressure on the social care workforce in my constituency, and one thing is certain from their side: there is not the staff or structure to carry all that is required. The social care workforce will need to expand to deliver the Government's laudable commitments. It is important to note that the number of staff needs not only to rise to reduce the over 120,000 vacancies that currently exist, but to increase considerably over a sustained period to meet the Prime Minister's pledge to give every older person the dignity and security that they deserve. The current system leaves a large number of vulnerable people going without any help.

Research by the Nuffield Trust indicates that providing just one hour per day to older people with higher needs who currently get no help would require approximately 50,000 additional home care workers in England alone, never mind Northern Ireland, Scotland and Wales, and providing two hours per day would require 90,000 extra workers.

Although it can be argued that the economic impact of covid-19 will pull in more domestic workers, it is far from clear that that will create the permanent step change needed to deal with the loss of migration, fill the vacancies and grow the workforce all at once. In her new clause 29, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) has put forward a solution, and I hope that there is a cross-section of people in the House who will pursue that.

Analysis of the data by the Nuffield Trust shows that, from 2009-10 to 2018-19, almost half—46%—of the expansion in the social care workforce across the UK was accounted for by people born outside the United Kingdom. That is a case for why we need an immigration system that enables those people to come in and help our social care system. In regions with the greatest projected future need for social care, such as London, not only has the proportion of EU staff increased over time, but migrant staff now make up a large proportion of staff, with more than two in five care workers from abroad.

I remind the Minister very gently and respectfully that countries such as Australia and Canada have long employed points-based immigration systems and have introduced a range of special migration programmes out of necessity, including to help the long-term development of the domestic workforce. New Zealand has an agreement with the residential care sector under which it may offer more generous visa terms, such as longer stays, for a range of key jobs, including personal care assistants and care workers. In exchange, employers develop plans to boost the domestic workforce.

Having seen vulnerable people struggling to care for themselves, and yet knowing the difficulties of securing an adequate care package, I welcome this opportunity to speak on this matter. I hope that the Government listen to Members' pleas in relation to the new clauses that have been tabled. They were tabled for the right reason—to do what is right today.

The Parliamentary Under-Secretary of State for the Home Department (Kevin Foster): It is always a pleasure to follow the hon. Member for Strangford (Jim Shannon). It is a pleasure I have had on many occasions since joining the House. Overall, this has been a good debate on a wide range of issues relating to immigration. Members will appreciate that, in view of the time remaining,

[Kevin Foster]

I will be unable to respond in detail to every new clause and amendment. However, I would like to address some of the more prominent issues that were raised during the debate.

I know that Members were restricted by the narrow scope of the Bill, but I would like to put on the record that most of the new clauses and amendments, if implemented, would lead to a discriminatory immigration system with differential treatment between EEA and non-EEA citizens, which cannot be justified and is not in line with the Government's approach of having a single global migration system in the future. However, I accept that the reason for the wording of the amendments was to get them in scope.

I turn to the 31 Government amendments in relation to social security co-ordination, which is dealt with by clause 5. As social security co-ordination is transferred in respect of Northern Ireland and partially devolved to Scotland, clause 5, as currently drafted, confers powers on a Scottish Minister or a Northern Ireland Department to legislate in areas of devolved competence. As is required, we sought legislative consent from the Scottish Parliament and the Northern Ireland Assembly. Social security is reserved in Wales.

The relevant Northern Ireland Minister has indicated that a recommendation will be put to the Executive to bring forward a legislative consent motion in the Assembly; however, the Scottish Government confirmed on 19 June that they would not recommend legislative consent. The Government amendments therefore amend clause 5 and schedules 2 and 3 to restrict the powers in the Bill in relation to Scotland so that the clause does not now engage the legislative consent process in the Scottish Parliament. I therefore hope that Members will be prepared to agree to the amendments.

Turning to one of the more substantive issues raised, the hon. Member for Argyll and Bute (Brendan O'Hara) started the debate around new clause 1. I recognise that Members across the House care deeply about the health and social care sector. I am pleased to again place on the record the Government's thanks and recognition of the fantastic job that those working in health and social care do for the whole of our United Kingdom.

5.45 pm

That is why we will introduce a health and care visa, details of which will shortly be confirmed, which will provide eligible health and social care workers with fast-track entry and reduced visa fees. To confirm, the salary thresholds under that system for doctors, nurses and a range of allied health professionals will be based on the relevant national pay scales. More widely, senior care workers will also qualify under our points-based system. We will also look into exempting eligible workers in health and social care from having to pay the immigration health surcharge, as announced by the Prime Minister.

It is, though, important that the social care sector moves away from a reliance on the UK's immigration system to focusing on investing in and attracting UK-based workers to take up roles within it. That is particularly important, considering the impact that covid-19 has had on many individuals. We must be realistic: there will be people who will be unable to return to their previous jobs.

On new clause 1, I emphasise that the Migration Advisory Committee can produce regular reports now. In the past, it has only acted on commissions from the Government. In the future, it will produce a welcome annual report on how the migration system is operating and will also have the opportunity to look at areas of its own choosing, as I explained in Committee. Therefore, I would gently suggest that setting out in legislation reviews that it should or should not do, or asking the Government to do a review when actually it would make more sense to ask the MAC, jars with its idea of being independent. I hope Members will take that in the constructive spirit in which it is meant as to how in future there will be the ability to lobby the MAC to independently decide to undertake reviews, rather than rely on the Government instructing it.

Probably the strongest and most passionate speeches we have heard relate to detention time limits. I share many of the views that have been expressed, but first I want to set out how the Home Office uses detention. First, our immigration system must encourage compliance with immigration rules and protect the public. Individuals who have no right to be in the UK have every opportunity to leave voluntarily, but we must be able to enforce their removal practically if they refuse to do so. Prior to the covid-19 pandemic, we were removing over 9,000 individuals per year from the immigration detention estate, plus a further 1,350 foreign national offenders directly from prison. While detention is an essential part of effective immigration control, we must ensure that our detention system is firm, fair and humane and is only used where other options cannot be. As such, we are currently progressing ambitious reforms to our immigration detention system, in line with several strategic priorities.

First, we are committed to keeping the use of immigration detention to a minimum and to ensuring that all decisions to detain are well made, with adequate safeguards and support in place. Secondly, we are committed to ensuring that anyone who is detained is treated with dignity and housed in accommodation that is fit for purpose. Finally, we are ensuring greater transparency around our detention decisions. We have made, and are continuing to make, significant changes to our immigration detention system, including strengthening our safeguards and exploring alternative detention for those where it would be appropriate. As has been touched on, it is subject to independent scrutiny by a number of bodies. I ask Members present, particularly Members on the Government Benches, to reflect on the fact that the immigration detention estate is now almost 40% smaller than it was in 2015 and is of a better quality, and that in the year ending December 2019, 8,000 fewer individuals entered detention than in 2015. Those who are detained are also spending less time in detention: in the year ending December 2019, 74% of individuals were detained for 29 days and just 2% were in detention for over six months. So, Mr Deputy Speaker, you can see the progress that we have made.

It is often argued, and has been argued today, that the UK is out of line with other countries in not having a time limit. A number of countries—Canada and Australia, to name two directly comparable jurisdictions—have no time limit in place, and very few European countries have very short time limits, and certainly none have time limits as short as those proposed in the new clauses.

In his 2018 report, Stephen Shaw said that he had yet to see a coherent account of how exactly a proposal for a 28-day time limit had been arrived at—a view with

which the Government agreed. However, we recognise that we need to fix parts of the system, which have been highlighted by my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) and my hon. Friend the Member for Wycombe (Mr Baker). In general, the whole asylum and removal system needs to work much faster and more cleanly, plus more fairly. The legal process can often take a number of years, with repeated appeals and claims being made—some of which are completely contradictory to previous claims by the same person. The Home Office is developing legislative measures to reform the operation of the law in this area. Where serious criminals are nationals of other countries, they need to be removed rapidly from the UK—ideally, straight from prison. This will further reduce the need for longer periods of detention for the public good. Where people have valid asylum claims, we want to be able to handle them with humanity and compassion, which also means speeding up decision making.

I wish I could give the full details and perhaps have a useful exchange, but with about eight minutes left, I am unable to do so. However, I do look forward to working with the hon. and right hon. Members who have spoken this afternoon—they have made their points with the determination I would expect from those committed to this cause—about how we can take forward the proposals to create what I think we all wish to see, which is a system that would be of benefit.

Mr Steve Baker: I have been listening to the Minister very carefully, and I repeat my earlier praise: he has a tough job to do. I do recognise that this Bill relates to the withdrawal agreement, and I can tell him that I will abstain on the amendments I have signed, and I shall vote with the Government on the rest of them.

Kevin Foster: I very much welcome my hon. Friend's comments. Certainly, the Government look forward to working with him and my right hon. Friend the Member for Haltemprice and Howden, because this is an area where we want to see better outcomes for everyone—a better outcome for those who end up in the immigration system, and a better outcome for the taxpayer and the public as well.

Moving on to new clause 2, I welcome the opportunity to speak about the important issue of how we best protect the rights of vulnerable children in care and care leavers. Since the full launch of the EU settlement scheme in March last year, we have had agreements and plans in place with local authorities to ensure that relevant children and care leavers receive the support they need in securing their UK immigration status under the scheme. Local authorities and, in Northern Ireland, health and social care trusts are responsible for making an application under the EU settlement scheme on behalf of an eligible looked-after child for whom they have parental responsibility by way of a court order. Their responsibility in other cases to signpost the scheme and support applications has also been agreed.

The Home Office has implemented a range of support services to ensure local authorities and health and social care trusts can access help and advice when they need it. This has involved engaging extensively with relevant stakeholders such as the Department for Education, the Local Government Association, the Ministry of Justice, the Association of Directors of Children's Services and

equivalents in the devolved Administrations. Guidance has been issued to local authorities regarding their role and their responsibilities for making or supporting applications under the scheme.

The Home Office will be conducting a further survey of local authorities across the UK shortly, as part of the support we are offering to them with this important work. This survey will ask local authorities to provide the assurance that they have so far identified all relevant cases. We will share relevant data from the survey with the EU settlement scheme vulnerability user group, comprising experts from the local authority and voluntary sectors, to help it to discuss progress in this important area and to focus our efforts in supporting local authorities with this work.

To be clear, new clause 2 does not facilitate applications to the EU settlement scheme but proposes a declaratory system under which those covered automatically acquire UK immigration status. This would cause confusion and potential difficulties for these vulnerable young people in future years, with their having no evidence of their lawful status here. They will need evidence of their status when they come to seek employment or access the benefits and services that they are actually entitled to access. This is not something we can allow to happen. However, to reassure hon. Members, the withdrawal agreements oblige us to accept late applications indefinitely where there are reasonable grounds for missing the deadline. This and other rights under the agreements now have direct effect in UK law via the European Union (Withdrawal Agreement) Act 2020, so this commitment is already effectively enshrined in primary legislation.

We have therefore repeatedly made it clear that where a person eligible for status under this scheme has reasonable grounds for missing the deadline, they will be given a further opportunity to apply—to give a specific example, where a parent, guardian or local authority does not apply on behalf of a child. This will ensure that individuals who missed the deadline through no fault of their own can still obtain lawful status in the United Kingdom. I am happy to underline this commitment at the Dispatch Box where children in care and care leavers are concerned, and this is not just for a five-year period, as suggested in this new clause.

Some Members have spoken about the Government's "no recourse to public funds" policy during the covid-19 pandemic, and there are some new clauses relating to this. Let us make it clear that a range of safeguards are in place to ensure that vulnerable migrants who are destitute or at imminent risk of destitution and have community care needs, including issues relating to human rights or the wellbeing of children, can receive support.

We recognise and are immensely grateful for the contributions made by so many migrants, especially during the recent pandemic. We have provided more than £3.2 billion of additional funding in England and further funding in the devolved Administrations to support local authorities to deliver their services, including helping the most vulnerable. We have also made it more straightforward for those here on the basis of family life or human rights to apply to have the "no recourse to public funds" condition lifted, with change of condition decisions being prioritised and dealt with compassionately.

It is worth noting that those with no recourse to public funds have also been able to benefit from the coronavirus job retention scheme, the self-employed

[Kevin Foster]

income support scheme and other measures introduced by the Government, such as protections for renters and mortgage holidays.

Stephen Timms: Will the Minister give way?

Kevin Foster: I will not be able to; I just do not have the time.

Moving to new clause 29, I have listened carefully, and I assure all Members that the Government are committed to the principle of family reunion and supporting vulnerable children, as set out in a letter I sent to all Members of Parliament this morning. We recognise that families can become separated because of the nature of conflict and persecution and the speed and manner in which people are often forced to flee their country. However, new clause 29 does not recognise the current routes available for reuniting families or the negotiations we are pursuing with the EU on new reciprocal arrangements for the family reunion of unaccompanied asylum-seeking children in either the UK or the EU, as set out in the draft legal text.

Yvette Cooper: Will the Minister give way?

Kevin Foster: I am afraid I do not have the time. A negotiated agreement for a state-to-state referral and transfer system would provide clear and consistent processes between the UK and EU member states, ensuring appropriate support for the child and guaranteeing reciprocity. The new clause seeks guarantees that cannot be provided for in UK domestic provisions alone.

The current immigration rules also include routes for family members wishing to enter or remain in the UK on the basis of their relationship with a family member who is a British citizen or settled in the UK, as well as those who are post-flight family of a person granted protection in the UK. Those routes will remain in place at the end of the transition period.

The new clauses on the devolution of migration policy are another unsurprising attempt by the Scottish nationalists to fulfil their ambition of setting up a passport control point at Gretna to fulfil an agenda of separation. We are delivering an immigration system that takes into account the needs of the whole of the United Kingdom and that works for the whole of the United Kingdom, and we will not put an economic migration border through our country. As Members who have spoken pointed out, serious discussion needs to be had about how Scotland can attract more people to live there, work there and be a vital part of the community, and many of those issues are absolutely in the hands of the Scottish Government to address.

Finally and very briefly, we had reference to comprehensive sickness insurance. To be clear, the rules have not changed in terms of the EEA regulations. The insurance would not block someone getting through the EU settlement scheme and we would be happy to hear any such examples. With that, I have explained why the Government does not accept the new clauses.

Brendan O'Hara: Very briefly, I thank all Members who have contributed to the debate. I thank Robert McGeachy of Camphill Scotland on a personal level for all the help he has given me, and I thank the Minister

for replying to the debate, although I am very disappointed he has refused to accept new clause 1. It is beyond me why a Government would refuse an opportunity to say to the health and social care sector and its users that they understand the concerns, they have a plan, they know what they are doing and they would welcome transparency.

New clause 1 gives the Government the opportunity to make up for not having done a proper impact assessment and not having put in place any mechanism whatever for this House and other Parliaments across these islands to be able to assess and measure the effectiveness or otherwise of the Bill. For that reason, I will test the will of the House this evening and press new clause 1 to a Division.

Madam Deputy Speaker (Dame Eleanor Laing): Before I put the Question, I have to remind Members who are proxy voting that they need to email the Public Bill Office after each Division and that they need to specify which Division they are voting in each time. I also remind Members that I will lock the doors after 15 minutes for this Division and, if possible—if Members move fairly quickly—after 12 minutes for any subsequent successive Division.

6 pm

Debate interrupted (Programme Order, 18 May).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the clause be read a Second time.

The House divided: Ayes 247, Noes 344.

Division No. 61]

[6 pm

AYES

Abbott, rh Ms Diane	Cameron, Dr Lisa
Ali, Rushanara	Campbell, rh Sir Alan
Ali, Tahir	Carden, Dan
Allin-Khan, Dr Rosena	Carmichael, rh Mr Alistair
Amesbury, Mike	Chamberlain, Wendy
Anderson, Fleur	Champion, Sarah
Antoniazzi, Tonia	Chapman, Douglas
Ashworth, Jonathan	Charalambous, Bambos
Bardell, Hannah	Cherry, Joanna
Barker, Paula	Clark, Feryal
Beckett, rh Margaret	Cooper, Daisy
Begum, Apsana	Cooper, Rosie
Benn, rh Hilary	Cooper, rh Yvette
Betts, Mr Clive	Corbyn, rh Jeremy
Black, Mhairi	Cowan, Ronnie
Blackford, rh Ian	Coyle, Neil
Blackman, Kirsty	Crawley, Angela
Blake, Olivia	Creasy, Stella
Blomfield, Paul	Cruddas, Jon
Bonnar, Steven	Cryer, John
Brabin, Tracy	Cummins, Judith
Bradshaw, rh Mr Ben	Cunningham, Alex
Brennan, Kevin	Daby, Janet
Brock, Deidre	Davey, rh Sir Edward
Brown, Alan	David, Wayne
Brown, Ms Lyn	Davies, Geraint
Brown, rh Mr Nicholas	Davies-Jones, Alex
Bryant, Chris	Day, Martyn
Buck, Ms Karen	De Cordova, Marsha
Burton, Richard	Debbonaire, Thangam
Byrne, Ian	Dhesi, Mr Tanmanjeet Singh
Cadbury, Ruth	Docherty-Hughes, Martin

Dodds, Anneliese
Doogan, Dave
Dorans, Allan
Doughty, Stephen
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Eastwood, Colum
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Fletcher, Colleen
Flynn, Stephen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanna, Claire
Hanvey, Neale
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hill, Mike
Hillier, Meg
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Dame Diana
Johnson, Kim
Jones, Darren
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Law, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacAskill, Kenny
Madders, Justin
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne
McMorrin, Anna
Mearns, Ian
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Nicolson, John
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Siddiq, Tulip

Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Jeff
Smith, Nick
Sobel, Alex
Spellar, rh John
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sultana, Zarah
Tarry, Sam
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Timms, rh Stephen

Trickett, Jon
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitford, Dr Philippa
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
David Linden and
Gavin Newlands

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Carter, Andy
Cartledge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark

Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane

Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Largan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David

Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
David Rutley and
Mr Marcus Jones

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Madam Deputy Speaker (Dame Eleanor Laing): Under Standing Order No. 9(3) and the Order of the House of 18 May, I must now put the Questions necessary to dispose of the new clauses selected for separate decision. Before I put the Question on new clause 7, I must inform the House that there is an error in the text published on the amendment paper. Lines 4 and 5 of new clause 7—the 11 words beginning with “(a)” —are duplicate text and should not have appeared. I do not think that that will make much difference to Members’ judgment as to whether they intend to support the new clause.

The Deputy Speaker then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 7

TIME LIMIT ON IMMIGRATION DETENTION FOR EEA AND SWISS NATIONALS

(1) For the purpose of this section, a person (“P”) is defined as any person who, immediately before the commencement of Schedule 1, was—

- (a) any person who, immediately before the commencement of Schedule 1, was—
 - (i) residing in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2016;
 - (ii) residing in the United Kingdom in accordance with a right conferred by or under any of the other instruments which is repealed by Schedule 1; or
 - (iii) otherwise residing in the United Kingdom in accordance with any right derived from European Union law which continues, by virtue of section 4 of the EU Withdrawal Act 2018, to be recognised and available in domestic law after exit day.

(2) The Secretary of State may not detain any person (“P”) as defined in subsection(1) under a relevant detention power for a period of more than 28 days from the relevant time.

(3) If “P” remains detained under a relevant detention power at the expiry of the period of 28 days then—

- (a) the Secretary of State shall release P forthwith; and
- (b) the Secretary of State may not re-detain P under a relevant detention power thereafter, unless the Secretary of State is satisfied that there has been a material change of circumstances since “P’s” release and that the criteria in section [Initial detention: criteria and duration (No. 2)] are met.

(4) In this Act, “relevant detention power” means a power to detain under—

- (a) paragraph 16(2) of Schedule 2 to the Immigration Act 1971 (detention of persons liable to examination or removal);
- (b) paragraph 2(1), (2) or (3) of Schedule 3 to that Act (detention pending deportation);
- (c) section 62 of the Nationality, Immigration and Asylum Act 2002 (detention of persons liable to examination or removal); or
- (d) section 36(1) of UK Borders Act 2007 (detention pending deportation).

(5) In this Act, “relevant time” means the time at which “P” is first detained under a relevant detention power.

(6) This section does not apply to a person in respect of whom the Secretary of State has certified that the decision to detain is or was taken in the interests of national security.—(*Mr Davis.*)
Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 252, Noes 332.

Division No. 62]

[6.21 pm

AYES

Abbott, rh Ms Diane	Begum, Apsana
Ali, Rushanara	Benn, rh Hilary
Ali, Tahir	Betts, Mr Clive
Allin-Khan, Dr Rosena	Black, Mhairi
Amesbury, Mike	Blackford, rh Ian
Anderson, Fleur	Blackman, Kirsty
Antoniazzi, Tonia	Blake, Olivia
Ashworth, Jonathan	Blomfield, Paul
Bardell, Hannah	Bonnar, Steven
Barker, Paula	Brabin, Tracy
Beckett, rh Margaret	

Bradshaw, rh Mr Ben	Grady, Patrick
Brennan, Kevin	Grant, Peter
Brock, Deidre	Gray, Neil
Brown, Alan	Green, Kate
Brown, Ms Lyn	Greenwood, Lilian
Brown, rh Mr Nicholas	Greenwood, Margaret
Bryant, Chris	Griffith, Nia
Buck, Ms Karen	Gwynne, Andrew
Burgon, Richard	Haigh, Louise
Byrne, Ian	Hamilton, Fabian
Cadbury, Ruth	Hanna, Claire
Cameron, Dr Lisa	Hanvey, Neale
Campbell, rh Sir Alan	Hardy, Emma
Carden, Dan	Harman, rh Ms Harriet
Carmichael, rh Mr Alistair	Harris, Carolyn
Chamberlain, Wendy	Hayes, Helen
Champion, Sarah	Healey, rh John
Chapman, Douglas	Hendrick, Sir Mark
Cherry, Joanna	Hendry, Drew
Clark, Feryal	Hill, Mike
Cooper, Daisy	Hillier, Meg
Cooper, Rosie	Hodge, rh Dame Margaret
Cooper, rh Yvette	Hodgson, Mrs Sharon
Corbyn, rh Jeremy	Hollern, Kate
Cowan, Ronnie	Hopkins, Rachel
Coyle, Neil	Hosie, Stewart
Crawley, Angela	Howarth, rh Sir George
Creasy, Stella	Huq, Dr Rupa
Cruddas, Jon	Hussain, Imran
Cryer, John	Jardine, Christine
Cummins, Judith	Jarvis, Dan
Cunningham, Alex	Johnson, Dame Diana
Daby, Janet	Johnson, Kim
Davey, rh Sir Edward	Jones, Darren
David, Wayne	Jones, rh Mr Kevan
Davies, Geraint	Jones, Ruth
Davies-Jones, Alex	Jones, Sarah
Davis, rh Mr David	Kane, Mike
Day, Martyn	Keeley, Barbara
De Cordova, Marsha	Kendall, Liz
Debonnaire, Thangam	Khan, Afzal
Dhesi, Mr Tanmanjeet Singh	Kinnock, Stephen
Docherty-Hughes, Martin	Kyle, Peter
Dodds, Anneliese	Lake, Ben
Doogan, Dave	Lammy, rh Mr David
Dorans, Allan	Law, Chris
Doughty, Stephen	Lewell-Buck, Mrs Emma
Dromey, Jack	Lewis, Clive
Duffield, Rosie	Linden, David
Eagle, Ms Angela	Lloyd, Tony
Eagle, Maria	Long Bailey, Rebecca
Eastwood, Colum	Loughton, Tim
Efford, Clive	Lucas, Caroline
Elliott, Julie	Lynch, Holly
Elmore, Chris	MacAskill, Kenny
Eshalomi, Florence	Madders, Justin
Esterson, Bill	Mahmood, Shabana
Evans, Chris	Malhotra, Seema
Farron, Tim	Maskell, Rachael
Farry, Stephen	Matheson, Christian
Fellows, Marion	McCabe, Steve
Ferrier, Margaret	McCarthy, Kerry
Fletcher, Colleen	McDonagh, Siobhain
Flynn, Stephen	McDonald, Andy
Fovargue, Yvonne	McDonald, Stewart Malcolm
Foxcroft, Vicky	McDonald, Stuart C.
Foy, Mary Kelly	McDonnell, rh John
Furniss, Gill	McFadden, rh Mr Pat
Gardiner, Barry	McGinn, Conor
Gibson, Patricia	McGovern, Alison
Gill, Preet Kaur	McKinnell, Catherine
Glindon, Mary	McLaughlin, Anne

McMorrin, Anna
Mearns, Ian
Mishra, Navendu
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy

Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Henry
Smith, Jeff
Smith, Nick
Sobel, Alex
Spellar, rh John
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sultana, Zarah
Tarry, Sam
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Webbe, Claudia
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitford, Dr Philippa
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Mr Peter Bone and
Bambos Charalambous

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baldwin, Harriett
Barclay, rh Steve
Baynes, Simon

Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob

Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter

Gideon, Jo
Gillan, rh Dame Cheryl
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyns, Andrea
Jenrick, rh Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Andrea
Lewer, Andrew
Lewis, rh Brandon

Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Mackinlay, Craig
Mackrory, Cheryl
Macleane, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McPartland, Stephen
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Mrs Maria
Milling, rh Amanda
Mills, Nigel
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrisey, Joy
Morton, Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Parish, Neil
Patel, rh Priti
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Mr Jacob
Richards, Nicola
Richardson, Angela
Roberts, Rob

Robertson, Mr Laurence
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Russell, Dean
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shapps, rh Grant
Sharma, rh Alok
Shelbrooke, rh Alec
Simmonds, David
Skidmore, rh Chris
Smith, Chloe
Smith, Greg
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, rh Mark
Stafford, Alexander
Stephenson, Andrew
Stevenson, Jane
Stevenson, John
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunderland, James
Swaine, rh Sir Desmond
Syms, Sir Robert
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, Laura
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Mr Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Wakeford, Christian
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warburton, David
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Wild, James
Williams, Craig
Williamson, rh Gavin
Wood, Mike
Wright, rh Jeremy
Young, Jacob
Zahawi, Nadhim

Tellers for the Noes:

**David Rutley and
Mr Marcus Jones**

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

New Clause 13**EXEMPTION FROM NO RECOURSE TO PUBLIC FUNDS**

'(1) This section applies during the current Covid-19 pandemic, as defined by the World Health Organisation on 11 March 2020.

(2) Section 3(1)(c)(i) and (ii) of the Immigration Act 1971 cannot be applied to persons who have lost rights because of section (1) and Schedule 1 of this Act.

(3) This section could not be disapplied unless a resolution was passed by each House of Parliament.'—(*Holly Lynch.*)

This new clause would delay application of No Recourse to Public Funds rules during the current pandemic and until such time as Parliament decides.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 248, Noes 337.

Division No. 63]**[6.38 pm****AYES**

Abbott, rh Ms Diane	Cooper, rh Yvette
Ali, Rushanara	Corbyn, rh Jeremy
Ali, Tahir	Cowan, Ronnie
Allin-Khan, Dr Rosena	Coyle, Neil
Amesbury, Mike	Crawley, Angela
Anderson, Fleur	Creasy, Stella
Antoniazzi, Tonia	Cruddas, Jon
Ashworth, Jonathan	Cryer, John
Bardell, Hannah	Cummins, Judith
Barker, Paula	Cunningham, Alex
Beckett, rh Margaret	Daby, Janet
Begum, Apsana	Davey, rh Sir Edward
Benn, rh Hilary	David, Wayne
Betts, Mr Clive	Davies, Geraint
Black, Mhairi	Davies-Jones, Alex
Blackford, rh Ian	Day, Martyn
Blackman, Kirsty	De Cordova, Marsha
Blake, Olivia	Debbonaire, Thangam
Blomfield, Paul	Dhesi, Mr Tanmanjeet Singh
Bonnar, Steven	Docherty-Hughes, Martin
Brabin, Tracy	Dodds, Anneliese
Bradshaw, rh Mr Ben	Doogan, Dave
Brennan, Kevin	Dorans, Allan
Brock, Deidre	Doughty, Stephen
Brown, Alan	Dromey, Jack
Brown, Ms Lyn	Duffield, Rosie
Brown, rh Mr Nicholas	Eagle, Ms Angela
Bryant, Chris	Eagle, Maria
Buck, Ms Karen	Eastwood, Colum
Burgon, Richard	Efford, Clive
Byrne, Ian	Elliott, Julie
Cadbury, Ruth	Elmore, Chris
Cameron, Dr Lisa	Eshalomi, Florence
Campbell, rh Sir Alan	Esterson, Bill
Carden, Dan	Evans, Chris
Carmichael, rh Mr Alistair	Farron, Tim
Chamberlain, Wendy	Farry, Stephen
Champion, Sarah	Fellows, Marion
Chapman, Douglas	Ferrier, Margaret
Cherry, Joanna	Fletcher, Colleen
Clark, Feryal	Flynn, Stephen
Cooper, Daisy	Fovargue, Yvonne
Cooper, Rosie	Foxcroft, Vicky

Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanna, Claire
 Hanvey, Neale
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hill, Mike
 Hillier, Meg
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny
 Madders, Justin
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm

McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McLaughlin, Anne
 McMorrin, Anna
 Mearns, Ian
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John
 Norris, Alex
 O'Hara, Brendan
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Nick
 Sobel, Alex
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily

Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman

Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad

Tellers for the Ayes:
Jeff Smith and
Bambos Charalambous

NOES

Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davison, Dehenna
 Dinanage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike

Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny

Kwarteng, rh Kwasi
 Largan, Robert
 Latham, Mrs Pauline
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will

Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert

Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
David Rutley and
Mr Marcus Jones

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

New Clause 29

FAMILY REUNION AND SETTLEMENT

(1) The Secretary of State must make provision to ensure that an unaccompanied child, spouse or vulnerable or dependant adult who has a family member who is legally present in the United Kingdom has the same rights to be reunited in the United Kingdom with that family member as they would have had under Commission Regulation (EU) No. 604/2013.

(2) The Secretary of State must, within a period of six months beginning with the day on which this Act is passed—

(a) amend the Immigration Rules in order to preserve the effect in the United Kingdom of Commission Regulation (EU) No. 604/2013 for the family reunion of unaccompanied minors, spouses and vulnerable or dependant adults; and

(b) lay before both Houses of Parliament a strategy for ensuring the continued opportunity for relocation to the UK of unaccompanied children present in the territory of the EEA, if it is in the child's best interests.

(3) For the purposes of this section, "family member"—

(a) has the same meaning as in Article 2(g) of Commission Regulation (EU) No. 604/2013;

- (b) also has the same meaning as “relative” as defined in Article 2(h) of Commission Regulation (EU) No. 604/2013; and
- (c) also includes the family members referred to in Article 8 (1), Article 16 (1) and 16 (2) of Commission Regulation (EU) No. 604/2013.

(4) Until such time as Regulations in subsection (2) come into force, the effect of Commission Regulation (EU) No 604/2013 for the family reunion of unaccompanied minors, spouses and vulnerable or dependent adults with their family members in the UK shall be preserved.”

This new clause would have the effect of continuing existing arrangements for unaccompanied asylum-seeking children, spouses and vulnerable adults to have access to family reunion with close relatives in the UK.—(Yvette Cooper.)

Brought up.

Question put, That the clause be added to the Bill.

The House proceeded to a Division.

Madam Deputy Speaker (Dame Eleanor Laing): Order.

In the exceptional circumstances that have just been reported to me about an error made in the way in which Members were guided through St Stephen’s Hall and into Members Lobby, it has come to my attention that some Members were, correctly and in an orderly fashion, in the queue to vote and have been unable to do so. Fortunately, this matter has been reported to me before the Tellers have reported the numbers. I am therefore going to unlock the doors in order that the Members who have not already voted in the Division on new clause 29 and who are now present in the Division Lobby ready to vote may very swiftly and immediately do so.

The House having divided: Ayes 255, Noes 332.

Division No. 64]

[6.53 pm

AYES

Abbott, rh Ms Diane
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Amess, Sir David
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, Jonathan
Bardell, Hannah
Barker, Paula
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blake, Olivia
Blomfield, Paul
Bonnar, Steven
Brabin, Tracy
Bradshaw, rh Mr Ben
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bruce, Fiona
Bryant, Chris
Buck, Ms Karen

Burgon, Richard
Byrne, Ian
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Cherry, Joanna
Clark, Feryal
Cooper, Daisy
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Davies-Jones, Alex
Day, Martyn
De Cordova, Marsha

Debonnaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doogan, Dave
Dorans, Allan
Doughty, Stephen
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Eastwood, Colum
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Fletcher, Colleen
Flynn, Stephen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanna, Claire
Hanvey, Neale
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hill, Mike
Hillier, Meg
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Dame Diana
Johnson, Kim
Jones, Darren
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz

Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Loughton, Tim
Lucas, Caroline
Lynch, Holly
MacAskill, Kenny
Madders, Justin
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McCartney, Jason
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne
McMorrin, Anna
Mearns, Ian
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John
Norris, Alex
Offord, Dr Matthew
O’Hara, Brendan
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel

Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Nick
Sobel, Alex
Spellar, rh John
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sultana, Zarah
Tami, rh Mark
Tarry, Sam
Thewliss, Alison
Thomas, Gareth

Thomas-Symonds, Nick
Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Webbe, Claudia
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitford, Dr Philippa
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Jeff Smith and
Bambos Charalambous

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Brokenshire, rh James

Browne, Anthony
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishty, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve

Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freer, Mike
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Gillan, rh Dame Cheryl
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul

Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyns, Andrea
Jenrick, rh Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Largan, Robert
Latham, Mrs Pauline
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Karl
McPartland, Stephen
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Mrs Maria
Milling, rh Amanda
Mills, Nigel
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrissey, Joy
Morton, Wendy
Mullan, Dr Kieran

Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Opperman, Guy
Parish, Neil
Patel, rh Priti
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Mr Jacob
Richards, Nicola
Richardson, Angela
Roberts, Rob
Robertson, Mr Laurence
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Russell, Dean
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shapps, rh Grant
Sharma, rh Alok
Shelbrooke, rh Alec
Simmonds, David
Skidmore, rh Chris
Smith, Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda

Spencer, rh Mark
Stafford, Alexander
Stephenson, Andrew
Stevenson, Jane
Stevenson, John
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, Laura
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Mr Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Wakeford, Christian
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warburton, David
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Wild, James
Williams, Craig
Williamson, rh Gavin
Wood, Mike
Wright, rh Jeremy
Young, Jacob
Zahawi, Nadhim

Tellers for the Noes:
David Rutley and
Mr Marcus Jones

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Clause 5

POWER TO MODIFY RETAINED DIRECT EU LEGISLATION
RELATING TO SOCIAL SECURITY CO-ORDINATION

Amendments made: 1, page 4, line 31, leave out “devolved authority” and insert “Northern Ireland department”.

This amendment and amendment 2 remove the power conferred on Scottish Ministers (acting alone or acting jointly with a Minister of the Crown) to make regulations under clause 5. Amendments 3, 4 and 6 to 31 are related consequential amendments.

Amendment 2, page 4, line 32, leave out “devolved authority” and insert “Northern Ireland department”.

See the explanatory statement to amendment 1.

Amendment 3, page 4, line 33, leave out “of devolved authorities”.—(Kevin Foster.)

See the explanatory statement to amendment 1.

Clause 6

INTERPRETATION

Amendment made: 4, page 4, leave out lines 41 and 42.—(Kevin Foster.)

See the explanatory statement to amendment 1.

Schedule 2

POWER OF DEVOLVED AUTHORITIES UNDER SECTION 5

Amendments made: 5, page 9, line 2, at end insert—

“PART A1

SCOPE OF THE POWER OF A MINISTER OF THE CROWN
ACTING ALONE OR JOINTLY

A1 No provision that would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament may be made—

(a) by the Secretary of State or the Treasury acting alone,
or

(b) by a Minister of the Crown acting jointly with a Northern Ireland department,

in regulations under section 5, unless that provision is merely incidental to, or consequential on, provision that would be outside that legislative competence.

A2 In considering, for the purposes of paragraph A1, whether a provision would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament, no account is to be taken of section 29(2)(d) of the Scotland Act 1998 so far as relating to EU law.”

This amendment limits the scope of the power conferred on the Secretary of State and the Treasury, and on a Minister of the Crown acting jointly with a Northern Ireland department, to modify retained direct EU legislation under clause 5 (retained direct EU legislation relating to social security co-ordination). No provision that is within the legislative competence of the Scottish Parliament may be made under the power.

Amendment 6, page 9, line 6, leave out “devolved authority” and insert “Northern Ireland department”.

See the explanatory statement to amendment 1.

Amendment 7, page 9, line 8, leave out “devolved authority” and insert “Northern Ireland department”.

See the explanatory statement to amendment 1.

Amendment 8, page 9, line 9, leave out paragraph 2.

See the explanatory statement to amendment 1.

Amendment 9, page 10, line 6, leave out “devolved authority” and insert “Northern Ireland department”.

See the explanatory statement to amendment 1.

Amendment 10, page 10, line 9, leave out “devolved authority” and insert “Northern Ireland department”.

See the explanatory statement to amendment 1.

Amendment 11, page 10, line 11, leave out from “by” to “a” in line 14.

See the explanatory statement to amendment 1.

Amendment 12, page 10, line 19, leave out from first “an” to end of line.

See the explanatory statement to amendment 1.

Amendment 13, page 10, line 22, leave out “devolved authority” and insert “Northern Ireland department”.

See the explanatory statement to amendment 1.

Amendment 14, page 10, line 23, leave out “another person” and insert “a Northern Ireland devolved authority”.

See the explanatory statement to amendment 1.

Amendment 15, page 10, line 27, leave out subparagraph (1).

See the explanatory statement to amendment 1.

Amendment 16, page 10, line 46, leave out “(1) or”.

See the explanatory statement to amendment 1.

Amendment 17, page 11, line 1, leave out from first “an” to second “Act”.

See the explanatory statement to amendment 1.

Amendment 18, page 11, line 5, leave out from “by” to “a” in line 8.

See the explanatory statement to amendment 1.

Amendment 19, page 11, line 11, leave out subparagraph (1).

See the explanatory statement to amendment 1.

Amendment 20, page 11, line 25, leave out “(1) or”.

See the explanatory statement to amendment 1.

Amendment 21, page 11, line 26, leave out from “an” to “Act” in line 27.

See the explanatory statement to amendment 1.

Amendment 22, page 11, line 30, leave out “(1) or”.

See the explanatory statement to amendment 1.

Amendment 23, page 11, line 32, leave out from “by” to “a” in line 35.

See the explanatory statement to amendment 1.

Amendment 24, page 12, line 4, leave out “Section 57(2) of the Scotland Act 1998 and”.

See the explanatory statement to amendment 1.

Amendment 25, page 12, line 5, leave out “, so far as relating to EU law, do” and insert “does”.—(Kevin Foster.)

See the explanatory statement to amendment 1.

Schedule 3

REGULATIONS UNDER SECTION 5

Amendments made: 26, page 12, line 14, leave out “devolved authority” and insert “Northern Ireland department”.

See the explanatory statement to amendment 1.

Amendment 27, page 12, line 21, leave out paragraph 2.

See the explanatory statement to amendment 1.

Amendment 28, page 12, line 31, leave out subparagraph (2).

See the explanatory statement to amendment 1.

Amendment 29, page 13, line 1, leave out paragraph 4 and insert—

“Scrutiny where joint exercise

4 Regulations under section 5 of a Minister of the Crown acting jointly with a Northern Ireland department may not be made unless—

- (a) a draft of the statutory instrument containing those regulations has been laid before, and approved by a resolution of, each House of Parliament, and
- (b) a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.”.

See the explanatory statement to amendment 1.

Amendment 30, page 14, line 3, leave out “the Scottish Parliament or”.

See the explanatory statement to amendment 1.

Amendment 31, page 14, line 7, leave out “the Scottish Parliament or, as the case may be.”.—(Kevin Foster.)

See the explanatory statement to amendment 1.

7.15 pm

Proceedings interrupted.

The Deputy Speaker put forthwith the Question necessary for the disposal of business to be concluded at that time (Standing Order No. 83E), That the Bill be now read the Third time.

The House divided: Ayes 342, Noes 248.

Division No. 65]

[7.16 pm

AYES

Adams, Nigel	Cates, Miriam
Afolami, Bim	Caulfield, Maria
Afriyie, Adam	Chalk, Alex
Ahmad Khan, Imran	Chishti, Rehman
Aiken, Nickie	Churchill, Jo
Aldous, Peter	Clark, rh Greg
Allan, Lucy	Clarke, Mr Simon
Amess, Sir David	Clarke-Smith, Brendan
Anderson, Lee	Clarkson, Chris
Anderson, Stuart	Cleverly, rh James
Andrew, Stuart	Clifton-Brown, Sir Geoffrey
Ansell, Caroline	Coffey, rh Dr Thérèse
Argar, Edward	Colburn, Elliot
Atherton, Sarah	Collins, Damian
Atkins, Victoria	Costa, Alberto
Bacon, Gareth	Courts, Robert
Bacon, Mr Richard	Coutinho, Claire
Badenoch, Kemi	Cox, rh Mr Geoffrey
Bailey, Shaun	Crabb, rh Stephen
Baillie, Siobhan	Crosbie, Virginia
Baker, Duncan	Crouch, Tracey
Baker, Mr Steve	Daly, James
Baldwin, Harriett	Davies, David T. C.
Barclay, rh Steve	Davies, Gareth
Baron, Mr John	Davies, Dr James
Baynes, Simon	Davies, Mims
Bell, Aaron	Davis, rh Mr David
Benton, Scott	Davison, Dehenna
Beresford, Sir Paul	Dinenage, Caroline
Berry, rh Jake	Dines, Miss Sarah
Bhatti, Saqib	Djanogly, Mr Jonathan
Blackman, Bob	Docherty, Leo
Blunt, Crispin	Donelan, Michelle
Bone, Mr Peter	Dorries, Ms Nadine
Bowie, Andrew	Double, Steve
Bradley, Ben	Dowden, rh Oliver
Bradley, rh Karen	Doyle-Price, Jackie
Brady, Sir Graham	Drax, Richard
Brereton, Jack	Drummond, Mrs Flick
Bridgen, Andrew	Duddridge, James
Brine, Steve	Duguid, David
Bristow, Paul	Duncan Smith, rh Sir Iain
Britcliffe, Sara	Dunne, rh Philip
Brokenshire, rh James	Eastwood, Mark
Browne, Anthony	Edwards, Ruth
Bruce, Fiona	Ellis, rh Michael
Buchan, Felicity	Ellwood, rh Mr Tobias
Buckland, rh Robert	Elphicke, Mrs Natalie
Burghart, Alex	Eustice, rh George
Burns, rh Conor	Evans, Dr Luke
Butler, Rob	Evennett, rh Sir David
Carter, Andy	Everitt, Ben
Cartlidge, James	Fabricant, Michael
Cash, Sir William	Farris, Laura

Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, Dr Caroline

Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Largan, Robert
 Latham, Mrs Pauline
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti

Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Ayes:
David Rutley and
Mr Marcus Jones

NOES

Abbott, rh Ms Diane
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Byrne, Ian
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette

Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Davies-Jones, Alex
Day, Martyn
De Cordova, Marsha
Debonnaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doogan, Dave
Dorans, Allan
Doughty, Stephen
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Eastwood, Colum
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Fletcher, Colleen
Flynn, Stephen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Glendon, Mary
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanna, Claire
Hanvey, Neale
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hill, Mike
Hillier, Meg
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate

Hopkins, Rachel
Hosie, Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Dame Diana
Johnson, Kim
Jones, Darren
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacAskill, Kenny
Madders, Justin
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne
McMorrin, Anna
Mearns, Ian
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo
Owen, Sarah

Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Nick
Sobel, Alex
Spellar, rh John
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes

Sultana, Zarah
Tami, rh Mark
Tarry, Sam
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Webbe, Claudia
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitford, Dr Philippa
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Jeff Smith and
Bambos Charalambous

Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Bill read the Third time and passed.

Business without Debate

DELEGATED LEGISLATION

Madam Deputy Speaker (Dame Eleanor Laing): With the leave of the House, we shall take motions 3 to 5 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

ELECTRICITY

That the draft Contracts for Difference (Electricity Supplier Obligations) (Amendment) (Coronavirus) Regulations 2020, which were laid before this House on 4 June, be approved.

AGRICULTURE

That the Direct Payments to Farmers (Amendment) Regulations 2020 (S.I., 2020, No. 576), dated 8 June 2020, a copy of which was laid before this House on 9 June, be approved.

That the draft Direct Payments Ceilings Regulations 2020, which were laid before this House on 9 June, be approved.—(*James Morris.*)

Question agreed to.

PETITIONS

Establishment of a Food Standards Commission

7.31 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I rise to present a petition on the establishment of a food standards commission.

The petition states:

The petition of residents of the constituency of North Ayrshire and Arran,

Declares that the UK Government has not put proper safeguards in place to protect food standards post the United Kingdom's exit from the European Union; notes that the Government has rejected cross party amendments to the Agricultural Bill that aimed to protect standards of imports and ensure that any imports would not be able to undercut UK producers; further notes that leaving the European Union without a deal on 31 December 2020 will mean trading on World Trade Organisation (WTO) terms, and that the most favoured nation status will mean that the UK cannot prevent the import of hormone injected beef or chlorinated chicken from the US; further notes that the consumer group Which? has stated that a US trade deal poses the biggest risk to food standards since the BSE crisis and notes that the current deals struck by the EU provide the necessary protections; further declares that an extension to the transition period would create a short term protection against low standard imports, and that a Food Standards Commission with the remit of ensuring quality and welfare standards of food and drink imports in any trade deals could provide longer term protections for our farmers and growers in Scotland and the wider UK.

The petitioners therefore request that the House of Commons urges the Government to consider the establishment of a Food Standards Commission to monitor any trade deals involving food and drink products and to protect UK welfare standards and value our farmers and growers who produce in Scotland and the wider UK.

And the petitioners remain, etc.

[P002583]

Use of disposable barbecues

Dr Julian Lewis (New Forest East) (Con): As I am sure you know, Madam Deputy Speaker, single-use barbecues are designed to be disposable but are causing great risk to the forest environment, and local laws and regulations to prohibit and restrict their use have proved extremely difficult, if not impossible, to enforce.

The petition states:

The Petition of Kate Collison and Janette Duke, residents of the New Forest District in Hampshire,

Declares that the use of disposable barbecues and their careless abandonment are a proven cause of wild fires; further declares that such wild fires not only risk human life but also cause devastation to wildlife and their habitat; notes that single use disposable barbecues comprise a tin foil tray filled with impregnated "easy light" charcoal with a wire mesh over; further notes that they are lightweight, can easily be carried to beauty spots, wildlife reserves, and beaches, and can be purchased for as little as £1.99 per unit; further notes they have no integral frame support so can be sat directly on the ground causing damage once lit; further notes they emit dangerous carbon monoxide fumes not only during use but also during the cooling process; further notes that whilst they are easy to carry prior to use they are almost impossible to carry away for many hours after use whilst they remain hot, meaning they are often left as litter with devastating consequences; further notes reports that fire services across the country have shown that these abandoned barbecues have been found in the areas where devastating fires have occurred, for example, Wareham Forest, which in May 2020, despite the efforts of 150 firefighters, burned for more than 3 days and devastated 470 acres of heath and woodland, with 11 portable barbecues subsequently found in the burn area; further notes that Chinese sky lanterns, which can pose a similar threat to wildlife and their habitat, were once seen as acceptable but are now recognised as irresponsible and dangerous; and further notes the related Change.org petitions on this matter from the same petitioners, which collectively have over 9,000 signatures.

The petitioners therefore request that the House of Commons urge the Government to consider a ban on the sale of single use disposable barbecues within the United Kingdom.

And the petitioners remain, etc.

[P002585]

Black Women: Domestic Abuse

Motion made, and Question proposed, That this House do now adjourn.—(James Morris.)

7.36 pm

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): It gives me great pleasure to raise a very important issue to the UK and to this House, particularly as we are about to debate the Domestic Abuse Bill, which returns to this place in the next fortnight or so.

In preparation for today's debate, I was aided greatly by a number of groups. I would like to thank Refuge; Southall Black Sisters; Women's Aid; the End Violence Against Women Coalition; Hackney Council; London Councils; Imkaan, which does amazing work in this area; and my local organisation, Sistah Space, with whom I met recently and who were the inspiration behind this debate.

I would also like to put on record my thanks to the Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins), who is unable to be with us physically today, for her assurance to me that she is committed to listening on this. I appreciate her willingness to engage on this vital issue, and look forward to hearing the Minister's detailed response to the points that I raise.

It is important to summarise some of the concerns around this. We are dealing with domestic violence and domestic abuse, which is an issue that of course cuts across all people, all ethnicities and those of every socioeconomic status, but black, minority, ethnic and migrant women are particularly vulnerable to high rates of abuse. I am concerned that small specialist organisations are often unable to compete for the contracts that Government and other authorities run to provide money and support, partly due to funding cuts to local authorities and the knock-on effects on services provided. My own local authority, for example, has suffered over 40% cuts in the past decade. This collective loss of money means that anything that is not a statutory service is at risk.

There is also a need for greater representation of black women at policy level. The term, "black, Asian and minority ethnic", or BAME, as some people call it, groups together a lot of different lived experiences and is a lazy shorthand for the real lived experiences of so many women. In Hackney, we see domestic abuse as an issue that particularly impacts black and minority ethnic women—disproportionately so. I will be touching on the issue of "no recourse to public funds" and of course return to the Domestic Abuse Bill.

The budget cuts to local authorities have meant that there has been a general push towards generic, lower-cost service provision for domestic abuse and violence against women services. Because of economies of scale, that push towards lower-cost services favours larger organisations and contracts over the small, specialist groups that are led by and for the communities they support. They often do not have the resources or finances available to them, or the stability, because they are small groups working in the community. We need to acknowledge that the experiences and discrimination faced by black women are different from those faced by other minority ethnic women, although I shall speak about other women in this speech as well. Using that term BAME—black, Asian and minority ethnic—as an all-encompassing term homogenises vastly different lived experiences.

Let me take a very human example. Imagine someone leaves their home fearful of their situation, in the middle of the night. They have managed to escape from their abusive partner and they turn up, if they are lucky, to a refuge or a hostel and are unable, as a black woman, to have the cream to cream their body or the hair products that they need to support their hair. Their dignity is already through the floor and these little things can make a significant difference, but generic services just do not always get that. That is not particularly a criticism of every generic service—they provide a service and I am not critical of them for that—but there often needs to be much more specialism, and it needs to be locally driven, because local areas know their communities best. Even in my own borough, for instance, we see many differences between our population and that in the neighbouring boroughs of Tower Hamlets or Islington, both of which my constituency abuts.

Jim Shannon (Strangford) (DUP): I thank the hon. Lady for bringing this issue to the House. I am always inspired by her care and compassion for others, for her community and for this United Kingdom of Great Britain and Northern Ireland as a whole—that is something that I have noticed in my time in the House. Does she agree that work must be done, time put in and funding directed to enable women to know that they are valued, that their experience matters and that there is a hand to help them towards a life in which fear is not the norm?

Meg Hillier: I thank the hon. Gentleman for his thoughtful and sensitive intervention. That is exactly what I think everybody is aiming for: to make sure that women are not living in fear and have somewhere to go. However, sometimes that somewhere to go is not a comfortable place to go for some women, and it is important that we recognise that domestic violence does not affect everybody homogeneously, that different groups are affected in different ways, and that cultural, religious and other differences are important to recognise. It is important that we have an accurate representation of the needs of black women, and that they are listened to when decisions about services that disproportionately affect them are being made. Quite simply, I say to the Minister: no decisions about black women without black women.

Of course, work is being done to tackle domestic abuse, and I welcome the Domestic Abuse Bill, to which I will turn a little later. London Councils has begun work with the Women's Resource Centre to better understand the structural inequalities that exist in grant making, to create a longer-term funding vision and framework that will bring about tangible change in the next grants programme. If we look at the numbers, we see that only 32 refuges are run by and for black and ethnic minority women. We know that there is a shortage of refuge space generally—I do not have time to go into some of the other wider issues today, but that is a big concern.

London faces some unique challenges with domestic abuse compared with the rest of the country. London-based refuges account for 23% of the total refuge spaces in England—higher than the proportion for any other comparable region—and domestic abuse is on the rise in London. Between July 2018 and December 2019, some 2,817 women and 2,425 children in London were placed in refuges. London boroughs will receive some

£13 million in this financial year via the London crime prevention fund to try to tackle domestic abuse. London grant programmes distributed £14 million over the past four years to support the tackling of sexual violence and abuse.

It is important that we see better representation of different groups in the media. The London Borough of Hackney has been trying to promote awareness work, so that people from different backgrounds see themselves reflected and thereby have the confidence to come forward. It is a good way to educate people about what is available. Imagine, Madam Deputy Speaker, that you are living in fear at home. It is difficult to make that call to a domestic abuse hotline. You may be in a controlling relationship and it might be difficult to find help from a friend. You may have your phone monitored. But if the television is on and soap operas are sending out messages about where you can go for help, that is important. It is important that we press for that.

I recognise that it is not entirely in the Government's control, but in focus groups that the London Borough of Hackney ran with survivors, the following comment was made:

“Having messages on TV shows, soap operas, radios would help.”

A recent storyline in “The Archers” was cited as a good example but, of course, only a narrow group of people listen to Radio 4 on a weekday evening. One person said,

“Having it talked about more makes it easier to talk about.”

Another said,

“There should be more advertising on buses.”

Someone said, rather poignantly,

“I lost my job due to being fearful. You cannot exactly tell your colleagues what is happening with your life, but if you see yourself represented in the media, you know that you're not alone.”

It is a small but important element: too often, our media does not reflect the richness and diversity of cultures and backgrounds of people I represent in my borough, so I see this as a very significant issue.

I was talking about the London figures just now, but in London there was a 63% rise in reported domestic abuse offences between 2011 and 2018. In 2018, there were more than 85,000 recorded domestic abuse offences in London in just that 12-month period. Staggeringly, that represented one in 10 of all crimes reported in London that year, and that is just those that were reported. For many people, it is still very hard to report the situation that they find themselves living in, wanting to protect their children—I know that the Minister will be well aware of all the issues.

Funding for refuge provision is a key concern in London and for London councils. In my own borough since July 2017—so just in the last three years—169 women and 146 children have been placed in refuges. Of those 169 women, 110 were from black and minority ethnic backgrounds. There are real concerns about that percentage. Over and over, the evidence that I have gathered—although the data, I have to say to the Minister, could be better, including at national level—shows clearly that a disproportionate number of black women, and Asian and minority ethnic women, are affected in London.

In Hackney, in the last financial year, there were a total of 492 high-risk victims or survivors of domestic abuse reported to the multi-agency risk assessment

[Meg Hillier]

conference. Black women constituted a disproportionately high number of those compared with the general population—27%. If this were any other group, people would take it a bit more seriously, and it is important that we recognise that.

I have mentioned children a number of times, and in my research for this speech I have been alarmed by the number of children who are affected by domestic violence, particularly for this group of women: 45% of all children assessed due to domestic abuse concerns in Hackney were black children. If there is a perpetrator in the household, it is not just the woman who is affected—it is usually a woman, but obviously men can be victims too—but it has a damaging and long-term effect on those children. In many ways, if domestic abuse was treated as a public health issue, notwithstanding the efforts of the Government to finally get the Domestic Abuse Bill through, it might have been dealt with in different ways and more seriously in the past.

I turn to the Domestic Abuse Bill, and I am particularly concerned as we approach that debate. I would be interested to hear the Minister's views. The “no recourse to public funds” provision is a big concern in my constituency. I have many constituents who are migrants who come here to work, they work hard and pay their bills: they do all the right things according to Home Office rules, but they have no recourse to public funds, so if they need to flee a domestic abuse situation, they do not qualify for a lot of the support that is available. Those often life-saving routes to safety are not available, and the Home Office needs to look at this issue, just as it has with victims of human trafficking, for whom some safeguards are in now place—not all of them, but I will not go into that now.

There are some safeguards to support people in that situation, and there needs to be some safeguards here. These are people who want to work and will want to continue to work if they can, but if they have not got the money to pay their rent or they have a problem with their job, they will be left high and dry and in a very vulnerable position, often unable to leave, under the Domestic Abuse Bill. It is a significant barrier that excludes many people from those routes to safety.

The domestic abuse commissioner is also highlighted in the Bill. I hope the Minister can confirm that domestic abuse commissioner will listen to all voices and make sure that all these diverse groups—black women included—are at the table so that decisions are made that reflect their very specific needs. I know that my own Front Bench, with my support of course, are pushing for other migrant women to be better supported through the Domestic Abuse Bill. There is no provision, for example, for those on non-spousal visas to enter a refuge.

We also need to see a public duty on all commissioning authorities to fund domestic abuse services in the community. Refugees have a very important part to play but, as with *Sistah Space* in my constituency, it is the community-based services that are often there on the frontline, accessible and embedded, and they know who is who.

It is much easier to do that, especially for someone who, for example, is having their phone tracked or someone who cannot travel very far from their partner because they will not allow them to do that. Having that local specific support is very important.

It is important as well that the Bill reflects that the commissioning of community services needs to reflect protected characteristics. Too often, black and minority ethnic women's services go completely unfunded, as I have touched on, and they cannot be sustained, and that means that black and minority ethnic women often struggle to access services.

It is essential—I hope the Minister will agree and give me some comfort and comfort to the women out there, some of whom are not yet affected, but may be in the future, and those who have been through it and those who are living through it now—that funding systems for domestic abuse understand that a one-size-fits-all policy will not address the problems within the sector. We need a granular way of funding so that whatever the main funding body, it can get right down to those small grassroots organisations that do not have the resources necessarily to bid, but can provide essential services.

We need, as I have said repeatedly, to ensure that black women's voices are listened to and represented at policy level. I think I have time to segue into my experience 13 years ago almost to the day, when I became a Minister in the same Department as the Minister. One of the first things I was asked to do was sign off the board for the vetting and barring service. I was presented with a list of names, and I said, looking at it, “Can I just ask out of interest whether anyone has any experience of African child abuse?” At the time, there had been a number of such instances, including the torso of Adam in the Thames, which many people will remember vividly. Representing a constituency with a large number of West Africans, I was very attuned to it, but it was a very big issue at the time.

There was a slight awkward silence from the officials—I am not critical of the officials, who were trying to do a good job, but just were not tuned into this reality—but lo and behold, they went off and found an excellent woman. I have not told her I would name her, so I will not name her today. She was very expert in the area and became a vital part of making sure that our child protection and our set-up for the protection of vulnerable people began to understand and reflect some of those specific issues. It was a minority in that community, but nevertheless the issue was present.

She said to me, “I thought of applying for this position, but I thought they would not want people like me.” It is her story to tell, rather than mine, but the stories she told me about how people reacted to her as a black African woman in that position—unusual in the public sector—are important. The Minister is not entirely responsible for public appointments, but Ministers get that chance, and it is important we have a much more diverse reflection of our community in public appointments, especially for issues where their lived experience is vital to getting things right.

I do not think there is a single official deliberately trying to exclude people, but practices can build up and assumptions can be made. Unless we constantly challenge that, we will end up with a homogenous group of people making decisions about other people. I am on a mission to make sure we support civil servants and Ministers in understanding the wide diversity of people who are affected by the decisions they make.

The Domestic Abuse Bill is a real opportunity, but we also need clear data about the impact of domestic abuse on women, and we need detailed breakdowns of ethnic

background, nationality and so on, so that we can really understand where the problems are and where emerging problems arise. As I have said repeatedly, future funding must recognise the importance of specialist services. In simple terms, let us make sure—I hope the Minister will agree—that we do not see decisions about black women without black women.

7.53 pm

The Parliamentary Under-Secretary of State for Justice (Alex Chalk): May I begin by thanking the hon. Member for Hackney South and Shoreditch (Meg Hillier) for a really thoughtful and obviously well-researched speech, which I know will have been heard beyond these walls? It was an extremely powerful contribution.

With the leave of the House, I will wind up the debate. As the hon. Lady has already indicated, I am standing in for the Minister for safeguarding, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), who is unable to be here. Although it is my pleasure to stand in her stead, I can say without fear of contradiction that she is personally deeply committed to this issue, and I know she would welcome the opportunity to speak to the hon. Lady further about the points she has helpfully raised this evening.

There is no dispute between the parties, I trust, that domestic abuse has a horrifying and devastating impact on individuals. The hon. Lady has spoken very powerfully about the stark and harrowing impacts it has on all people, but potentially in different ways, because we have to take account of the context—sometimes the cultural context—in which it takes place.

Darren Henry (Broxtowe) (Con): I thank the hon. Member for Hackney South and Shoreditch (Meg Hillier) for bringing this debate to the House. She makes a really good point that BAME is a bit too much of an umbrella term for an issue such as this, so my point will be about black women. I have been to Midlands Women's Aid in Broxtowe and was told that there is a culture of shame and stigma around victims of abuse in black communities. Will my hon. Friend the Minister put at the heart of the agenda empowering women to access support?

Alex Chalk: I thank my hon. Friend and commend him for the work that he is doing with Women's Aid. He is absolutely right, because we hear of this stigma and what is so upsetting about that is that, all too often, it will mean that victims continue to be victims. They will not necessarily have the courage to break free. That is why we need to make sure that there are tailored services, which take account of the cultural issues so that we can truly protect all victims, whatever their background. I am very grateful to him for raising that issue as he has.

We focus on this issue because of the impact not just on the individuals themselves, but, of course, on the children. No child should have to grow up exposed to violence. We understand fine well the repercussions—often life-long repercussions—that that can have, so we must do everything we can to expose this hidden and often under-reported offending and eliminate it, and the Government are fully committed to doing that.

Over the past four years, we have provided £100 million of dedicated funding, working with local commissioners to deliver a secure future for rape support services, refuges, national helplines and critical services, and, as

the hon. Lady adverted to, we have reintroduced the Domestic Abuse Bill—the third time of asking, I think—and that will offer strength, protection and support for victims of abuse for the long-term and help bring more perpetrators to justice.

Before I go onto the specific points that the hon. Lady raises, I wish to say a word or two about coronavirus, because we cannot really fail to mention it. Although home should be a safe place, we know that, for victims of abuse, it is often not, and facing enforced confinement with perpetrators and isolation from normal support networks must be especially harrowing for victims. She made a powerful point about the extent to which all people are able to pick up the phone, but in certain circumstances, particularly in close confinement, that is a conversation that is very difficult to have, and it is why, as I shall come on to in a moment, we have been at pains to ensure that there is a diversity of channels through which women—it is usually women—can access the support they need.

Let me provide a little more detail on the things that we are doing. Our national communication campaign, “You are not alone” has raised awareness of this issue across the general public and helped signpost victims to sources of help. Additional funding has gone to support the national helpline—the one run by Refuge, of course, is a very important one—and online services run by domestic abuse charities, including those offering specialist support to minority groups. The hon. Lady will be aware, as, I am sure, you are, Madam Deputy Speaker, that the Treasury has provided £750 million to the charitable sector, of which £76 million has been allocated to support victims of domestic and sexual abuse, vulnerable children and their families and victims of modern slavery.

I want to pick up a point that the hon. Lady made about community-based support, which she was right to stress. Some £20 million is allocated via the Ministry of Justice, via, in turn, police and crime commissioners for precisely this. One of the encouraging things, if there is any silver lining within this horrible cloud of coronavirus, is that we are better able now to monitor where that money is going and to do so by considering protected characteristics. In other words, we can make sure that a police and crime commissioner for area A is taking proper steps to ensure that those under-represented communities get their fair slice of cake. That is putting it very simply.

We have also allocated money to the FLOWS charity, for example, which finds legal options for women survivors. I am taking this opportunity as a Minister of Justice to say that, sometimes, the potent weapon that the victim needs to defend themselves will be a legal weapon—be that an occupation order, a non-molestation order or a domestic violence protection order—and providing that legal support is critically important.

Let me quickly mention the Hidden Harms summit that was chaired by the Prime Minister. That was an opportunity to shine a light on domestic abuse issues, and I hope the hon. Lady will also welcome the strong focus on sustainability: we cannot simply patch the demand, very generously and appropriately, in respect of coronavirus; we have to ensure that it is sustainable into the future.

I turn to BAME and domestic abuse statistics. I echo the point made by the hon. Lady. BAME is a pretty clumsy expression, for the reasons that she powerfully

[Alex Chalk]

expressed. It covers all sorts of cultures, traditions, needs and a whole diversity of experiences. I recognise that it is not a homogenous group, but simply a convenient shorthand. I hope that the House will not consider my usage a discourtesy.

Domestic abuse affects a wide and disparate group of people across all backgrounds. One size does not fit all, and a particular approach would not be appropriate for all victims. That is particularly important when we are working to protect and support victims of domestic abuse with specific needs and vulnerabilities, including victims from marginalised ethnic groups.

The hon. Lady made an extremely powerful point, which might have sounded trivial, but is anything but. It matters if somebody from a certain background goes to a refuge and it does not have the basic toiletries or whatever to give them that human dignity. Wanting to look right is about feeling human, and recovering a sense of dignity and self-esteem. It is not a trivial matter—although I did wonder whether hair products might not make quite the difference to the hon. Member for Strangford (Jim Shannon). For some people, this really does matter.

According to the crime survey for England and Wales, in the year ending March 2019 an estimated 10.4% of black British women aged 16 to 74 had experienced domestic abuse in the last year, compared to 7.2% of white women. Now, there is a statistic to conjure with. The figure rose to 20% for women aged 16 to 74 who identified as mixed ethnicity. From research and reporting, there is evidence to suggest that black and minority ethnic women put up with abuse for a longer period—the point that I was making to my hon. Friend the Member for Broxtowe (Darren Henry)—and are more reluctant to access services. One estimate puts the time period before leaving a violent relationship at an average of 10 years—10 brutal, wasted years. We need to do everything possible to bring that figure down.

It is vital that we ensure that specialist services continue to be available to black and minority ethnic women, and find ways to break down any perceived barriers to accessing available services. In this context, we need an approach that brings in all the relevant agencies. Yes, of course the Home Office does its bit, as does the Ministry of Justice, but one of the key messages that we have had from the sector is to ensure that this is a cross-Government fight; and it is. I am pleased to say that I now have regular meetings with my hon. Friend the Minister for Safeguarding and with the Ministry of Housing, Communities and Local Government. That is very important. It is something that the sector has asked for and which we have been pleased to deliver.

The hon. Lady said that we need to present avenues for support in a context that is accessible for people. She referred to provisions being presented on television or whatever; there need to be different avenues. May I take

a moment to plug the gov.uk website as a resource for accessing support, particularly legal support? People might visit the site for passport renewal and so on, but it often contains very good advice and support.

I completely endorse the hon. Lady's central point. She said that there should be no decisions about black women without black women. That is what I want to come to now. We need to ensure that all Government Departments are diverse in terms of both ethnicity and experiences. Things have improved really quite dramatically and I pay tribute to those in the civil service who have pushed this agenda, but ethnic minorities are still under-represented at senior levels across the public sector, apart from NHS consultants, so there is further to go. There is much more that I could say about that, but I want to move on to some other points, if I may.

The Domestic Abuse Bill sets out a statutory definition of domestic abuse in legislation for the first time. It ensures that there can be no excuse for or hiding from abusive behaviour. The definition makes it clear that domestic abuse is not confined to violent or sexual abuse, but includes controlling or coercive behaviour, psychological abuse and economic abuse. That is critically important, because one of the barriers to that woman who has been experiencing it for 10 years might be the economic abuse. She needs to be able to say to a police officer or the authorities, "Well, hang on; this is not trivial just because it is invisible." That is a really important point.

The hon. Lady also referred to the domestic abuse commissioner, which is one of the single most important innovations of the Bill. She has the ability—she has made an excellent start—to speak truth to power, to shine a light on the issues and, crucially, to ensure that there is co-ordination and coherence in this space, which could otherwise quite easily become fragmented, as well as proper representation and a proper slice of the cake for those from minority communities.

I am fast running out of time. There is more I wanted to say in respect to funding and so on, but I will close by recognising that this is not a subject for a single debate. This is a subject for an ongoing conversation. As I said, the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle, wants to continue that conversation. She will be reading the hon. Lady's speech and will be reflecting on the contributions in this debate. She remains committed to continuing to strengthen our collective approach.

Ensuring that we are truly inclusive of all sectors and working closely with expert organisations is how we tackle the scourge of domestic abuse. I am determined to ensure that we build such partnerships, safeguard the most vulnerable in our society and bring perpetrators to justice.

Question put and agreed to.

8.6 pm

House adjourned.

Members Eligible for a Proxy Vote

The following is the list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy:

Member eligible for proxy vote	Nominated proxy
Ms Diane Abbott (Hackney North and Stoke Newington)	Bell Ribeiro-Addy
Debbie Abrahams (Oldham East and Saddleworth)	Jim McMahon
Imran Ahmad Khan (Wakefield)	Stuart Andrew
Nickie Aiken (Cities of London and Westminster)	Stuart Andrew
Tahir Ali (Birmingham, Hall Green)	Chris Elmore
Dr Rosena Allin-Khan (Tooting)	Chris Elmore
Victoria Atkins (Louth and Horncastle)	Stuart Andrew
Mr Richard Bacon (South Norfolk)	Stuart Andrew
Siobhan Baillie (Stroud)	Stuart Andrew
Hannah Bardell (Livingston)	Patrick Grady
Mr John Baron (Basildon and Billericay)	Stuart Andrew
Margaret Beckett (Derby South)	Clive Efford
Sir Paul Beresford (Mole Valley)	Stuart Andrew
Jake Berry (Rossendale and Darwen)	Stuart Andrew
Mr Clive Betts (Sheffield South East)	Chris Elmore
Mhairi Black (Paisley and Renfrewshire South)	Patrick Grady
Ian Blackford (Ross, Skye and Lochaber)	Patrick Grady
Bob Blackman (Harrow East)	Stuart Andrew
Kirsty Blackman (Aberdeen North)	Patrick Grady
Steven Bonnar (Coatbridge, Chryston and Bellshill)	Patrick Grady
Andrew Bridgen (North West Leicestershire)	Stuart Andrew
James Brokenshire (Old Bexley and Sidcup)	Stuart Andrew
Ms Lyn Brown (West Ham)	Chris Elmore
Richard Burgon (Leeds East)	Zarah Sultana
Conor Burns (Bournemouth West)	Stuart Andrew
Ian Byrne (Liverpool, West Derby)	Chris Elmore
Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow)	Patrick Grady
Dan Carden (Liverpool, Walton)	Alex Norris
Sir William Cash (Stone)	Leo Docherty
Sarah Champion (Rotherham)	Chris Elmore
Douglas Chapman (Dunfermline and West Fife)	Patrick Grady
Joanna Cherry (Edinburgh South West)	Patrick Grady
Rehman Chishti (Gillingham and Rainham)	Stuart Andrew
Feryal Clark (Enfield North)	Chris Elmore
Damian Collins (Folkestone and Hythe)	Stuart Andrew
Rosie Cooper (West Lancashire)	Chris Elmore
Jeremy Corbyn (Islington North)	Bell Ribeiro-Addy

Member eligible for proxy vote	Nominated proxy
Ronnie Cowan (Inverclyde)	Patrick Grady
Mr Geoffrey Cox (Torridge and West Devon)	Alex Burghart
Neil Coyle (Bermondsey and Old Southwark)	Chris Elmore
Angela Crawley (Lanark and Hamilton East)	Patrick Grady
Stella Creasy (Walthamstow)	Chris Elmore
Tracey Crouch (Chatham and Aylesford)	Caroline Nokes
John Cryer (Leyton and Wanstead)	Chris Elmore
Janet Daby (Lewisham East)	Chris Elmore
Geraint Davies (Swansea West)	Chris Evans
Martyn Day (Linlithgow and East Falkirk)	Patrick Grady
Thangam Debbonaire (Bristol West)	Chris Elmore
Marsha De Cordova (Battersea)	Rachel Hopkins
Caroline Dinéage (Gosport)	Caroline Nokes
Martin Docherty-Hughes (West Dunbartonshire)	Patrick Grady
Dave Doogan (Angus)	Patrick Grady
Ms Nadine Dorries (Mid Bedfordshire)	Stuart Andrew
Jack Dromey (Birmingham, Erdington)	Chris Elmore
Philip Dunne (Ludlow)	Jeremy Hunt
Colum Eastwood (Foyle)	Conor McGinn
Julie Elliott (Sunderland Central)	Chris Elmore
Natalie Elphicke (Dover)	Maria Caulfield
Bill Esterson (Sefton Central)	Chris Elmore
Dr Luke Evans (Bosworth)	Stuart Andrew
Sir David Evennett (Bexleyheath and Crayford)	Stuart Andrew
Michael Fabricant (Lichfield)	Stuart Andrew
Marion Fellows (Motherwell and Wishaw)	Patrick Grady
Margaret Ferrier (Rutherglen and Hamilton West)	Patrick Grady
Vicky Foxcroft (Lewisham, Deptford)	Chris Elmore
George Freeman (Mid Norfolk)	Theresa Villiers
Gill Furniss (Sheffield, Brightside and Hillsborough)	Chris Elmore
Marcus Fysh (Yeovil)	Stuart Andrew
Sir Roger Gale (North Thanet)	Caroline Nokes
Preet Kaur Gill (Birmingham, Edgbaston)	Chris Elmore
Dame Cheryl Gillan (Chesham and Amersham)	Stuart Andrew
Mary Glendon (North Tyneside)	Chris Elmore
Mrs Helen Grant (Maidstone and The Weald)	Stuart Andrew
Peter Grant (Glenrothes)	Patrick Grady
Neil Gray (Airdrie and Shotts)	Patrick Grady
Margaret Greenwood (Wirral West)	Chris Elmore
Kate Griffiths (Burton)	Aaron Bell
Andrew Gwynne (Denton and Reddish)	Chris Elmore
Robert Halfon (Harlow)	Julie Marson

Member eligible for proxy vote	Nominated proxy
Fabian Hamilton (Leeds North East)	Chris Elmore
Claire Hanna (Belfast South)	Liz Saville Roberts
Neale Hanvey (Kirkcaldy and Cowdenbeath)	Patrick Grady
Ms Harriet Harman (Camberwell and Peckham)	Chris Elmore
Sir Mark Hendrick (Preston)	Chris Elmore
Drew Hendry (Inverness, Nairn, Badenoch and Strathspey)	Patrick Grady
Mike Hill (Hartlepool)	Chris Elmore
Simon Hoare (North Dorset)	Fay Jones
Dame Margaret Hodge (Barking)	Wes Streeting
Mrs Sharon Hodgson (Washington and Sunderland West)	Chris Elmore
Kate Hollern (Blackburn)	Chris Elmore
Adam Holloway (Gravesham)	Maria Caulfield
Stewart Hosie (Dundee East)	Patrick Grady
Sir George Howarth (Knowsley)	Chris Elmore
Dr Neil Hudson (Penrith and The Border)	Stuart Andrew
Imran Hussain (Bradford East)	Judith Cummins
Dan Jarvis (Barnsley Central)	Chris Elmore
Mr Ranil Jayawardena (North East Hampshire)	Stuart Andrew
Andrea Jenkins (Morley and Outwood)	Stuart Andrew
Dr Caroline Johnson (Sleaford and North Hykeham)	Stuart Andrew
Dame Diana Johnson (Kingston upon Hull North)	Chris Elmore
Alicia Kearns (Rutland and Melton)	Ruth Edwards
Barbara Keeley (Worsley and Eccles South)	Chris Elmore
Afzal Khal (Manchester, Gorton)	Chris Elmore
Sir Greg Knight (East Yorkshire)	Stuart Andrew
Mrs Pauline Latham (Mid Derbyshire)	Mr William Wragg
Ian Lavery (Wansbeck)	Kate Osborne
Chris Law (Dundee West)	Patrick Grady
Clive Lewis (Norwich South)	Rosie Duffield
Mr Ian Liddell-Grainger (Bridgwater and West Somerset)	Stuart Andrew
Tony Lloyd (Rochdale)	Chris Elmore
Mark Logan (Bolton North East)	Stuart Andrew
Rebecca Long Bailey (Salford and Eccles)	Cat Smith
Julia Lopez (Hornchurch and Upminster)	Lee Rowley
Jack Lopresti (Filton and Bradley Stoke)	Stuart Andrew
Mr Jonathan Lord (Woking)	Stuart Andrew
Craig Mackinlay (South Thanet)	Robert Courts
Cherilyn Mackrory (Truro and Falmouth)	Stuart Andrew
Shabana Mahmood (Birmingham, Ladywood)	Chris Elmore
Alan Mak (Havant)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Seema Malhotra (Feltham and Heston)	Chris Elmore
Rachael Maskell (York Central)	Chris Elmore
Andy McDonald (Middlesbrough)	Chris Elmore
John McDonnell (Hayes and Harlington)	Cat Smith
Anne McLaughlin (Glasgow North East)	Patrick Grady
John Mc Nally (Falkirk)	Patrick Grady
Stephen McPartland (Stevenage)	Stuart Andrew
Ian Mearns (Gateshead)	Chris Elmore
Mark Menzies (Fylde)	Sir David Amess
Johnny Mercer (Plymouth, Moor View)	Stuart Andrew
Stephen Metcalfe (South Basildon and East Thurrock)	Stuart Andrew
Nigel Mills (Amber Valley)	Stuart Andrew
Carol Monaghan (Glasgow North West)	Patrick Grady
Anne Marie Morris (Newton Abbot)	Stuart Andrew
David Morris (Morecambe and Lunesdale)	Stuart Andrew
Grahame Morris (Easington)	Chris Elmore
James Murray (Ealing North)	Chris Elmore
John Nicolson (Ochil and South Perthshire)	Patrick Grady
Neil O'Brien (Harborough)	Stuart Andrew
Dr Matthew Offord (Hendon)	Rebecca Harris
Guy Opperman (Hexham)	Stuart Andrew
Kate Osamor (Edmonton)	Nadia Whittome
Kirsten Oswald (East Renfrewshire)	Patrick Grady
Sarah Owen (Luton North)	Alex Norris
Dr Dan Poulter (Central Suffolk and North Ipswich)	Peter Aldous
Lucy Powell (Manchester Central)	Chris Elmore
Yasmin Qureshi (Bolton South East)	Chris Elmore
Christina Rees (Neath)	Chris Elmore
Ellie Reeves (Lewisham West and Penge)	Chris Elmore
Ms Marie Rimmer (St Helens South and Whiston)	Chris Elmore
Rob Roberts (Delyn)	Stuart Andrew
Bob Seely (Isle of Wight)	Stuart Andrew
Naz Shah (Bradford West)	Chris Elmore
Mr Virendra Sharma (Ealing, Southall)	Chris Elmore
Mr Barry Sheerman (Huddersfield)	Chris Elmore
Tommy Sheppard (Edinburgh East)	Patrick Grady
Tulip Siddiq (Hampstead and Kilburn)	Chris Elmore
Alyn Smith (Stirling)	Patrick Grady
Royston Smith (Southampton, Itchen)	Robert Courts
Jo Stevens (Cardiff Glasgow Central)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Sir Gary Streeter (South West Devon)	Stuart Andrew
Mel Stride (Central Devon)	Stuart Andrew
Sam Tarry (Ilford South)	Chris Elmore
Gareth Thomas (Harrow West)	Chris Elmore
Owen Thompson (Midlothian)	Patrick Grady
Jon Trickett (Hemsworth)	Olivia Blake
Karl Turner (Kingston upon Hull East)	Chris Elmore
David Warburton (Somerton and Frome)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Helen Whately (Faversham and Mid Kent)	Stuart Andrew
Mrs Heather Wheeler (South Derbyshire)	Stuart Andrew
Dr Philippa Whitford (Central Ayrshire)	Patrick Grady
Hywel Williams (Arfon)	Ben Lake
Beth Winter (Cynon Valley)	Rachel Hopkins
Mohammad Yasin (Bedford)	Chris Elmore

Written Statements

Tuesday 30 June 2020

CABINET OFFICE

The European Communities (Designation) Order 2020

The Paymaster General (Penny Mordaunt): An error has been identified in the laying letter for The European Communities (Designation) Order 2020, and as a result it was laid under an incorrect procedure. The Order should have been laid under the negative procedure but the laying letter indicated that there would be no parliamentary procedure. This was due to an administrative error.

A correction has been issued under Votes and Proceedings 23 June 2020.

The statutory instrument was laid on 27 May 2020 and the House authorities have agreed that they consider this instrument to be laid under the negative procedure from the date of laying. I wish to inform the House that the 40-day laying period ends on 3 July 2020.

[HCWS325]

INTERNATIONAL TRADE

Negotiations on the UK's Future Relationship with the US: Update

The Secretary of State for International Trade (Elizabeth Truss): The second UK-US Free Trade Agreement (FTA) negotiating round took place from 15-26 June 2020.

Talks continued to be positive and constructive, with progress being made towards a comprehensive agreement. Discussions spanned the majority of areas covered by the FTA, with further sessions coming over the next two weeks on the remaining major policy areas. This follows almost 20 intersessional meetings held in between rounds one and two.

The Government are clear there is no set deadline for this agreement. Quality is more important than speed. Any deal the Government strikes must be fair, reciprocal and ultimately in the best interests of the British people and the economy. Furthermore, the Government remain clear on protecting the NHS and not compromising on the UK's high environmental protection, animal welfare and food safety standards.

During the round, talks advanced across a number of chapters and teams are now into detailed discussions on text.

There was good progress on a dedicated SME (Small and Medium Enterprises) chapter. This included agreement that the next formal UK-US SME dialogue will be held in Boston in October 2020.

UK negotiators also underlined the importance of high ambition on services, with financial services particularly vital to any final agreement.

On professional business services, both sides agreed to go further than existing precedent and agree provisions that reflect the strength of the UK-US relationship. This included a discussion on how best to support regulators pursue closer collaboration on the recognition of qualifications and licencing.

There was also discussion of specific proposals that might benefit the legal services sector.

More work needs to be done and both sides committed in the round to a full programme of engagement ahead of round three. Talks scheduled over the coming weeks include rules of origin, market access, digital, telecoms, intellectual property and business mobility.

The third negotiating round is expected to take place at the end of July.

Below is a summary list of those areas discussed in the round, which continued to take place through video conferencing:

- General co-ordination
- Trade remedies
- Services sectors—professional business services
- Small and Medium Enterprises (SMEs)
- Services sectors—transport
- Anti-corruption
- Competition
- Cross cutting services
- Financial services
- Good regulatory practice (GRP)
- Customs and trade facilitation
- Sanitary and phytosanitary (SPS)
- Investment
- Legal group—core text
- Sectoral annexes
- Environment
- State owned enterprises
- Technical barriers to trade
- Other issues—including innovation and women's economic empowerment
- Economics

[HCWS324]

Petition

Tuesday 30 June 2020

OBSERVATIONS

CABINET OFFICE

Extension of the Brexit transition period

The petition of residents of Glasgow East constituency,

Declares that current Coronavirus pandemic should be the primary focus of Her Majesty's Government at this time; believes it is deeply unhelpful that the prospect of a No Deal cliff edge on 30th June remains on the negotiating table with Brussels and considers that local businesses could get through the inevitable Coronavirus recession without having extra uncertainty or new rules and red tape to get used to at the end of the year.

The petitioners therefore request that the House of Commons urges Her Majesty's Government to seek an immediate extension to the Brexit transition period without delay.

And the petitioners remain, etc.—*[Presented by David Linden, Official Report, 03 June 2020; Vol. 676, c. 974.]*

[P002567]

Observations from The Paymaster General (Penny Mordaunt):

The transition period ends on 31 December 2020, as enshrined in UK law. The Government will not be extending the transition period.

An extension would bind us into future EU legislation, without us having any say in designing it. We would continue to have to make large payments to the EU. We need to be able to design our own rules, in our best interests, to manage our response to coronavirus, without the constraints of following EU rules.

We left the EU on 31 January on the basis of a deal, the withdrawal agreement. The issue that now faces both us and the EU is what kind of trading relationship, and other forms of co-operation, we will have in future.

At the high-level meeting on Monday 15 June the Prime Minister and the three EU leaders took stock of progress, and they recognised the UK's decision not to request an extension to the transition period.

They agreed that new momentum was required, and they supported the chief negotiators' plans to intensify talks in July and create the most conducive conditions for concluding and ratifying a deal before the end of 2020. They agreed to work hard to deliver a relationship that works for all UK and EU citizens, and confirmed their commitment to the full and timely implementation of the withdrawal agreement.

We need to conclude this negotiation in good time to enable people and businesses to have certainty about the trading terms that will follow the end of the transition period at the end of this year, and, if necessary, to allow ratification of any agreements reached.

ORAL ANSWERS

Tuesday 30 June 2020

	<i>Col. No.</i>		<i>Col. No.</i>
FOREIGN AND COMMONWEALTH OFFICE	133	FOREIGN AND COMMONWEALTH OFFICE—	
Covid-19: Overseas Territories	145	<i>continued</i>	
Covid-19 Vaccine	133	South China Sea	144
FCO Staff: Brussels.....	139	Topical Questions	147
Foreign, Commonwealth and Development Office	141	UK Relations with France	139
Official Development Assistance Budget.....	146	West Bank: Planned Annexation.....	137
Sino-British Joint Declaration.....	135	Yemen	140

WRITTEN STATEMENTS

Tuesday 30 June 2020

	<i>Col. No.</i>		<i>Col. No.</i>
CABINET OFFICE	7WS	INTERNATIONAL TRADE	7WS
The European Communities (Designation) Order 2020	7WS	Negotiations on the UK's Future Relationship with the US: Update	7WS

PETITION

Tuesday 30 June 2020

	<i>Col. No.</i>
CABINET OFFICE	1P
Extension of the Brexit transition period	1P

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**not later than
Tuesday 7 July 2020**

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CONTENTS

Tuesday 30 June 2020

Oral Answers to Questions [Col. 133] [see index inside back page]
Secretary of State for Foreign and Commonwealth Affairs

Civil Service Appointments [Col. 154]
Answer to urgent question—(Michael Gove)

Lammy Review [Col. 172]
Answer to urgent question—(Alex Chalk)

New Homes (New Development Standards) [Col. 188]
*Motion for leave to bring in Bill—(Sir Geoffrey Clifton-Brown)—agreed to
Bill presented, and read the First time*

Immigration and Social Security Co-ordination (EU Withdrawal) Bill [Col. 191]
Not amended, further considered; read the Third time and passed

Petitions [Col. 290]

Black Women: Domestic Abuse [Col. 292]
Debate on motion for Adjournment

Written Statements [Col. 7WS]

Petition [Col. 1P]
Observations

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
