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6 July 2020**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Monday 6 July 2020

House of Commons

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The House met at half-past Two 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

DEFENCE

The Secretary of State was asked—

Veterans' Welfare: Covid-19

Darren Henry (Broxtowe) (Con): What steps his Department is taking to ensure the provision of a high-quality welfare service for veterans during the covid-19 outbreak. [904209]

Simon Baynes (Clwyd South) (Con): What steps his Department is taking to ensure the provision of a high-quality welfare service for veterans during the covid-19 outbreak. [904218]

The Minister for Defence People and Veterans (Johnny Mercer) [V]: The Veterans Welfare Service has continued to provide full support to veterans throughout the covid-19 pandemic.

Darren Henry: Last week I spoke to Forces in the Community, a charity in Broxtowe that supports veterans re-entering civilian life. We agreed that one of the hardest adjustments is finding a rewarding job, and all too often veterans fall at the first application stage because they do not have the “traditional” experience that employers are looking for. The Government have delivered on their manifesto pledge to harness the talent of veterans, guaranteeing an interview if they are applying for a role in the civil service, but we should aim bigger and better. Will my hon. Friend agree to meet me to discuss a pilot veteran confident employer scheme to be rolled out nationwide, so that more veterans' skills are recognised and harnessed, and they are given the boost they need to thrive as civilians?

Johnny Mercer: I thank my hon. and gallant Friend for his question, and I commend him on his maiden speech, in which he talked about these issues. I am very clear, and the Department is very clear, that the single biggest factor that can improve the life chances of veterans in this country is having a job. We have more veterans going into employment than ever before, but I would be delighted to meet him and hear about his specific efforts in Broxtowe.

Simon Baynes: Will the Minister look at ways to protect the funding in Clwyd South and the wider Wrexham area for the provision of armed forces liaison officers and housing and mental health support for our veterans in these difficult times?

Johnny Mercer: I would be delighted to look at that. We have secured specific funding during this challenging time—£6 million out of the Treasury, which has gone to over 100 armed forces charities dealing with the unique challenges of this crisis. I am determined that we will realise this Government's vision to make this the best country in the world to be a veteran. I would be delighted to meet my hon. Friend and find out what more we can do.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab) [V]: I want to start by wishing the Minister and his wife a huge congratulations on the birth of their daughter, Audrey.

The Government's ambition is to make the UK the best country in the world to be a veteran, and the Opposition obviously share that ambition, but for 10 and a half weeks, the telephone service of the Veterans UK helpline was closed. The Minister will no doubt say that there was an email service, but his own figures show that that email service saw an overall reduction of over 10,000 contacts on average per month between April and June this year compared with last year, proving that veterans were not emailing instead. What assessment has he made of the impact of the closure of the telephone service on those people who would normally have called the helpline?

Johnny Mercer: I thank the hon. Member for her kind comments about my daughter. She is right—the telephone service was briefly suspended while Veterans UK, like every other organisation in the country, tried to reconfigure its services, to ensure that we met the demand out there. We have helped over 13,000 veterans since 23 March. Per month, we make 470,000 pension and compensation scheme payments. I am still unaware—as I was six weeks ago, when I spoke from the Dispatch Box—of a single veteran whose urgent need has not been responded to, but if she is aware of any, I would be more than happy to meet her and find out what we can do better.

Veterans: Vexatious Claims

Mark Jenkinson (Workington) (Con): What steps his Department is taking to ensure that veterans are protected from vexatious claims. [904210]

Tom Randall (Gedling) (Con): What steps his Department is taking to ensure that veterans are protected from vexatious claims. [904219]

John Howell (Henley) (Con): What steps his Department is taking to ensure that veterans are protected from vexatious claims. [904236]

The Minister for Defence People and Veterans (Johnny Mercer) [V]: We rightly expect the highest standards of our service personnel. We also owe them justice and fairness. On 18 March 2020, I introduced the Overseas Operations (Service Personnel and Veterans) Bill to tackle vexatious claims and end the cycle of reinvestigations against our armed forces personnel and veterans.

Mark Jenkinson: I associate myself with the good wishes to the Minister and his wife. In my constituency, Workington, there is an active veterans hub, members of which I met earlier this year. What support can the Department provide for our veterans as they leave the forces to find alternative employment in Workington and other areas across Britain?

Johnny Mercer: I would be delighted to meet my hon. Friend to talk about the options available in his area. More money and more opportunities than ever before are going into veterans employment. As I said earlier, it is the single biggest factor that improves the life chances of any veteran and their family. I am always looking to do more, and I am happy to meet my hon. Friend to go through what is available in his area.

Tom Randall: A veteran with an exemplary record from his two tours in Afghanistan recently confided in me his concerns—and, more worryingly, those of soldiers he served with who come from towns in my constituency such as Arnold and Carlton—about being prosecuted as a result of vexatious claims in the future. Does my hon. Friend agree that it is our duty to ensure that we end the unfair trials of people who have served their country?

Johnny Mercer: My hon. Friend is absolutely right. This has been one of my driving missions since I entered Parliament. I am delighted to be part of the first Government to have really taken on a very difficult issue, carefully walking down the path of making sure that we can always prosecute those who break the law—uniform is no hiding place for those who do—but that the days of lawyers rewriting history in order to line their own pockets and run amok in lawfare come to an end.

John Howell: Any action the Minister takes is likely to require a derogation from the European convention on human rights. Given that the ECHR is part of the apparatus of the Council of Europe, will he meet members of the parliamentary delegation to the Assembly, such as myself, so that we can help?

Johnny Mercer: I would be delighted to meet my hon. Friend. I have said time and again that this is a difficult issue and one that requires all of us to work together, both within parties and across parties. The House is united in the view that people who serve and who have done nothing wrong should not spend the rest of their lives fearing prosecution. I would be delighted to work with my hon. Friend to discover what more we can do to make sure that measure is brought forward.

John Healey (Wentworth and Dearne) (Lab): The Government are the custodians of the armed forces covenant, which Labour has always been proud to support. The covenant rightly declares:

“Those who serve in the Armed Forces...those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services”;

so why are the Government now legislating to disadvantage our own armed forces personnel who serve overseas by blocking any injury or negligence claim against the Ministry of Defence if troops miss a hard six-year deadline?

Johnny Mercer: With the greatest respect, I think the right hon. Gentleman has misunderstood the Bill. Veterans and service personnel will still be able to bring claims against the MOD, even if more than six years have elapsed. The time starts when the condition is diagnosed or when it is first reported. I reiterate that the Bill is a difficult piece of legislation that will need help from all

parts of the House to pass. It is worth reading and understanding it, so that we can find a way to make sure the injustice ends.

John Healey: Of course I have read the legislation, and the word “diagnosis” does not appear in it. The Minister is right about baseless and repeated claims; we want to stop those as well, but in part the Bill does more to protect the MOD than it does to protect British soldiers. The Bill may well breach our armed forces covenant; it certainly will deny those who serve our country overseas the same employer liability rights as everyone else enjoys at home. Why should those who put their lives on the line for Britain overseas have less access to compensation than the UK civilians they defend?

Johnny Mercer: I ask the right hon. Gentleman to reflect briefly on whether I would advocate a piece of legislation that would do that. The Bill does not do that. It is clear that we are bringing in various conditions to stop our service personnel and veterans repeatedly having to give evidence in relation to historical incidents or to respond to allegations. It has been a long time in the making; the injustice has gone on for many years. What he is saying is simply not in the Bill. I would be more than happy to meet him and Members from all parts of the House to discuss what is in the Bill. We need to work together to get the Bill over the line.

Armed Forces: Overall Size

Nick Smith (Blaenau Gwent) (Lab): What steps his Department has taken to maintain the overall size of the armed forces as set out in the 2015 strategic defence and security review. [904211]

Judith Cummins (Bradford South) (Lab): What steps his Department has taken to maintain the overall size of the armed forces as set out in the 2015 strategic defence and security review. [904235]

The Secretary of State for Defence (Mr Ben Wallace): Since 2015 we have introduced many measures to respond to a difficult armed forces recruitment and retention climate. These include financial incentives, flexible service, the recruitment partnership project, the future accommodation model, and improved childcare. We saw improved recruitment figures of 31% from 2018-19. The size of the armed forces should always be dictated by the threat, UK global ambition, and modern technology.

Nick Smith: The Army’s strength, though, is still woefully short of the Government’s target. Those wanting to join our Army were faced with Capita’s bureaucratic processes, which could take up to 52 months. So will the Secretary of State tell us what is the average length of time taken to get through the Army recruitment processes now?

Mr Wallace: The hon. Gentleman makes some valid points. However, due to the extra effort we have put into the Army recruiting process, the Army has now in fact hit its recruitment target, and was on target to do so even before covid broke, to have depots full and to deliver an armed forces at the right strength, growing the armed forces, not shrinking them.

Judith Cummins: Can the Secretary of State categorically deny reports that No. 10 wishes to slash the size of the Army from 74,000 to 55,000 personnel? If he cannot do that, will he at least confirm to this House that he personally opposes any plan to reduce the size of the armed forces?

Mr Wallace: I can confirm that there is no plan to slash the size of the armed forces. The reports in *The Sunday Times* were completely erroneous, as was made clear to the journalist at the time. Our armed forces should always be defined by the threat we face as a nation, the capabilities we have, and Britain's global ambition. That is why, in the integrated review, we will deal with those processes rather than start the debate about numbers.

Mr Tobias Ellwood (Bournemouth East) (Con): Will the Secretary of State bring forward the integrated review? He is aware of the importance of this in confirming our capabilities, but also in terms of existing emerging threats, not least Britain's ambitions and place in the world. We are witnessing a seismic shift in power from the east to the west. Is it not time for us to recalibrate our foreign policy in order to recognise this changing threat, and the fact that China is rewriting the international global rules?

Mr Wallace: I feel my right hon. Friend's sense of urgency about getting this review done. He will also know that SDSR after SDSR, under Governments of both colours, often failed because they were never in step with the spending plans of the Government, and we ended up with SDSRs that were over-ambitious and underfunded. It is really important that the integrated review reports at the same time as the comprehensive spending review, which is due in the autumn. We must also learn the lessons from the recent covid outbreak, which shows how important resilience is, and feed that into the review to make sure that it is as up to date as possible.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab) [V]: I would like to start by commending our excellent armed forces for their exemplary service to the public during the covid-19 period.

Over the past decade, this Government have severely cut the size of our armed forces. We have had three very good questions from my hon. Friends the Members for Blaenau Gwent (Nick Smith) and for Bradford South (Judith Cummins), and from the Chair of the Defence Committee, the right hon. Member for Bournemouth East (Mr Ellwood), yet the Secretary of State has refused to answer the real question, which is this: will he increase the recruitment and retention of armed forces personnel—yes or no?

Mr Wallace: Recruitment is up, as is retention. That is the direction of travel. That is what we are delivering for our armed forces. It is very clear that our armed forces are growing, as is our defence spending, which is our commitment.

Personnel Stationed Abroad: Covid-19

Jim Shannon (Strangford) (DUP): What recent estimate he has made of the number of British armed forces personnel stationed abroad who have contracted covid-19. [904212]

The Minister for the Armed Forces (James Heapey): Twenty-five service personnel have tested positive for covid while serving overseas.

Jim Shannon: I thank the Minister for his response. Will he further outline whether any personnel have had to return home due to covid-19 issues? If there is a facility to get our troops home as needed, are they hospitalised according to their regimental location, or are they hospitalised all together?

James Heapey: I am not aware of any individual circumstances in which someone has been recovered back to the UK as a consequence of having tested positive. The symptoms would determine whether they required hospitalisation. Medical facilities in all theatres of operation and on all ships are appropriate to deal with covid as it would normally stand. If an instance had been more serious, we would of course have looked at the need to recover the individual.

Stephen Morgan (Portsmouth South) (Lab): Our troops have rightly continued their duties overseas for the duration of the pandemic, keeping our citizens safe and helping to maintain international peace. However, there are concerns that in countries such as Iraq, where some British troops are stationed and there has been a surge in covid-19 cases over the past 24 hours, the worst may be yet to come. With that in mind, what contingency plans have the Government put in place to safeguard our troops operating in areas prone to further covid-19 outbreaks and their families?

James Heapey: The theatre commander can make a judgment about the degree to which the risk of exposure to a population with a large amount of covid within it is worth the operational needs. That is a decision for the operational commander. In theatre, all sorts of force-protection measures are available, ranging from personal protective equipment to the choice not to continue with operational duties if they are deemed to be too risky.

Overseas Territories: Covid-19 Support

Scott Benton (Blackpool South) (Con): What support his Department has provided to the Overseas Territories during the covid-19 pandemic. [904213]

The Minister for the Armed Forces (James Heapey): The Ministry of Defence deployed a military medical team to the Falkland Islands; delivered supplies and logistical support to Gibraltar; provided planning advice to the Cayman Islands; and provided a security assistance team to the Turks and Caicos Islands. As ever, the MOD will of course continue to support our overseas territories whenever required.

Scott Benton: What steps are the Minister's Department and his colleagues elsewhere in Government taking to enable our overseas territories to become more self-sufficient?

James Heapey: My hon. Friend asks an excellent question. Her Majesty's Government aim to build resilient overseas territories with good governance, diversified economies and prosperous communities that are all able to deal with and recover better from crises. For example,

the Ministry of Defence is delivering maritime security capacity building in the Caribbean and supporting the Cayman Islands and the Turks and Caicos Islands to establish new reserve defence regiments.

Armed Forces: Tackling Covid-19

Mary Glendon (North Tyneside) (Lab): What assessment he has made of the contribution of the armed forces in tackling the covid-19 outbreak. [904214]

The Minister for the Armed Forces (James Heapey): At the peak of our covid covert response, some 20,000 troops were at readiness, and more than 4,000 of them were deployed at any one time at peak. Cumulatively, over the course of the pandemic more than 14,000 military and civilian personnel in the Ministry of Defence have been involved in the Government's response to the pandemic.

Mary Glendon [V]: Our armed forces have been invaluable in delivering for the whole nation during the pandemic, but for the second year running they have not received their pay award on time. Will the Minister put things right and say precisely when our forces can expect to receive their pay rise?

James Heapey: I join the hon. Lady in praising the response of our armed forces to the covid pandemic; they have been absolutely extraordinary. Armed forces pay is a matter for the Armed Forces Pay Review Body. I will find out exactly what its recommendations are and when they are due to be implemented and write to the hon. Lady.

Veterans: Covid-19 Support

Jason McCartney (Colne Valley) (Con): What support his Department has provided to veterans during the covid-19 outbreak. [904215]

Kerry McCarthy (Bristol East) (Lab): What support his Department is providing for veterans during the covid-19 outbreak. [904221]

Chris Elmore (Ogmore) (Lab): What support his Department is providing for veterans during the covid-19 outbreak. [904228]

Navendu Mishra (Stockport) (Lab): What support his Department is providing for veterans during the covid-19 outbreak. [904232]

Margaret Greenwood (Wirral West) (Lab): What support his Department is providing for veterans during the covid-19 outbreak. [904251]

The Minister for Defence People and Veterans (Johnny Mercer) [V]: The full range of veterans' support services, including the Veterans UK helpline and welfare service, have continued to be provided throughout covid-19 pandemic.

Jason McCartney: I declare an interest as a Royal Air Force veteran and as honorary president of the Royal Air Forces Association in Huddersfield. Will the Minister please update the House on the phase 2 roll-out of the ID card for military veterans? Having spoken to fellow veterans, they tell me that having this ID card will give them real confidence in trying to access support services, including NHS services.

Johnny Mercer [V]: I pay tribute to my hon. and gallant Friend for pursuing this issue. A new veterans ID card was launched in February 2019. Service leavers are currently getting that veterans railcard. There are challenges around future proofing and safeguarding against fraudulent use, which means that the process of rolling out phase 2 to existing veterans is taking longer than I had hoped, but I hope to have some progress for him by the end of the year.

Kerry McCarthy: We know that many veterans will have been affected during this coronavirus crisis. The older veterans, perhaps those from world war two, might have to shield, while the younger ones may have a range of mental health problems, including post-traumatic stress disorder, and this current crisis will no doubt put additional pressure on them. What support is being given to those younger veterans, or indeed to older veterans with mental health problems, to make sure that they do not come out of this situation worse than they went in?

Johnny Mercer: I am acutely aware that the covid pandemic has placed extra and unique challenges on our veteran community, particularly those who have had to isolate and who find isolation difficult at the best of times. We have put more money in—£6 million from the Treasury has gone to 100 different armed forces charities, both large and small across the country. We are working hard with our NHS colleagues to ensure that we are providing services through the transition and liaison service and the complex treatment service. The numbers there are looking good, and I am confident that we have had a good professional service throughout this time.

Chris Elmore [V]: I know the Minister will agree that the armed forces have gone above and beyond throughout the course of the pandemic, particularly those charities that have been providing specific support to veterans. However, concerning, one in every 10 charities believes that it will have to close in the next 10 months. Will the Minister explain what work he has been doing with the Ministry of Defence and with the Treasury to ensure that, if these charities do have to close, the support will still be there for veterans?

Johnny Mercer: The hon. Gentleman is absolutely right to focus on the output from these charities and what that care looks like from the veterans' point of view. My determining concern is that, where these services are, regrettably, unable to continue, that service is still provided and that veterans can access them across the country. I have worked hard with officials in the Treasury to get money into the sector. There is no doubt that the veterans' charity and care sectors are going through an accelerated process of reform as a result of covid-19, but I am determined to take the opportunities from that, making sure that we fulfil the Government's ambition to make this the best country in the world in which to be an armed forces veteran.

Navendu Mishra: The Minister said that the veterans' gateway app would put veterans' care in the palm of every veteran in the country. Can he tell us how many people have downloaded and used this app in its first two months?

Johnny Mercer: I have not formally launched the veterans' gateway app at the moment. We are going through a process of working with users and so on to

make it more user-friendly. That is an ambition of mine: to put veterans' care in the palm of every single veteran in this country. We will have a formal launch and I would be delighted if the hon. Gentleman came with me to that launch. We can then look at the figures together and perhaps work on getting the app into more people's pockets as we go.¹

Margaret Greenwood [V]: The Minister said that the veterans' gateway app will put veterans' care in the palm of every veteran in the country. Will he tell us what estimate his Department has made of the number of veterans who do not have a smartphone and what his Department is doing to reach them?

Johnny Mercer: It is a completely fair point that many of our veterans are of an age group who will not be digitally able to access this app. The app was never designed to be something that is all encompassing. It is simply another measure in the suite of options that we are offering to veterans in this country to make sure that this is the best country in the world in which to be an armed forces veteran. There is a whole host of other ways of looking after our veterans, such as breakfast clubs that we all get involved in. When this app does come out, I will be looking at ways to make it even more user-friendly, particularly to our older veterans, to whom we owe such a great debt.²

Overseas Personnel: Covid-19 Support

Anthony Mangnall (Totnes) (Con): What support his Department has provided to service personnel operating overseas during the covid-19 pandemic. [904216]

The Minister for the Armed Forces (James Heappey): My hon. Friend gives me the opportunity to recognise that away from our response to covid in the UK, the armed forces have also been serving in many locations overseas, going about their normal duties. In my earlier answer to the shadow Minister, I spoke about the force protection measures we make available to theatre commanders, but it is important to recognise before the House that some of the operational requirements we place on our armed forces are so immediate that sometimes no mitigation is available, and they accept that risk on behalf of our nation. We are all very grateful to them for doing so.

Anthony Mangnall: On 10 June, I received a letter from the Minister for Defence People and Veterans in response to the cancellation of the overseas loan service allowance, which has significantly financially disadvantaged service personnel operating overseas. The letter also stated that the local overseas allowance would not be reduced from its normal rate. Sadly, it appears that this is no longer the case and that the LOA will now be paid at a reduced, residual rate. Since repatriation, any payments on the OLSA and LOA have been deemed as overpayments and are now being clawed back from service personnel. As people are the military's greatest asset, can I please ask what will be done about this?

James Heappey: The Department has prepared a long answer to match my hon. Friend's long question. The Secretary of State has just said he is gripping this.

1. [Official Report, 13 July 2020, Vol. 678, c. 7MC.]

2. [Official Report, 13 July 2020, Vol. 678, c. 8MC.]

Covid-19: Tackling Disinformation

Tommy Sheppard (Edinburgh East) (SNP): What steps the Government are taking to help tackle disinformation in the context of the covid-19 pandemic. [904217]

Angela Crawley (Lanark and Hamilton East) (SNP): What steps the Government are taking to help tackle disinformation in the context of the covid-19 pandemic. [904247]

The Minister for the Armed Forces (James Heappey): The MOD is supporting the Government's campaign against covid-19 disinformation by providing specialist personnel in advisory roles. This work is led by the Cabinet Office and the Department for Digital, Culture, Media and Sport. The Government are also working closely with social media platforms and academia to tackle this issue, and the Government's focus remains on promoting factual public health advice and countering inaccurate content.

Tommy Sheppard [V]: Disinformation by active promoting of falsehoods poses a significant threat, but so too does disinformation by omission. The National Security Council's report on Russian interference in UK politics has been ready for publication since October 2019. To have trust and confidence in our democracy, the people of the United Kingdom need openness and transparency, so if the Government have nothing to hide, why do they continue to refuse to release this report?

James Heappey: As these are Defence questions, I am somewhat outside my portfolio in answering this question, but the Secretary of State, who sits in the Cabinet, tells me that the security committee is not yet formed, which is why the report has not yet been published.

Angela Crawley [V]: In many cases, disinformation about covid-19 can travel faster than the virus itself and pose just as great a risk to our security. Does the Minister agree with me and the majority of the public surveyed by the Open Knowledge Foundation that the Government need to urgently impose compulsory action on social media sites to clamp down on the spread of such misinformation?

James Heappey: Again, I am comfortable responding about disinformation, which the military has an active role in countering, but misinformation is the responsibility of my colleagues in the Cabinet Office and the Department for Digital, Culture, Media and Sport.

US Deployment: Germany

Dr Julian Lewis (New Forest East) (Con): What recent representations he has made to his counterpart in the US Administration on President Trump's proposal to reduce the number of US troops deployed in Germany. [904222]

The Secretary of State for Defence (Mr Ben Wallace): I met with my NATO counterparts, including Secretary Esper, on 17 and 18 June to discuss the alliance's enduring role in European security.

Dr Lewis: I am glad that the Secretary of State has been making representations to the US about the importance of not cutting conventional forces in Europe, but can we make such representations if we ourselves have any intention to do what is reported in the press—namely to inflict swingeing cuts on the Army and to revisit the argument we won two years ago about the Royal Marines' amphibious capabilities? Does he accept that, although we have 21st century threats to meet, that is additional to, not a substitute for, the conventional preparedness we need to maintain?

Mr Wallace: My right hon. Friend has been in this House long enough to know that he should not believe everything he reads in the newspapers, especially around the time of an integrated review. We in the United Kingdom believe that, as the motto of Sandhurst says, we serve to lead. We lead by contributing and giving, which we have done over the history of NATO. We are the biggest contributor to NATO in Europe. We are the provider of NATO's nuclear defence in Europe, and we will continue to be a main leader in NATO. That is how we believe we will see off the threats we face from the likes of Russia.

Tracked Vehicles

Mr Richard Holden (North West Durham) (Con): What assessment his Department has made of trends in the level of demand for tracked vehicles in the armed forces. [904223]

The Minister for Defence Procurement (Jeremy Quin): Armoured tracked vehicles remain at the core of Defence's high-intensity war-fighting capability, and ongoing demand is evidenced in the Army's investment in new fully digitised tracked Ajax vehicles.

Mr Holden: Cook Defence Systems in Stanhope in my constituency makes the tracks for all the Army's fighting vehicles and increasingly for fighting vehicles overseas. Will the Minister join me on a visit to Cook Defence Systems to see what export opportunities could be achieved in addition to its work with the British Army?

Jeremy Quin: I am grateful for that invitation. I am speaking to north-east defence companies on a call next week. Our ability to make physical visits to companies has clearly been restrained by covid, but as soon as my diary allows, I would be delighted to visit Cook Defence Systems in person.

Official Development Assistance

Wendy Chamberlain (North East Fife) (LD): What recent estimate his Department has made of the level of departmental official development assistance spend. [904224]

The Minister for the Armed Forces (James Heappey): The Ministry of Defence is forecast to spend £5.58 million on official development assistance in 2020.

Wendy Chamberlain: Back in April, the International Development Secretary commented that there should be regular reviews at ministerial level of what different

Departments were doing with their official development assistance. In the light of the upcoming merger between the Department for International Development and the Foreign and Commonwealth Office, will the Minister set out what conversations he has had with the Foreign Secretary about ensuring that any official development assistance programming from his or other Departments is transparent and subject to scrutiny?

James Heappey: The hon. Lady is exactly right. Development and security sit hand in hand and, as such, knowing that a review is ongoing, we are looking at exactly where development activity is essential to the security function that our armed forces are seeking to provide overseas. We will be making the case for that spending to remain unchanged.

Defence Industrial Strategy

Philip Dunne (Ludlow) (Con): What steps he is taking to develop a defence industrial strategy to support the armed forces. [904226]

The Secretary of State for Defence (Mr Ben Wallace): The Government are currently conducting work on the UK's defence and security industrial strategy to identify the steps we should take to ensure a competitive, innovative and world-class industrial base. I will use this opportunity to ensure that, as well as delivering the best capabilities to the UK armed forces, we are driving investment, employment and prosperity across the whole of the United Kingdom.

Philip Dunne [V]: I am very pleased to hear my right hon. Friend's commitment to the defence industry in that answer. Investment by Defence in innovation often stimulates dual-use commercial opportunities. The Prime Minister is clear that he wants the UK to be a science superpower, so will the defence industrial strategy make the case that a great place to start would be to double Defence investment in innovation?

Mr Wallace: My right hon. Friend is absolutely right to highlight the fact that defence procurement and innovation should be linked and should link into prosperity and alternatives, using that technology to enhance prosperity across the United Kingdom. During the financial year 2018-19, Defence invested £1.65 billion in research and development, which included £580 million spent on cutting-edge science and technology. Without trying to pre-empt the integrated review, it is absolutely clear that at the heart of it will be not only innovation but a recognition that prosperity is what our taxpayers, at local and UK level, should expect for their money.

Defence Capabilities

Sally-Ann Hart (Hastings and Rye) (Con): What steps his Department is taking to ensure that the capabilities of the armed forces are adequate to tackle future security threats. [904227]

Angela Richardson (Guildford) (Con): What steps his Department is taking to ensure that the capabilities of the armed forces are adequate to tackle future security threats. [904230]

The Secretary of State for Defence (Mr Ben Wallace):

The Ministry of Defence has rigorous ongoing processes to test and develop our capabilities and force structure to ensure that they are robust against current and future threats. During the integrated review, the Department is focused on reassessing our plans to ensure that we are delivering the right capability to keep the country safe now and in the decades to come.

Sally-Ann Hart: The UK has some of the most elite and specialist armed forces in the world. Bearing in mind that we cannot compete with the number of boots on the ground of, say, China or Russia, what steps is my right hon. Friend taking to ensure that our armed forces are properly funded, that the very best people are recruited and that the very best training, skills and equipment are maintained?

Mr Wallace: We have the funds and plans in place to ensure that our armed forces are playing to their strengths. We are investing in the likes of the future combat air system technology initiative, in nuclear submarines and in cyber-technology to ensure that we are fighting the battle for tomorrow.

Angela Richardson: The work on the review of our foreign policy and national security—the largest of its kind—has been paused during this pandemic. Will my right hon. Friend assure me that when it resumes, he will continue to ensure that we frame our thinking around threat at every stage of the review?

Mr Wallace: My hon. Friend is right—but the review was slowed down, not entirely paused, during the covid pandemic. We did continue to work on it in the Ministry of Defence. Last week I gathered the chiefs of all the services and the head of defence intelligence together to hear about the threat and the doctrine of our adversaries, and about how the chiefs are going to deliver a solution to that threat. That is my starting point for the integrated review. It is not the budget or the bureaucracy; it is the starting point for meeting the threat and the demand on our forces, and for ensuring that we give the men and women of the armed forces the best equipment and capability that they deserve.

Stewart Malcolm McDonald (Glasgow South) (SNP): May I send the best wishes of the Scottish National party to the Veterans Minister on the birth of his new child?

Will the Secretary of State outline what assessment the MOD has made of the threat picture in the Arctic, the high north and the Greenland-Iceland-UK gap, and what capability will be needed to meet those future threats?

Mr Wallace: I fear that I have only a few seconds in which to answer that. I am very happy to meet the hon. Member to explore the last part of his question because it is significant and we are working on a strategy to reveal just how we are going to meet those threats. He is absolutely right that a number of nations including Russia—indeed, even China—are very keen on what they are going to do in the Arctic. The danger is that the environment is damaged and that we end up against traditional geographical rivalries that could tip conflict in that direction.

Stewart Malcolm McDonald: The Secretary of State is absolutely right. Let me be clear: I want him to get the review and the capability right, but I am concerned, following what I think might have been the Tower of London away day that he and other defence officials went on, that there is going to be a pivot to the eastern Pacific, which is again going to leave us weaker in an area closer to home where the threat picture is growing, and where bad actors and the activity of bad actors are certainly increasing. Can he assure us that we will not be spread so thinly as to be sent far abroad while we leave our own defences closer to home wanting?

Mr Wallace: The hon. Member asks a logical and proper question. I can assure him that we will not abandon one threat to meet another. We work incredibly hard with our Scandinavian and Nordic colleagues—some in NATO, some not—through the joint expeditionary force. We regularly plan, and NATO itself acts, in that area. Only recently a US and UK naval flotilla went into the Barents sea—the first time for many years—to ensure that we dealt with the growing threat from that side of the Russian flank.

Defence Science and Technology: Covid-19

Dr Ben Spencer (Runnymede and Weybridge) (Con): What steps Defence Science and Technology is taking to help tackle the covid-19 outbreak. [904229]

The Minister for Defence Procurement (Jeremy Quin): Defence Science and Technology is drawing on its unique range of specialist skills to support the covid response, including assistance on testing laboratories, statistical analysis, modelling support, decontamination trials, and experiments to understand how the virus survives in the atmosphere and on different surfaces.

Dr Spencer: Covid is certainly just one of many emerging threats that we have faced and will yet face as a nation, including other possible pandemics and unconventional warfare such as cyber-attacks. Can the Minister assure me that, in order to ensure that we can continue to rise to whatever challenges the future may yet hold, Defence Science and Technology will have the investment and support that it needs to remain the envy of the world?

Jeremy Quin: The Defence Science and Technology Laboratory—through covid, through its response to the outrageous attack in Salisbury and in countless other ways—has shown its value to the country, and that is also recognised by our international partners. I assure my hon. Friend that we will continue to invest to meet the threats of the future.

EU Future Relationship Planning

Ruth Jones (Newport West) (Lab): What plans his Department has made in the event that the UK does not reach an agreement on its future relationship with the EU by the end of the transition period. [904231]

The Minister for the Armed Forces (James Heappey): We want a relationship with the EU that is based on friendly co-operation between sovereign equals and is centred on free trade. We are developing plans to ensure that the critical work of defence continues regardless of the outcome of the negotiations.

Ruth Jones: What discussions exactly has the Minister had with counterparts in the EU on how the UK can, where it is in our interest, continue to co-operate with member states to further our collective security?

James Heapey: The whole ministerial team talks to our counterparts across Europe regularly in the context not just of Brexit, but of our bilateral and multilateral co-operations through a whole series of organisations and fora. That work will continue whatever the outcome of the Brexit negotiations, because our military partnerships with friends and colleagues across Europe are vital to the security of this nation.

Northern Ireland: Vexatious Claims

Bob Stewart (Beckenham) (Con): What progress he has made on preventing vexatious claims against service personnel involved in the Northern Ireland campaign; and on what date he plans to complete that work.

[904233]

The Secretary of State for Defence (Mr Ben Wallace): This Government are committed to ending vexatious claims as quickly as possible. I am working closely with the Secretary of State for Northern Ireland towards this objective. As set out in the written ministerial statement laid on 18 March, he has committed to bringing forward legacy legislation that will deliver for victims and ensure that Northern Ireland veterans are treated as fairly as those who served overseas. We will engage with colleagues from across the House as part of this process.

Bob Stewart: I rise as someone who has done seven tours in Northern Ireland and as a member of the Northern Ireland Veterans Association. The Prime Minister, on 23 July last year in the 1922 Committee, promised me that this matter would be a top priority for the Government. This promise was repeated in the Conservative manifesto, so I ask my right hon. Friend: when will our veterans from Northern Ireland be treated properly?

Mr Wallace: My hon. Friend, like me, has been a long campaigner on this—in fact, I went on my first Northern Ireland veterans Campaign for Justice as much in 1998. I have fought for a very long time for veterans of Northern Ireland. As he will be aware, the Northern Ireland Office and the Northern Ireland Secretary of State are the lead in this. We have fed into the process. We are already committed to taking steps to protect our veterans. At the same time, my hon. Friend may not have missed this, but unfortunately, covid came along—a pandemic that no one predicted last year—and that has somehow certainly changed everything we are doing. It does not mean to say that the policy work has not been going on. We will deliver a policy that will get justice for veterans in Northern Ireland.

Topical Questions

[904270] **Theresa Villiers** (Chipping Barnet) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Defence (Mr Ben Wallace): Since the 2015 strategic defence and security review, the world has changed. Our adversaries have invested more

in their armed forces and have constantly been updating their doctrines. The threats to our interests and way of life are real and we therefore owe it to the men and women of our armed forces to ensure that we have a modern, capable and effective defence, able to tackle the threats wherever they present themselves. Only a fool starts the debate with numbers rather than threat. History is littered with generals and Governments who kept fighting the last war rather than preparing for the next one. This Government are committed to growing defence spending and we will use that money to ensure that we have a 21st-century capability, a modern workforce and a defence that matches our global ambition.

Theresa Villiers: Given the worrying cyber-activities of the Governments of countries such as Russia and Iran, will the Secretary of State ensure that cyber-security is at the heart of the forthcoming integrated defence review?

Mr Wallace: Absolutely. If I think back to the days when I was at Sandhurst, in defence, there were really three domains: air, sea and land. Cyber is very much a real and new domain that we must not only defend in, but master. That is why in 2016, the Government committed £1.9 billion to the national cyber-security strategy. That includes investment in offensive cyber, which I hope we can announce more details of later in the year.

John Healey (Wentworth and Dearne) (Lab): May I join the Secretary of State in paying full tribute to the military's essential and continuing role in helping the country through this covid crisis? In the same spirit, he talked earlier of the lessons from covid for the integrated review. He is uniquely placed as the Defence Secretary and a former Security Minister to turn adversary into advantage, so will he use this period to consult widely in the armed forces and with the public, industry and experts, just as Labour did, on the challenges to creating a 21st-century armed forces? That is the way to banish any suspicion that this integrated review is driven from Downing Street, not by the MOD, or driven by financial pressures, not the best interests of Britain's defence, security and leading place in the world.

Mr Wallace: First, I can give the right hon. Gentleman the assurance that this is not driven by financial pressures; it is driven first and foremost by threat. As a former Security Minister, which he rightly referenced, I believe threat should define what we do and how we meet it. That is why, as I said, we gathered the chiefs together last week. It was not a financial discussion and, contrary to what was reported, it was not a numbers discussion, either. It was a discussion about how we meet the threat and deliver our future armed forces to match that, taking into account cyber and many other areas. The Government are determined to continue to do that. We stand by our pledge to increase defence spending in real terms, and we will use that money, spending it wisely to ensure we meet those very threats.

[904273] **John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): With Scotland being the highest taxed part of the United Kingdom, what steps are the UK Government taking to protect our armed forces personnel who might be left out of pocket by any further tax increases in Scotland?

The Minister for the Armed Forces (James Heappey):

It is unfair that those soldiers, sailors, airmen and women required to live in Scotland should be made to pay more in income tax than military personnel living elsewhere. As we promised last year in our Scottish manifesto, we will announce soon how we will continue to mitigate the effects of higher Scottish income taxes on more than 7,000 of our service personnel in Scotland.

[904272] **Emma Hardy** (Kingston upon Hull West and Hessle) (Lab): Further to the question from my right hon. Friend the Member for Wentworth and Dearne (John Healey), legislation can have unintended consequences, and I am concerned that the Overseas Operations (Service Personnel and Veterans) Bill could result in the MOD paying less compensation to servicemen and women. Will the Secretary of State therefore commit to publishing the likely impact of the legislation on the amount of compensation paid annually by the MOD?

Mr Wallace: An impact assessment will have been published with the Bill when it was brought to the House. We are hoping to get the Bill to Second Reading sooner rather than later, so the hon. Lady can see all those details and impact assessments. As my hon. Friend the Veterans Minister said, it is not the case that people will be prevented from seeking damages, through either tort—for damages against the MOD, rather than other people—or other processes. Obviously, from diagnosis is one of the key dates.

[904275] **Mr Tobias Ellwood** (Bournemouth East) (Con): I have huge respect for my hon. Friend the Armed Forces Minister, who is a fellow rifleman. He mentioned that the Russia report cannot be produced because there is no Intelligence and Security Committee. Let us have that Intelligence and Security Committee. I hope you agree, Mr Speaker, that scrutiny by Parliament is very important indeed.

The Defence Secretary is aware that lots of stories about 5G are kicking about. There has clearly been a change in approach because of sanctions by the United States. There are many security reasons why high-risk vendors should be removed from the UK's telecom infrastructure, but there are also political ones. Does my right hon. Friend agree that it is time to stand up to China's competing geopolitical agenda?

Mr Wallace: First, on the Intelligence and Security Committee, which is the Committee that would publish the report, I gave evidence for that report as Security Minister, and, in fact I have read the report. My right hon. Friend should not hold his breath for the great sensation he thinks it will be. However, as he has said and everyone else has noted, when the ISC is formed, it will be the body that will release the report. I think we are getting to a place where the Committee will come together, and then everyone can read it at leisure.

[904281] **Mr Kevan Jones** (North Durham) (Lab): The RFA Fort Victoria will supply our carrier battle group until 2028. Most commentators say that that ship alone is not sufficient to support the carrier group. When will the Secretary of State bring forward the procurement of the fleet solid support ships? That would not only increase capability for the Royal Navy but be a big

boost to UK plc, including the supply chain in the north-east of England, if that procurement were to be placed in UK yards.

Mr Wallace: The right hon. Member often campaigns for shipbuilding in the UK and he has heard my answers. First, I am keen that it gets under way as soon as possible; indeed, I have asked officials to bring it forward from the proposed date. The plus side is that such ships are not highly complex, so once the competition happens and it is placed, I do not think it will take long to build them. I therefore do not anticipate a capability gap at all. He is right that British shipbuilding and British yards produce some of the best ships in the world and we should support them as best as we can and ensure our navy gets some great British-made kit.

[904278] **Simon Baynes** (Clwyd South) (Con): Will my right hon. Friend join me in praising the Army and air cadets in Clwyd South for their amazing work during the coronavirus crisis in helping the vulnerable and in keeping up their training and recruitment activities, with virtual physical training sessions with the Welsh Guards and other such initiatives?

James Heappey: My hon. Friend is right to champion the activities of the armed forces cadets and Air Force cadets in Clwyd South. It is amazing to hear what they have done to support their community during the coronavirus crisis, but also the cadets in his constituency and across the country have done an amazing job, through the commitment of their adult volunteers, to keep virtual training going throughout the pandemic, which has been hugely valuable to young people across the country.

[904286] **Margaret Ferrier** (Rutherglen and Hamilton West) (SNP) [V]: A recent freedom of information request revealed that the Ministry of Defence was found to have wasted almost £9 million on "fruitless payments", and that was before it was committed to spending £900,000 on a paint job for the Prime Minister's plane. What steps is the MOD taking to restore public trust in the management of its finances?

Mr Wallace: Only today, the permanent secretary and other officials attended the Public Accounts Committee to answer some of those questions, no doubt in detail. The point to be made is that the MOD spends £41 billion overall, and we make sure, where we can, that that is spent not only on the men and women of our armed forces, but on industry and equipment capability, such as, in Glasgow, buying two warships—both the Type 31 up at Rosyth and, indeed, the Type 26—which I never seem to hear the SNP ever really welcome.

[904280] **Mr Richard Holden** (North West Durham) (Con): In the last few weeks, we have marked the 75th anniversary of VE Day and the 205th anniversary of the battle of Waterloo, just two of the many occasions on which Britain has led the fight against tyranny across the world. Labour-run Durham County Council has recently announced a review of all monuments and statues in the county, and my hon. Friends the Members for Sedgfield (Paul Howell) and for Bishop Auckland (Dehenna Davison) have joined me in asking that statues and monuments to anyone

who fought for Britain be excluded from this review. Durham County Council has yet to agree to this request. Will the Secretary of State join me in writing to Durham County Council to support our campaign?

James Heappey: The Government will never forget the bravery of all former servicemen and women who served their country, and it is imperative that we do not forget the sacrifices that were made so that we can enjoy the freedoms we have today. The Ministry of Defence position is that memorials and statues that honour those who gave their lives should be protected.

[904293] **Chris Bryant** (Rhondda) (Lab): Undiagnosed brain injury often leaves a lot of our armed forces personnel with long-term problems in terms of being able to retain memory or being able to work in another environment, whether in service or after they have left the armed forces. Does not the Secretary of State agree that it is now time that we screened everybody on their return from overseas work in the armed forces for brain injury, and in particular before they leave the service so they do not have those ongoing problems for the rest of their lives?

James Heappey: My hon. Friend the Minister for Defence People and Veterans has some nappy duties he has had to return to, so I will reply on his behalf. I know the hon. Gentleman, who campaigns hard on this, especially given his own personal experience, has already met my colleague. The Minister for Defence People and Veterans has asked that the MOD-sponsored independent medical expert group continue to look into it and report on progress and issues relating to these types of injury. I am certain that he will want to meet the hon. Gentleman further to discuss the matter.

[904294] **Alex Davies-Jones** (Pontypridd) (Lab): The Secretary of State has recently said that the Ministry of Defence's "greatest asset...is not our tanks or our aeroplanes, it's people." Will he therefore commit to reversing the cuts that his Government have made to the armed forces over the last 10 years?

Mr Wallace: Forgive me, but 2015 was the last time we set the numbers for the armed forces. What we will do is make sure we give those men and women the best equipment, the best kit, the best leadership and the best purpose for why they are there to defend this nation.

That is what we do, and we do it to make sure we meet the threat, not just to start the conversation about numbers, which I know the hon. Lady will be desperate to do.

[904290] **Jonathan Gullis** (Stoke-on-Trent North) (Con): Earlier this year, Staffordshire and Stoke-on Trent's clinical commissioning group was awarded a bronze award for its commitment to support veterans, serving members of the armed forces and their families. Will my hon. Friend commit to ensure that in Stoke-on-Trent, Kidsgrove and Talke our brave men and women have the same access to education, housing and healthcare as civilians like me?

James Heappey: Our work to support the armed forces community through the covenant and the employer recognition scheme continues with our partners at a local level across the UK. As set out in the Queen's Speech, we will further incorporate the armed forces covenant into law to help prevent any disadvantage faced due to the unique nature of service life.

[904298] **Simon Fell** (Barrow and Furness) (Con): In the worst weather, Walney Island in my constituency of Barrow and Furness splits in two, which risks homes, jobs and our fantastic nature reserve. I know the MOD perhaps does not put nature reserves at the top of its pile of things to care about, but there is another threat—it risks sifting the channel that BAE uses to push subs out into the sea. I am raising this issue across Government: can I ask the MOD's view on it?

The Minister for Defence Procurement (Jeremy Quin): Just to reassure my hon. Friend, we have 169 sites of special scientific interest in the defence estate, and we care very deeply about that and our role as a good champion of conservation. My hon. Friend is assiduous on behalf of the jobs in his constituency, and defence jobs in particular. I fully appreciate his concerns on coastal erosion, but I am happy to reassure him that it is not currently considered a risk to submarine movements, although I am grateful for his ongoing interest.

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.

3.31 pm

Sitting suspended.

Global Human Rights Sanctions Regime

3.34 pm

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): Mr Speaker, with permission, I would like to make a statement on the global human rights sanctions regulations. As we forge a dynamic new vision for a truly global Britain, this Government are absolutely committed to the United Kingdom becoming an even stronger force for good in the world: on climate change, as we host COP26; as we champion 12 years of education for every girl in the world, no matter how poor their background; and on human rights, where we will defend media freedoms and protect freedom of religious belief; and, with the measures we are enacting and announcing today, hold to account the perpetrators of the worst human rights abuses.

I first raised this issue in a 2012 Backbench Business debate. It was a cross-party issue then, as I hope it will be now. I recall co-sponsoring it with the former Foreign Secretary, David Miliband. I also would like to pay tribute to Members from across the House, particularly my right hon. Friend the Member for Haltemprice and Howden (Mr Davis), who sponsored that debate, and the hon. Member for Rhondda (Chris Bryant), who joined me in that initial debate and who has been chivvying me along ever since, normally from a sedentary position.

Chris Bryant (Rhondda) (Lab) I've not stopped.

Mr Speaker: You better had.

Dominic Raab: The idea of taking targeted action against human rights violators has received further cross-party backing since then, from hon. Members in all parts of the House, including five former Foreign Secretaries and the current Chair of the Select Committee on Foreign Affairs. In 2019, it was in the Conservative party's manifesto as a clear commitment.

Today I am proud that under this Prime Minister and this Government, we make good on that pledge, bringing into force the United Kingdom's first autonomous human rights sanctions regime, which gives us the power to impose sanctions on those involved in the very worst human rights abuses right around the world. These sanctions are a forensic tool, which allows us to target perpetrators without punishing the wider people of a country that may be affected. The regulations will enable us to impose travel bans and asset freezes against those involved in serious human rights violations. We are talking about, first, the right to life, where it is threatened by assassinations and extra-judicial killing; secondly, the right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment; and, thirdly, the right to be free from slavery, servitude or forced or compulsory labour. The powers enable us to target a wider network of perpetrators, including those who facilitate, incite, promote or support these crimes. This extends beyond state officials to non-state actors as well. So if you're a kleptocrat or an organised criminal, you will not be able to launder your blood money in this country. Today this Government and this House send a very clear message, on behalf of the British people: those with blood on

their hands, the thugs of despots, the henchmen of dictators, will not be free to waltz into this country, to buy up property on the Kings Road, do their Christmas shopping in Knightsbridge or siphon dirty money through British banks or other financial institutions.

The regulations are just the latest next step forward in the long struggle against impunity for the worst human rights violations. We have deliberately focused on the worst crimes, so we have the clearest basis, to make sure we can operate the new system as effectively as we possibly can. That said, we will continue to explore expanding this regime to include other human rights, and I can tell the House that we are already considering how a corruption regime could be added to the armoury of legal weapons we have. In particular, hon. Members will be interested to know that I am looking at the UN convention against corruption, and practice already under way under the frameworks in jurisdictions such as the United States and Canada.

Today we have also published a policy note, which sets out how we will consider designations under these regulations, for maximum transparency. As the House would expect, the legislation will ensure that due process will be followed in relation to those designations, reflecting the process rights contained in the Sanctions and Anti-Money Laundering Act 2018. In practice, those people designated will be able to request that a Minister review the decision. They will be able to challenge the decision in the court. And, just as a matter of due diligence, the Government will review all designations at least once every three years.

In addition to introducing this new legal regime, today we are proceeding directly to make the first designations under the regulations. We are imposing sanctions on individuals involved in some of the most notorious human rights violations in recent years. The first designations will cover those individuals involved in the torture and murder of Sergei Magnitsky, the lawyer who disclosed the biggest known tax fraud in Russian history. The designations will also include those responsible for the brutal murder of the writer and journalist Jamal Khashoggi, and those who perpetrated the systematic and brutal violence against the Rohingya population in Myanmar. They will also include two organisations bearing responsibility for the enslavement, torture and murder that take place in North Korea's wretched gulags, in which it is estimated that hundreds of thousands of prisoners have perished over the past 50 years. With those first designations, the Government—and, I hope, the House and the country—make it crystal clear to those who abuse their power to inflict unimaginable suffering that we will not look the other way. You cannot set foot in this country and we will seize your blood-drenched ill-gotten gains if you try.

In practice, targeted sanctions are most effective when they are done through co-ordinated collective action, so we will be working closely with our Five Eyes partners, including in particular the US and Canada, which already have Magnitsky-style sanctions legislation, and Australia, which is considering similar legislation. We will also strongly support efforts to bring an EU human rights sanctions regime into effect and we stand ready to co-ordinate with our European partners on future measures. In fact, I discussed that in Berlin recently with our E3 partners.

[Dominic Raab]

Mr Speaker, with your permission I would like to end by paying tribute to the man who inspired these sanctions, Sergei Magnitsky, a young Russian tax lawyer. Between 2007 and 2008, Magnitsky exposed the theft of \$230 million committed by tax officials in Russia's own interior ministry. While others left Russia, understandably fearing for their lives, Magnitsky stayed on to take a stand for the rule of law and to strike a blow against the breath-taking corruption that plagues Russia. That courage cost him his life. He was arrested in 2008 on trumped-up charges of tax evasion and, in a particularly Kafkaesque twist, the very tax investigators that Magnitsky had exposed were the ones who turned up to arrest him. The Public Oversight Commission, a Moscow-based non-governmental organisation, found that while in detention Magnitsky was subjected to physical and psychological abuse amounting to torture. Over the course of his time in prison he developed abdominal pain and acute bladder inflammation, but prison officers cruelly withheld the medical treatment he needed. Eventually, he was transferred to another facility ostensibly to receive medical care. Instead, he was handcuffed and beaten to death by riot police with truncheons. He died on 16 November 2009, aged 37.

The House will recall that the European Court of Human Rights found Russia had violated its most basic human rights, from the treatment of Magnitsky in prison to the lack of an effective investigation. None of those involved have ever been brought to justice. Perversely, some have been promoted or even decorated with medals. In fact, the only person ever prosecuted for this appalling crime was Sergei Magnitsky himself after his death; Russian's first ever posthumous trial.

I pay tribute to Bill Browder, who employed Sergei Magnitsky and has campaigned for justice ever since his death. I hope that today we in this House show our solidarity with the family that Sergei Magnitsky left behind: his wife Natalia and his son Nikita. I can tell the House that they will be watching from my office in the Foreign Office as we speak. Amidst their enduring loss, they can be proud of Sergei's courage, which inspires us to hold up a torch on behalf of all those who perished or suffered at the hands of those we designate today and to keep the flame of freedom alive for those brave souls still suffering in the very darkest corners of the world. I commend this statement to the House.

3.43 pm

Lisa Nandy (Wigan) (Lab): May I start by strongly welcoming this statement and the advance sight of it? It has been, as Bill Browder rightly said, a long and difficult journey to persuade the Government to take this step. I know that it has been personally frustrating for the Foreign Secretary to be repeatedly challenged by me over recent weeks about the delays when he has spent the last eight years as its champion. For too long the UK has been a haven for those who use corruption, torture and murder to further their own ends. Today, I hope, sends a strong message that the UK is not their home and that their dirty money is not welcome here.

I pay tribute, too, to Sergei Magnitsky and his family, who have waited far too long for this day. Magnitsky worked for a British company, and it is right that, today, in his honour, we start to clean up the global corruption

that he exposed and that cost him his life. I also put on record our support for ensuring that some of those responsible for his murder are the first to face consequences. The time for action against Russian Government officials who oppress LGBT people, Muslims and other minorities and who use chemical weapons on the streets of the UK is long overdue. This is a profound act of solidarity with the Russian people over those who have made their lives a misery for far too long.

I welcome, too, the Foreign Secretary's action against those involved in the appalling murder of Jamal Khashoggi. I gently say to him that, although today is not the day for sparring across the Dispatch Box, it would be welcome if it marked the start of a more consistent approach from the Government towards Saudi Arabia, and in particular the arms sales from this country that are being used to harm innocent civilians in Yemen.

Similarly, we are grateful to the Foreign Secretary for including the Rohingya in Myanmar in today's announcement. I hope that he will use his new remit to consider why the UK investment arm, CDC, continues to invest in those who are complicit in silencing people who speak out against human rights abuses in Myanmar.

I welcome the inclusion of trafficking in the measures; the former Member for Bishop Auckland would be delighted to see that, as the Government have previously resisted it. I express serious concern, however, that the Foreign Secretary has not yet been able to persuade his colleagues of the need to include corruption in scope. Corruption and human rights abuses go hand in hand and that must be urgently resolved. The former Prime Minister, David Cameron, expressed regret that he had not acted on the issue earlier:

"I soon realised...the advantages of working together—with other countries—under a common heading...You get extra clout from coming together across the world and saying with one voice to those who are responsible for unacceptable acts: 'We are united'."

The Foreign Secretary mentioned the USA and Canada and our desire to stand closely with them. They have included corruption in scope and the UK must follow suit.

Can the Foreign Secretary confirm that the measures apply to UK overseas territories and Crown dependencies? We must not create a back door that allows the laundering of blood money in the United Kingdom.

Will all names be published, including those subject to visa bans? I am sorry to do this to the Foreign Secretary, but I refer him to his earlier words. As he put it:

"If we are dealing with people who are complicit in torture and there is enough evidence to substantiate and justify a visa ban, what possible countervailing reason can there be, whether it is to change their behaviour or otherwise, for not making their name public? Would not making their name public deter others?"—[*Official Report*, 2 April 2014; Vol. 578, c. 300-301WH.]

He also tabled an amendment to the Criminal Finances Act 2017 seeking a public register of people who are subject to such orders, and he rightly set out in that amendment to ensure that third parties could refer to the list. We agree with him. There must be a clear mechanism for civil society to refer in line with the criteria. Can he give us an assurance that that will be forthcoming?

Similarly, will the Foreign Secretary reflect on arrangements in the United States that provide a congressional trigger and allow our Select Committee Chairs to make referrals to the list as well? I can see that

the Chair of the Foreign Affairs Committee is nodding; I would expect him to agree with that suggestion. I hope that the Foreign Secretary will agree too.

Finally, as the Foreign Secretary has long championed, we must have transparency in the process. There has been serious concern about the influence of big money on politics. It is essential that there is independent oversight of the list to ensure that nobody can buy their way out of British justice. Will he commit to parliamentary scrutiny of the list and the way that decisions are taken? I know that he will face resistance from colleagues, but we will strongly support him in that endeavour.

Today is a day that we stand up against corruption and dirty money and for our values with the full support of this House. There can be no ambiguity and no double standards. The UK must lead the way at home and abroad.

Dominic Raab: I thank the hon. Lady for her full-throated support. Although it is always a pleasure to spar with her, it is also worth reflecting on those occasions when the House can stand in unison and support such measures. I know that the family of Sergei Magnitsky will hugely appreciate her personal solidarity at what will be a difficult time, after an incredible and ongoing march for justice. I also agree with the wider support that she expressed for the designations.

Let me try to address her queries and concerns. On corruption, work is under way. We are committed to that. There are different definitions of corruption, which has been one of the challenges at international level, but I agree with the point that corruption and human rights abuses are often interlinked. Indeed, in the case of Sergei Magnitsky, what is astonishing is that we have one of the most egregious corruption cases, coupled with an appalling human rights abuse. I reassure the hon. Lady that that work is under way.

The hon. Lady asked about the overseas territories and Crown dependencies, to which the legislation will be extended. The designations will be published online, so her plea for transparency is, I believe, fully met. Finally, whether in relation to Select Committees, scrutiny of the process or the designations, we would welcome a full and rigorous engagement and scrutiny of all that process. I will not, of course, tell Select Committees or the House how to organise their business, but we welcome that and engage with it.

Tom Tugendhat (Tonbridge and Malling) (Con): I pay tribute to my right hon. Friend. We have been waiting for a while for excellent foreign policy suggestions, but we have had three in the past three weeks—one on British national overseas passports last week, and now this on the Magnitsky sanctions. This is another fantastic policy change by Her Majesty's Government, and something that the hon. Member for Rhondda (Chris Bryant) and the Foreign Affairs Committee have been clear on for a number of years. Indeed, I know that the hon. Gentleman will have read our "Moscow's Gold" report of May 2018, in which this was one of the many recommendations. This builds on his earlier work as a human rights lawyer at the Foreign Office, and I pay tribute to him twice over.

There has been a remarkable silence on human rights violations in China. As yet, there is no announcement on any sanctions against those who are either exploiting

or abusing the Uyghur minority in Xinjiang, or repressing democracy activists in Hong Kong. I wonder whether that is merely because this is the first stage of sanctions and the Foreign Office has not quite yet caught up with it, or whether it is a policy change. I also pay tribute to the few words the Foreign Secretary said about co-operation with others. As he knows, sanctions work best when they work with others. Working with our European and CANZUK friends is an important aspect of that.

I also pay tribute to two other people who have done incredibly well: Oliver Bullough and Luke Harding are two writers who have brought huge amounts of attention to the problems in the UK system, and I thank them for their work.

Dominic Raab: I thank my hon. Friend, and pay tribute to the work that he and the Foreign Affairs Committee have done. I thought he mentioned three foreign policy triumphs, but I felt a bit short-changed because he missed one out. *[Interruption]* There is plenty of time yet. I thank him for his warm words. We fully respect and engage with scrutiny from that Committee, but it is also good when we can work together and produce results, and today's regulations are an example of that. He asked about China, and recently the Human Rights Council led a statement with 27 countries on the human rights situation in Xinjiang, as well as in Hong Kong. Of course, as with China and many other countries, people will wish to come up with further suggestions going forward, and we will consider those carefully, based on the evidence. If my hon. Friend will forgive me, I will not pre-empt what the next wave of designations will be, but I assure him that we are already working on them.

Alyn Smith (Stirling) (SNP): I also thank the Foreign Secretary for advance sight of his statement. He is entitled to a quiet moment of personal satisfaction today, and it would be remiss of us not to recognise his role in getting the House and Government to this point. The SNP certainly supports those measures. We would like to see more of them. We called for them repeatedly for a number of years. I have to say, however, that I was surprised to read about them in the *Financial Times* before we heard about them today. That is something that we should all consider about how announcements are made.

I will pick up on two aspects of the statement, particularly on international co-operation. It is vital that the measures, welcome as they are, are co-ordinated across other countries—obviously with the European Union and the Five Eyes partners. I would also like a statement from the Foreign Secretary on how they will interact with British overseas territories. There is already a vast array of loopholes to tax transparency and other mechanisms of accountability. This is a welcome step, but how will it work with the other territories where we have some influence?

The Foreign Secretary said in his statement that dictators will not be able to launder their blood money in this country. Who would not be able to support that? Progress on the ground, however, suggests that we have an awful lot still to do. I refer him and the House to the Open Democracy report published last month that said that

"400,000 British companies do not, will not or cannot say who controls them",

and, from its own research, Britain has long operated "as a global hub for financial crime".

[Alyn Smith]

We have a long way to go to build on today's announcements. Scotland is not immune to that. Scottish limited companies have been abusing money laundering. We all need to work on this together. I would be grateful for some statements about how the British overseas territories will interact with the measures and, indeed, on the wider financial transparency reform that we need in order to clean up the UK's jurisdiction.

Dominic Raab: I thank the hon. Member for his support for the measures and the designations, and for his kind words. He is right about international co-ordination; the measures will be most effective if we can conjure a groundswell of co-ordinated action, even if we want to be free to assign the designations as and when we see fit based on the evidence. Co-operation with the Five Eyes countries, both those that have existing Magnitsky mechanisms in place and those that are working on it, like Australia, is important. Certain EU member states already have them, particularly in the Baltics, I think, but there is no EU-wide human rights regime. Certainly, if it wishes to consider that, that will be an area for strong ongoing co-operation, notwithstanding our departure from the EU.

The hon. Member asked particularly about the OTs. As I thought I made clear, we will ensure that the measure extends the regulations, and indeed the designations, to all the overseas territories and, of course, the Crown dependencies.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): I unreservedly congratulate my right hon. Friend. As my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) and others have said, he has personally been an advocate of this for some considerable time, so he will have the right to satisfaction on that. I also commend him for naming all those to do with the Magnitsky case and in Saudi Arabia.

Following the question from my hon. Friend the Member for Tonbridge and Malling, I again raise the issue of China, because this is where big business will start to lean on the Government quite hard. Last week started with an exposé from the Inter-Parliamentary Alliance on China regarding the involvement of Chinese officials and Government in the Uyghur suppression, sterilisation and forced encampment, and it ended with their involvement in the stripping away of the rights and freedoms of the people in Hong Kong, all the way up to the top.

I do not expect my right hon. Friend to answer specifically, but I ask him a simple question. Given the announcement in the papers today, many in Hong Kong have said that it should go to whatever highest level the evidence takes it. Would he be prepared, therefore, to follow through with the measures no matter who the individuals are, no matter how high they go, and even if it meant starting with Carrie Lam, whose family, I understand, have the privilege of British passports?

Dominic Raab: I thank my right hon. Friend. He is absolutely right that, with these regulations and this legislation, there will of course be a whole range of suggestions and proposals from inside this House, from civil society and from non-governmental organisations about potential names. We will, of course, want to ensure

that we proceed in a rigorous way. We want it to be based on evidence, but the advantage that we have is that the measures—this is one of the reasons I have always been a fan, champion and supporter of them—allow us to continue to engage bilaterally with countries that, frankly, we need to, while having targeted sanctions, the visa bans and the asset freezes, on the individuals who may be responsible. Where the evidence shows that that is the case, we have the mechanism to deliver that.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I too thank the Foreign Secretary for advance sight of his statement and congratulate him on what I think will be seen in years to come as a watershed moment in the development of human rights law. He is absolutely right to focus on the most clamant cases that he has listed in early designations today, but I hope that frees up time and resource within the Foreign Office to turn attention towards China, and particularly to those in Hong Kong, for whom sanctions of this sort would appear to be the logical next step.

The Foreign Secretary rightly outlines and refers to the role of the courts in due process and ensuring that proper safeguards are put in place. There is another element, which is the role of this House in that regard. Others have referred to the Select Committees. The one Select Committee we are missing at the moment is the Intelligence and Security Committee. Does he agree that the announcement he has made today, which has been so widely well-received around the House, demands the early constitution of the ISC?

Dominic Raab: I thank the right hon. Gentleman for his support. These measures are important. I am not going to start, without proper appraisal and assessment of the evidence, handing out future designations. What I can tell him is that one of the delays or bits that took time was making sure we have a proper mechanism so that, as he rightly says, we go into a sort of steady state and can assess judiciously and carefully any future candidates for designations, if I may put it like that. He asked about the ISC. We want to see the ISC up and running as soon as possible. Once it is duly constituted, it will have a role in issues such as this.

Mr Andrew Mitchell (Sutton Coldfield) (Con) [V]: Many of us on the Back and Front Benches, especially my right hon. Friend the Foreign Secretary, have been working for some time on the Magnitsky measures, and I congratulate him on this important announcement today. I just ask two questions. First, may we please see strong transparency and openness in how these measures are brought to bear? Secondly, and in particular, does he agree that Parliament should have real input into how the measures are put into effect?

Dominic Raab: I pay tribute to my right hon. Friend for all the work he has done in this area and in promoting human rights in international relations, particularly in his time as International Development Secretary. There is clearly an important role for the legislature, not only in debates and scrutiny in this House, but in the Select Committees. Select Committees, individuals, NGOs and external actors can provide information and evidence, as well as suggestions about how we take these matters forward. We have also, to give maximum transparency to the House today, published a policy note to explain how we will go about it and in particular how the

designation process will look at the worst crimes and those who bear the greatest responsibility for those human rights violations.

Chris Bryant (Rhondda) (Lab): I am absolutely delighted. Well done. That is not least because human rights in the end are a seamless garment. Uyghur Muslims, gay Chechnyans, Russian journalists, Colombian campesinos and the Rohingya all have human rights. Corruption nearly always goes hand in fisted glove with human rights abuse and nearly always the first step is the repression of democracy—the preventing of people from enjoying their freedom of assembly and their freedom of speech. That is why I strongly urge the Foreign Secretary to look at another clause that would include the repression of democracy and the rights of assembly and of freedom of speech, and therefore look very carefully at whether Carrie Lam should not be on the list.

Dominic Raab: I thank the hon. Gentleman and also pay tribute to him. These measures would not have come about without the tenacity and advocacy he has consistently put into this area over many years and on a cross-party basis. As I said, this is a first step, and we will consider how we can proceed, but I make no apology for wanting to make the first step a sure-footed one. Just for clarity, the most serious human rights abuses that we have chosen often are used precisely to suppress peaceful protest or freedom of speech. Magnitsky himself was a whistleblower who was tortured for blowing the lid on the biggest tax fraud that we know of in Russian history. I take the hon. Gentleman's wider points. We will look to progress, develop, fine-tune and enhance this regime as we proceed.

Crispin Blunt (Reigate) (Con): I congratulate my right hon. Friend on his excellent statement, which adds serious substance to underpin the values, particularly in respect of human rights, that global Britain will champion around the world. Does Ramzan Kadyrov appear on this list? Has my right hon. Friend seen “Welcome to Chechnya: The Gay Purge”? If he has not, I commend it to him. I also commend the incredible courage of the people who documented what happened in Chechnya's gay purge, so that formal legal action can begin at some point, whether in the European Court of Human Rights or elsewhere. Clearly, there is a case for sanctions on Ramzan Kadyrov, and on President Putin, who gives Kadyrov impunity for his actions. This is a jurisdiction that does not criminalise homosexuality, but there are 72 around the world that do, including 34 in the Commonwealth. I sincerely hope that this issue will be a leading part of the work carried out on human rights.

Dominic Raab: I thank my hon. Friend, who will be able to see the list and check individual names for himself. There are 25 individuals under the Magnitsky designation, 20 under the Khashoggi one, and two under Myanmar, and two organisations in relation to the Democratic People's Republic of Korea. As I said, in the interest of maximum transparency, they will be published. I take his point and commend him for the full-hearted and full-throated way he has championed human rights in this House.

Tim Loughton (East Worthing and Shoreham) (Con): I strongly support the measures and personally congratulate my right hon. Friend on pioneering them. May I echo

the words of many right hon. and hon. Members that it will be good to see representatives of the Chinese regime included, whether it is because of Tibet, the Uyghurs or Hong Kong, where we learn today that, free speech by protest having been suppressed, libraries and bookshops are now being purged? All three of the criteria apply in those cases. Will he look closely at my Tibet (Reciprocal Access) Bill, which I shall be re-presenting straight after this statement? It would ensure access by UK officials to investigate human rights abuses in places like Tibet, and if access were denied, there would be repercussions for Chinese officials based on legislation that had unanimous support in Congress. That would be another tool to confront serial abusers of human rights.

Dominic Raab: I thank my hon. Friend for his support and his generous remarks. We will of course look carefully at any further proposals he might wish to make to strengthen the measure. I will not pre-empt or prejudge further designations down the track, but we are already working on the potential next wave and will proceed based on evidence.

Hilary Benn (Leeds Central) (Lab): I, too, warmly welcome the Foreign Secretary's statement. I assume that when he talks about the powers applying around the world, it means they will be open to individuals from any country, not just those on the Foreign and Commonwealth Office's list of countries of concern. On corruption, he says he wants to extend the regime. He will be aware that, over a decade ago, the Proceeds of Crime Act 2002 was used to seize the assets of three former Nigerian state governors. It would be helpful if he told the House what further powers he is considering to bring corruption within the scope of the arrangements that he has just announced.

Dominic Raab: I pay tribute to the right hon. Gentleman for all his work on human rights in the international sphere, both in the Select Committee and previously as a Minister. We have the asset-freezing powers in place; the additional element that makes the Magnitsky model is the visa bans. We will look throughout at ways to fine-tune and strengthen the measures. With corruption, the legal definition is an issue. We want to get it right and to avoid all sorts of people bringing litigation against the Government regarding people on the list; we do not want to mis-step in that regard. Also, we want to make sure we have a firm basis for the regime, so that we are not judicially reviewed, so we have started with the clearest and most serious human rights violations. We want to proceed based on evidence and I am certainly open to further consideration of evidence and information, which we will assess independently, from Members in all parts of the House, and to suggestions of other ways to strengthen the regime.

Felicity Buchan (Kensington) (Con): I also warmly welcome the statement. Will my right hon. Friend assure me that we will implement the new regime without fear or favour; that if necessary we will go after individuals from ally states; and that we will target the decision makers who order human rights abuses and atrocities, and not just the little men who execute them?

Dominic Raab: It is for precisely that reason that we set out a policy note that gives, I hope, my hon. Friend and hon. Members across the House reassurance about

[Dominic Raab]

how we are going about this. Obviously, our approach will need to be evidence-based and evidence-driven, but if she takes a look at that policy note, once it is published, it will give her the reassurance she needs.

Kirsten Oswald (East Renfrewshire) (SNP) [V]: Despite the humanitarian situation, the UK has traded almost £5 billion to Saudi Arabia since the war began, which eclipses the aid it has given to Yemen. The Foreign Secretary has just said he wants things to be evidence-based. The UK Government have to be willing, therefore, to stand up to countries they see as allies, and there must be consequences where UN-confirmed systemic human rights violations and murders have been committed. Does the Foreign Secretary agree and will he give that effect in the UK's sanctions regime?

Dominic Raab: I agree with the hon. Lady, and that is precisely the reason for the designations we have made today. If she looks at them, she will see that we have not ducked the issue. We need to be evidence-based; we cannot do it on a whim and it must be able to withstand legal scrutiny, but she will see from the designations, including the ones we will do in the future, that this regime will be applied without fear or favour.

Robert Courts (Witney) (Con): I warmly welcome this statement. At a time when it seems that every dawn brings notice of fresh human rights horrors, it is good to see the Government taking such decisive action. Will my right hon. Friend reassure those of us who see Britain as a force for good in the world that this is just the first step in a review that will see him and the Government take whatever action we can to hold to account those who commit these dreadful human rights abuses?

Dominic Raab: The Magnitsky regime is the third of three pillars. We have been pioneering a campaign—I pay tribute to my predecessor in this role, my right hon. Friend the Member for South West Surrey (Jeremy Hunt)—with the Canadians to champion media freedom, by protecting individual journalists and strengthening the legal codes in more vulnerable countries around the world. Our media freedom campaign continues apace. We are also supporting freedom of religious belief and plan to co-host the international conference next year. These Magnitsky sanctions are, if you like, the third pillar. They will provide direct accountability through visa bans and asset freezes for those who commit these appalling abuses.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): I wholeheartedly welcome the Foreign Secretary's long-overdue introduction of the global human rights sanctions regime, but does he not concede that the delay in publication of the Russia report and the lack of constitution of the Intelligence and Security Committee seriously undermine the Government's credibility in the eyes of our allies? The Russia report has been gathering dust on the Prime Minister's desk since last year. In order to ensure sufficient scrutiny of this error-prone Government, right hon. and hon. Members have been demanding for months that the ISC be finally formed. What has the Prime Minister got to hide?

Dominic Raab: The ISC of course does incredibly important work and will be up and running as soon as it is practicable, but it needs to constitute itself. It is correct that there is a Government role in that, but there is also a parliamentary one. We look forward to and will embrace its role once it is up and running.

Gary Sambrook (Birmingham, Northfield) (Con): I warmly welcome my right hon. Friend's announcement. Does he agree that this will act as a deterrent to those who wish to commit the most horrific human rights abuses around the world while attempting to live a life of luxury in this country on the back of dirty money?

Dominic Raab: My hon. Friend is absolutely right. We are sending a message that people cannot do things that in the past some have got away with. We hope that, particularly in concert with likeminded countries, we can start to have a deterrent effect and also embarrass those countries from which these individuals come. It is through that co-ordinated action, backed by hard measures such as asset freezes and visa bans, that we can make a difference.

Afzal Khan (Manchester, Gorton) (Lab) [V]: I too welcome today's statement. Israeli annexations are a violation of international law and jeopardise any chance of a two-state solution. I would like to believe that a two-state solution is not a lost cause, but that is only possible if we speak up. I urge the Government to take action and condemn violations such as the recent bulldozing of a historic Muslim cemetery in Jaffa. Does the Foreign Secretary agree that such contempt for international law warrants sanctions? If not, could he please explain his reasoning?

Dominic Raab: We certainly oppose not just the settlement building but other violations of international humanitarian law. The hon. Gentleman may have seen the letter that the Prime Minister recently published in the Israeli press, which made it clear that we are not giving up on a two-state solution. We oppose annexation and we want both parties to come to the table and negotiate a lasting settlement.

Imran Ahmad Khan (Wakefield) (Con) [V]: I congratulate my right hon. Friend the Foreign Secretary on his truly important statement. If employed wisely, it promises to be a great force for good in the world. As he knows, hundreds of thousands of Uyghurs, other Muslims and Christians continue to be imprisoned in inhuman Chinese camps, which are a revolting violation of the universal rights held sacred by freedom-loving people everywhere, namely the freedom to live, work and worship as desired.

In 2019, 23 countries, including the UK, US and Japan, signed a letter addressed to the UN Human Rights Council and the UN General Assembly Third Committee urging communist China to close its camps. It saddens me that, as we condemn slavery and other beastly historical crimes, horrific exploitative labour continues—

Mr Speaker: Order. Foreign Secretary.

Dominic Raab: I pay tribute to my hon. Friend for the passionate way in which he made his case. I reassure him that, if he looks at the statement that the UK led on

with 27 other countries on the Human Rights Council, we have condemned the human rights abuses that he refers to against the Uyghurs and in relation to Hong Kong. That is the first time the issue has been on the agenda at the Human Rights Council. We will continue to keep up that work and shine a light on what, I agree, are appalling human rights abuses.

John Cryer (Leyton and Wanstead) (Lab): I agree with everything the Foreign Secretary has said today—he will not be surprised to hear that—but in the interests of transparency, will he look at the possibility of amending the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, not to curtail commercial lobbying, but so that there is some sort of register and we know who is hiring lobbying firms? The vast majority of those people are perfectly respectable, law-abiding and, in most cases, open, but some are not. We need to know who is doing it.

Dominic Raab: I know that considerable work is being done on both sides of the House on that issue. We want maximum financial transparency. If the hon. Gentleman wishes to write to me, I will certainly take a look at that in the context of all the other work that we are doing on corruption in the next strengthening of the Magnitsky regime.

Mr Tobias Ellwood (Bournemouth East) (Con): I very much welcome the establishment of the sanctions tools, which will allow Britain to take a far more robust position when dealing with breaches of human rights. I join other hon. Members in congratulating my right hon. Friend the Foreign Secretary. As a human rights lawyer, he was well placed to see this through. He will be aware that sanctions are designed to be targeted and focused on individuals, and to change and challenge behaviour. I join my fellow Chair, the Chair of the Foreign Affairs Committee, to ask for an announcement on China, not just on tactical issues to do with human rights, but on the wider foreign policy stance, given China's trajectory.

Dominic Raab: I thank my right hon. Friend the Chair of the Defence Committee. We have taken these measures. He has heard what we have said on Hong Kong. He will know that Huawei is going through the review in the context of US trade sanctions. The integrated review is coming forward, which will be completed by the autumn. That is the right opportunity, in parallel with the comprehensive spending review, to make sure that we have the right strategy and the resources to back it up.

Brendan O'Hara (Argyll and Bute) (SNP) [V]: Can the Foreign Secretary assure the House that the application of the sanctions regime will be transparently even-handed and will not be blind to human rights abuses carried out by or in the name of our so-called allies and friends such as Saudi Arabia, Bahrain, Israel or India, or indeed countries with which we are seeking to secure a post-Brexit trade deal?

Dominic Raab: If the hon. Gentleman looks at the designations, he will see that we have answered that in the first round that we are making today.

Jeremy Hunt (South West Surrey) (Con): I congratulate the Foreign Secretary on his personal commitment to human rights, which is becoming a hallmark of his tenure and is extremely welcome. If we are to have an international order that promotes not just our economic interests but our democratic values, there have to be consequences for people who violate those principles, which is why this statement matters. Will the Foreign Secretary look at whether the process for deciding who gets designated should become an independent process, as we have with compliance with the consolidated criteria for arms exports? That could be a way to disentangle the decision from the complexities of diplomatic relations, which we have to have even with nefarious states.

Dominic Raab: I thank my right hon. Friend for his question and pay tribute to him for all the work that he did at the Foreign Office to promote human rights, particularly in respect of the media freedom campaign, which we continue to champion. He makes an interesting point. I have not seen another jurisdiction that has done it as autonomously as he suggests but, as I said, we want to take sure-footed steps and will look at ways in which we can strengthen the regime, including making it more resilient, in the weeks and months ahead.

Jim Shannon (Strangford) (DUP): I thank the Foreign Secretary for his statement and commend the strong stand that we are taking on human rights. This is clearly a Secretary of State who gets things done. He referred in his statement to holding up a torch and the “flame of freedom”; we must question any sanctions policy that does not target the Chinese officials responsible for the mistreatment of the Uyghurs in Xinjiang, where more than a million are in concentration camps. In addition, an independent tribunal in Xinjiang concluded that forced organ harvesting is undoubtedly taking place with the knowledge and support of the Chinese Communist party. Will the Secretary of State join his US counterparts and act against human rights abusers in China?

Dominic Raab: I thank the hon. Gentleman for his remarks. We certainly want to make sure that we can work with allies. We are already talking to our Five Eyes partners and I hope to have another call with them shortly. We will certainly look at the suggestions that the hon. Gentleman has made. We need our approach to be evidence based. Sometimes, in the most authoritarian countries, evidence is difficult to come by, almost by definition, but I hope he will see from the designations that we make today that when we have the evidence and the crimes are clear, we are willing to act.

Sir Robert Neill (Bromley and Chislehurst) (Con): I warmly welcome the Foreign Secretary's statement and the commitment that he shows to the rule of law being just as important in international affairs as it is in domestic matters. I also welcome his reference to continued co-operation and alignment with our European partners, which is particularly important when it comes to enforcement. Will he therefore ensure that as we come to the end of the transition period, we make it a priority to maintain the same levels of access to policing and judicial co-operation as we have currently and, indeed, seek to expand that to other non-EU members, so that we do not have any gap in the ability to enforce these important and welcome sanctions?

Dominic Raab: My hon. Friend was very deft in getting the EU issue into his question. I reassure him that, at E3 level and more broadly, we want to co-ordinate with our European partners, friends and allies. The Magnitsky sanctions are a good illustration of how we can reinforce and strengthen co-operation in the years ahead. Law enforcement vehicles for co-operation are certainly important. We want to see what the right approach is under the future relationship, but I know the work that my hon. Friend has done and have no doubt about the value that such co-operation can add.

Andrew Gwynne (Denton and Reddish) (Lab) [V]: I wholeheartedly welcome the statement and the measures that the Foreign Secretary has announced today. Given its expertise in gathering intelligence and evidence of human rights abuses and corruption, will the Foreign Secretary be proactively canvassing civil society, both in the UK and globally, in drawing up the lists? May I press him further on the points raised by other hon. Members in relation to Hong Kong? Will he seriously consider opening the door to naming in any future designation the perpetrators of abuses under the new national security law?

Dominic Raab: We will certainly work with all our international partners to accumulate the evidence. The hon. Gentleman asked about civil society and non-governmental organisations; yes, we absolutely will work with them. Indeed, sometimes the primary evidence comes through open-source reporting, so that relationship is very important. As I have said to the House already, we will look at strengthening the regime as we go forward. I am not going to second-guess subsequent designations in relation to China or any other country, not least because of the importance, as has already been highlighted, of making sure that we have a rigorous and judicious process leading up to designation.

Marco Longhi (Dudley North) (Con): I, too, warmly welcome the Foreign Secretary's statement to the House today. Does he agree that the designations announced today show that this Government will act without fear or favour when human rights are at stake?

Dominic Raab: I believe they do demonstrate that. It is early days. We wanted to make sure that we took firm, clear steps, as the worst thing in the world is to trip up over this sort of thing; it gives precisely the wrong people succour. We also recognise that there will be scope for strengthening the regime even further. This, therefore, is the point of departure in terms of this sanctions regime, and we will look very carefully at it with the benefit of the House's scrutiny in the months ahead.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I welcome the sanctions and I want them to be as effective as possible not only as a punishment, but as a deterrent. Will the Secretary of State just outline what provisions there will be in secondary legislation to ensure that not only the perpetrators are punished, but their agents and nominees, including family members and associates, who have benefited from these crimes?

Dominic Raab: I thank the hon. Lady for her support. We will have a further debate before recess on the terms of the regulations. I think she will see that it is not just

the direct perpetrators who can be captured, but those supporting and in other ways contributing to the human rights abuse. I hope that that will reassure her, but, as I have said, we will be looking to further strengthen the regime—for example, in relation to corruption—in the months ahead.

Dr Kieran Mullan (Crewe and Nantwich) (Con): I begin by paying tribute to Sergei Magnitsky. I think that, if Sergei and many others like him pay the ultimate price, they at least hope, in their final moments, that it will make a difference. I am sure that we can all agree that that is exactly what Sergei has achieved. Will my right hon. Friend outline to the House which other countries, some of which he has already mentioned, have similar regimes and how we plan to work with them on best practice and co-operate to make the most of our independent action in this regard?

Dominic Raab: I thank my hon. Friend. I agree with what he said about Magnitsky. He was an incredibly courageous man. I think of him as the Solzhenitsyn of his age. To make these sanctions effective, to deter action and to hold people to account, we do need to work closely with our partners. We are one of the first major countries, certainly in Europe, to draw up this regime and start implementing it. There are some other countries doing so, but the EU as a whole has not adopted it yet. I can tell him that the US obviously has a mechanism in place, as do the Canadians, and the Australian Parliament is also considering it. We are talking with the full range of international partners, and indeed others, because we think that this provides a strong and resilient model for raising human rights and not allowing them to be swept under the carpet, while still engaging in the diplomacy that is required and all the other things that serve the British national interest.

Yasmin Qureshi (Bolton South East) (Lab) [V]: I welcome the Foreign Secretary's statement today, but why is the Commonwealth Development Corporation continuing to invest millions of pounds in a company called Frontiir, a telecommunications and internet company that has been obeying what the Myanmar Government have been telling it, which is to suppress the transmission of evidence of human rights abuses and atrocities being committed against the Rohingya?

Dominic Raab: I thank the hon. Lady for her question. I hope that she will be reassured to see that the designations include those in relation to human rights abuses against the Rohingya. I do not know about the specific case that she is referring to, but if she would like to write to me, I am very willing to take a look at it.

Mr Gagan Mohindra (South West Hertfordshire) (Con): May I too welcome the global human rights sanctions regime as proposed by the Foreign Secretary? Will he outline to the House whether this sanctions regime ensures that the UK continues to uphold the necessity of freedom of religion and belief around the world?

Dominic Raab: I thank my hon. Friend for his question. The regime focuses on the most serious human rights abuses—those against the right to life, the prohibition against torture, and the prohibition against slave labour and forced labour—but of course many of those abuses

can be directed at journalists and those practising their religion, and if he looks at the designations that we have made today, he will find that that is true even in relation to the first wave.

John Penrose (Weston-super-Mare) (Con): May I add my voice to the congratulations to the Foreign Secretary? This has been a personal crusade of his and this is a great moment not just for him, but for the Government and the country as well. May I press him to go a bit further and a bit faster, perhaps, on the points that he has made about fighting corruption and extending these measures to include corruption? He will understand that while many human rights abusers are indeed corrupt, there are many people who are corrupt but who are not necessarily human rights abusers, and therefore we may be able to get people only on corruption charges. Strengthening that element is vital if we are to be able to get people designated on corruption by Christmas.

Dominic Raab: I thank my hon. Friend and pay tribute to the work he has done not only on human rights but on transparency and anti-corruption. As I said, we will look at this. Work is already under way on the corruption element. I look forward to his contribution as we develop these proposals.

Kevin Brennan (Cardiff West) (Lab): I welcome the designation of those from Saudi Arabia responsible for the death of Jamal Khashoggi. I also welcome the fact that in the notes that the Foreign Secretary has provided, there is clear indication that non-state actors who have acquired a significant degree of control, authority and organisation over people in an area will also be held to account. As the Foreign Secretary knows, for the past few years my constituent Luke Symons has been held by the Houthis in Sana'a in Yemen, in a severe breach of his human rights. Will the Foreign Secretary commit to doing all that he can to secure his release and make sure that my constituent and his family can leave Yemen and travel to the United Kingdom?

Dominic Raab: I pay tribute to the hon. Gentleman's advocacy and tireless campaigning on behalf of his constituent. Of course we want to secure his release from the Houthis. The hon. Gentleman rather smartly wove in the non-state actor element of these regimes. That is important, because this is not just about perpetrators who come from arms of the state: there are a lot of other people out there, whether from militia, armed groups, various organisations or organised crime, who are aiding and abetting and supporting these human rights abuses, and we need to target all of them.

Andrew Selous (South West Bedfordshire) (Con): I particularly welcome the reference to the hundreds of thousands of people who perished in the gulags of North Korea—a country about which we learn very little from television reports or social media posts. In his statement, the Foreign Secretary mentions organisations rather than individuals in respect of North Korea. What are we going to do to publicise the names of the individuals responsible for these heinous crimes, in North Korea and globally?

Dominic Raab: Part of the problem in North Korea, as we discussed earlier, is the clandestine nature of the decision-making process. However, my hon. Friend is

right that we would certainly now be able and willing to proceed to name and designate any individuals. The two organisations that we are designating are bureau 27 of the Ministry of State Security, which oversees the political prison camps, and the Ministry of Public Security's correctional bureau, which oversees the ordinary prison camps—both ghastly in their own right.

Patricia Gibson (North Ayrshire and Arran) (SNP): This announcement is indeed welcome, but will the Secretary of State ensure that justice is at the heart of this global human rights sanction regime? With that in mind, will he commit to supporting women human rights defenders in countries such as Saudi Arabia, where women are legally the property of their closest male relative and denied basic freedoms? Will he guarantee that these women are not overlooked in any attempt to address the abuse of human rights?

Dominic Raab: I thank the hon. Lady and assure her that, when I was in Saudi Arabia before the coronavirus lockdown, I raised the women's rights defenders case with all my interlocutors. I can hopefully therefore reassure the hon. Lady that we raise that issue specifically with the Saudi Government.

Sir Desmond Swayne (New Forest West) (Con): How will the Foreign Secretary prevent existing human rights law from being used to thwart sanctions against those whom he would list?

Dominic Raab: I thank my right hon. Friend—*[Interruption.]* It is a perfectly good question, because all sorts of legal issues have to be scrutinised very carefully when introducing these designations. We have done our due diligence. We have lawyered this very carefully. I hope I can give him the maximum reassurance that the risk is being mitigated to the very lowest level.

Christian Matheson (City of Chester) (Lab): May I add my congratulations to the Foreign Secretary? I pay my respects to the memory of Sergei Magnitsky and to his family. I also pay tribute to Bill Browder, whom I have had the pleasure of meeting a couple of times in this place.

Will these regulations allow us to follow the money and prevent other people—family members or close business associates—from being used as a front to try to give financial legitimacy to people who are abusers? Will the Foreign Secretary ensure that people who are associated with the abusers will feel the effects of these regulations too?

Dominic Raab: I hope that the expressions of support for Sergei Magnitsky give solace to Natalia and Nikita through their enduring grief. The hon. Member is absolutely right. One of the reasons that this matter has not been discussed quite so much has been the opportunity with this regime to follow the money; if we can cut off the money and the people who are profiting from these appalling human rights abuses, we have a better chance of cutting out the activity and deterring it for the future. The hon. Member is bang on.

Sir Edward Leigh (Gainsborough) (Con): The largest group in the world subject to persecution today are Christians. We are not just discussing lethal persecution

[Sir Edward Leigh]

such as in North Korea; in many parts of the world there is persecution for churchgoing, blasphemy and many other issues. Will the Foreign Secretary assure me that this new regime will be used to target with sanctions those who deliberately target Christians?

Dominic Raab: My hon. Friend is absolutely right that this new regime gives us that power. On top of the legal regime, the asset freezes and the visa bans, the work of the Prime Minister's special envoy for freedom of religion or belief has been immense; it has been a herculean shift. We are working with our international partners and intend to co-host a conference on freedom of religion or belief. That will give us the ability to do precisely what my hon. Friend wants us to do.

Andy Slaughter (Hammersmith) (Lab): Bahrain, the United Arab Emirates and Saudi are all classed as close trading and political allies of the UK. What they also have in common is locking up political prisoners, torture and execution without due process. Zuhair Abdullah and Husain Rashid are in imminent danger of execution in Bahrain, having exhausted legal remedies. Will the Foreign Secretary be sure to sanction human rights abusers in so-called friendly countries, as well as those that are not so friendly?

Dominic Raab: The hon. Gentleman has been a passionate human rights defender over many years. He can take reassurance from the designations that we have made, and can see that the Government are willing to do—and are doing—just that.

Darren Henry (Broxtowe) (Con): The introduction of global human rights sanctions sends a strong message to those who violate human rights across the globe that they are not welcome in the UK, and reinforces our position as a defender of human rights at an international level. Will my right hon. Friend assure me that the Government will continue to work with other countries to ensure that perpetrators of such violations are held to account for their actions?

Dominic Raab: My hon. Friend is absolutely right. I have mentioned some of our existing partners, but what we want to do is show—by the measures that we are taking and the efficiency with which we go about this, in a targeted and smart, evidence-led way—that this is a regime not only that can hold individuals to account, but which other countries can adopt. That is certainly part of our advocacy and diplomatic plan in the months ahead.

Point of Order

4.37 pm

Jim Shannon (Strangford) (DUP): On a point of order, Mr Speaker. I spoke to you about this matter this morning. Some Members attend St Margaret's church, which is just across the way. A letter has been sent out to say that the church services there on a Sunday will be stopped. We all know that this is a result of the repercussions of covid-19 and the visitors who attend Westminster Abbey. I seek your guidance. What would be the best way of highlighting this issue to ensure that the Government can help St Margaret's to continue? Would it be through an urgent question, an Adjournment debate or direct contact with the Minister?

Mr Speaker: Seeing that you intervene on everybody else's Adjournment debate, it might be a good idea to see if we can facilitate one for you.

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.

4.38 pm

Sitting suspended.

Virtual participation in proceedings concluded (Order 4 June.)

BILL PRESENTED

TIBET (RECIPROCAL ACCESS) BILL

Presentation and First Reading (Standing Order No. 57)

Tim Loughton, supported by Chris Law, Sir Peter Bottomley, Jim Shannon, Christine Jardine, Fiona Bruce, Marion Fellows, Chris Bryant, Mr Alistair Carmichael, Damian Green, Henry Smith, Dame Diana Johnson, presented a Bill to require the Secretary of State to report annually on restrictions on access by UK nationals to Tibet in comparison with other regions of China; to make provision to deny persons involved in imposing such restrictions permission to enter the UK; and for connected purposes.

Bill read the First time; to be read a Second time on 12 March 2021, and to be printed (Bill 154).

Domestic Abuse Bill

Consideration of Bill, as amended in the Public Bill Committee

4.42 pm

New Clause 15

CHILDREN AS VICTIMS OF DOMESTIC ABUSE

(1) This section applies where behaviour of a person (“A”) towards another person (“B”) is domestic abuse.

(2) Any reference in this Act to a victim of domestic abuse includes a reference to a child who—

- (a) sees or hears, or experiences the effects of, the abuse, and
- (b) is related to A or B.

(3) A child is related to a person for the purposes of subsection (2) if—

- (a) the person is a parent of, or has parental responsibility for, the child, or
- (b) the child and the person are relatives.

(4) In this section—

“child” means a person under the age of 18 years;

“parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);

“relative” has the meaning given by section 63(1) of the Family Law Act 1996.” —(*Victoria Atkins.*)

This new clause provides that references in the Bill to a victim of domestic abuse include children who see or hear, or experience the effects of, the abuse.

Brought up, and read the First time.

4.42 pm

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): I beg to move, That the clause be read a Second time.

Mr Deputy Speaker (Mr Nigel Evans): With this it will be convenient to discuss the following:

Government new clause 16—*Special measures in family proceedings: victims of domestic abuse.*

Government new clause 17—*Special measures in civil proceedings: victims of specified offences.*

Government new clause 18—*Prohibition of cross-examination in person in civil proceedings.*

Government new clause 20—*Consent to serious harm for sexual gratification not a defence.*

New clause 1—*Pornography and domestic violence: research—*

(1) The Secretary of State must commission research into the impact of pornography consumption on levels of domestic violence.

(2) The Secretary of State must lay the research before Parliament within 12 months of this Act being passed.”

New clause 2—*Research into the incidence of domestic abuse within different living arrangements—*

The Secretary of State must commission research on the incidence of domestic abuse in the context of different forms of relationship including marriage, civil partnerships and cohabitation, with special respect to both adult and child wellbeing and reporting to the House with this research and policy recommendations within 12 months of this Act becoming law.”

New clause 3—*Report on domestic abuse incidence and sentencing—*

The Secretary of State must provide a report to the House reviewing trends in the incidences of domestic abuse and sentencing for domestic abuse offences over the last ten years in England and

Wales with a view to making policy recommendations including with respect to increasing both minimum and maximum sentences for domestic abuse offences and present to Parliament within the 12 months of this Act becoming law.

New clause 4—*No defence for consent to death—*

(1) If a person (“A”) wounds, assaults or asphyxiates another person (“B”) to whom they are personally connected as defined in section 2 of this Act causing death, it is not a defence to a prosecution that B consented to the infliction of injury.

(2) Subsection (1) applies whether or not the death occurred in the course of a sadomasochistic encounter.”

This new clause would prevent consent of the victim from being used as a defence to a prosecution in domestic homicides.

New clause 5—*No defence for consent to injury—*

(1) If a person (“A”) wounds, assaults or asphyxiates another person (“B”) to whom they are personally connected as defined in section 2 of this Act causing actual bodily harm or more serious injury, it is not a defence to a prosecution that B consented to the infliction of injury or asphyxiation.

(2) Subsection (1) applies whether or not the actual bodily harm, non-fatal strangulation, or more serious injury occurred in the course of a sadomasochistic encounter.”

This new clause would prevent consent of the victim from being used as a defence to a prosecution in cases of domestic abuse which result in serious injury.

New clause 6—*Consent of Director of Public Prosecutions—*

In any homicide case in which all or any of the injuries involved in the death, whether or not they are the proximate cause of it, were inflicted in the course of domestic abuse, the Crown Prosecution Service may not without the consent of the Director of Public Prosecutions, in respect of the death—

- (a) charge a person with manslaughter or any other offence less than the charge of murder, or
- (b) accept a plea of guilty to manslaughter or any other lesser offence.”

This new clause would require the consent of the Director of Public Prosecutions if, in any homicide case in which any of the injuries were inflicted in the course of domestic abuse, the charge (or the plea to be accepted) is of anything less than murder.

New clause 7—*Director of Public Prosecutions consultation with victim’s family in domestic homicides—*

(1) Before deciding whether or not to give consent to charging a person with manslaughter or any other offence less than the charge of murder in an offence of homicide in which domestic abuse was involved, the Director of Public Prosecutions must consult the immediate family of the deceased.

(2) The Lord Chancellor must make arrangements, including the provision of a grant, to enable the immediate family to access legal advice prior to being consulted by the Director of Public Prosecutions under subsection (1).”

This new clause would require the Director of Public Prosecutions to consult the immediate family of the victim before charging less than murder in a domestic homicide and provide the family with legal advice so they can understand the legal background.

New clause 8—*Offence of non-fatal strangulation—*

A person (A) commits an offence if that person unlawfully strangles, suffocates or asphyxiates another person (B), where the strangulation, suffocation or asphyxiation does not result in B’s death.”

This new clause will create a new offence of non-fatal strangulation.

New clause 9—*Offence of non-fatal strangulation in domestic abuse context*—

A person (A) commits an offence if that person unlawfully strangles, suffocates or asphyxiates another person (B) to whom they are personally connected as defined in section 2 of this Act, where the strangulation, suffocation or asphyxiation does not result in B's death."

This new clause will create a new offence of non-fatal strangulation in domestic abuse offences.

New clause 10—*Prohibition of reference to sexual history of the deceased in domestic homicide trials*—

If at a trial a person is charged with an offence of homicide in which domestic abuse was involved, then—

- (a) no evidence may be adduced, and
- (b) no question may be asked in cross-examination, by or on behalf of any accused at the trial,

about any sexual behaviour of the deceased."

This new clause will prevent the victim's previous sexual history being used as evidence to prove consent to violence in a domestic homicide case. This draws on the legislative measures in the Youth Justice and Criminal Evidence Act 1999 to prevent rape defendants raking up or inventing complainants' previous sexual history.

New clause 11—*Anonymity for victims in domestic homicides*—

'(1) Where a person ("A") has been accused of a domestic homicide offence and where the person ("B") against whom the offence is alleged to have been committed has died in the course of sexual activity, no matter likely to lead members of the public to identify a person as B shall be included in any publication.

(2) The matters relating to a person in relation to which the restrictions imposed by subsection (1) applies (if their inclusion in any publication is likely to have the result mentioned in that subsection) include in particular—

- (a) the person's name,
- (b) the person's address,
- (c) the identity of any school or other educational establishment attended by the person,
- (d) the identity of any place of work,
- (e) any still or moving picture of the person.

(3) If, at the commencement of the trial, any of the matters in subsection (2) have already appeared in any publication, the judge at the trial may direct that no further reference to any of these matters may be included in any publication.

(4) If any matter is included in a publication in contravention of this section, the following persons shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale—

- (a) where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical;
- (b) where the publication is a relevant programme—
 - (i) any body corporate engaged in providing the programme service in which the programme is included; and
 - (ii) any person having functions in relation to the programme corresponding to those of an editor of a newspaper;
- (c) in the case of any other publication, any person publishing it.

(5) For the purposes of this section—

"domestic homicide offence" means an offence of murder or manslaughter which has involved domestic abuse;

a "publication" includes any speech, writing, relevant programme, social media posting or other communication in whatever form, which is addressed to the public at large or any section of the public (and for this purpose every relevant programme

shall be taken to be so addressed), but does not include an indictment or other document prepared for use in particular legal proceedings."

This new clause will provide the victim of a domestic homicide with public anonymity.

New clause 12—*Domestic abuse: report on incidence and sentencing*—

'(1) The Secretary of State must, within 12 months of Royal Assent being given to this Act, lay before both Houses of Parliament a report on—

- (a) the incidence of domestic abuse in England and Wales since 1 January 2010, and
- (b) sentencing for any offence where judgment was handed down after 1 January 2010 and it was alleged that the behaviour of the accused amounted to domestic abuse.

(2) A purpose of a report under subsection (1) shall be to inform a decision on whether or not to increase the minimum or maximum sentence for any offence where it is found the behaviour of the accused amounted to domestic abuse.

(3) "Domestic abuse" shall, for the purposes of this section, have the meaning given in section 1 of this Act."

New clause 13—*Screening for acquired brain injury in domestic abuse cases*—

'(1) A woman who has been the subject of domestic abuse shall, with her consent, be screened for traumatic brain injury, and other forms of acquired brain injury, including concussion.

(2) For the purposes of this section, a woman has been the subject of domestic abuse if—

- (a) she is the person for whose protection a domestic abuse protection notice or a domestic abuse protection order has been issued, or
- (b) she is the person against whom it is alleged that domestic abuse has been perpetrated when the accused is charged with an offence that amounts to domestic abuse within the meaning of section 1 of this Act.

(3) In the case of subsection (2)(a), the screening shall take place within two weeks of a domestic abuse protection notice or a domestic abuse protection order being issued.

(4) In the case of subsection (2)(b), the screening shall take place within two weeks of a charge being made for an offence where it is alleged that the behaviour of the accused amounts to domestic abuse within the meaning of section 1 of this Act."

New clause 14—*Acquired brain injury screening for female prisoners*—

'(1) All female prisoners must be screened for traumatic brain injury, and other forms of acquired brain injury, including concussion, within two weeks of starting their sentence.

(2) A purpose of the screening will be to assist in a determination as to whether a prisoner has been the subject of domestic abuse.

(3) If the screening shows that there is an acquired brain injury—

- (a) an assessment must be made of whether such an injury has been acquired as a result of domestic abuse, and
- (b) the prisoner must be given appropriate rehabilitation treatment and advice."

New clause 19—*Anonymity of domestic abuse survivors in criminal proceedings*—

'(1) Where an allegation has been made that a relevant offence has been committed against a person, no matter relating to that person shall during that person's lifetime be included in any publication if it is likely to lead members of the public to identify that person as the survivor.

(2) Where a person is accused of a relevant offence, no matter likely to lead members of the public to identify the person against whom the offence is alleged to have been committed as the survivor shall during the survivor's lifetime be included in any publication.

(3) This section does not apply in relation to a person by virtue of subsection (1) at any time after a person has been accused of the offence.

(4) The matters relating to a survivor in relation to which the restrictions imposed by subsection (1) or (2) apply (if their inclusion in any publication is likely to have the result mentioned in that subsection) include—

- (a) the survivor's name;
- (b) the survivor's address;
- (c) the identity of any school or other educational establishment the survivor attended;
- (d) the identity of any place where the survivor worked;
- (e) any still or moving pictures of the survivor; and
- (f) any other matter that might lead to the identification of the survivor.

(5) At the commencement of a trial at which a person is charged with a relevant offence, the judge may issue a direction for lifting the restrictions only following an application by or on behalf of the survivor.

(6) Any matter that is included in a publication in contravention of this section must be deleted from that publication and no further reference to the matter may be made in any publication.

(7) If any matter is included in a publication in contravention of this section, the following persons shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale—

- (a) where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical;
- (b) where the publication is a relevant programme—
 - (i) any body corporate or Scottish partnership engaged in providing the programme service in which the programme is included; and
 - (ii) any person having functions in relation to the programme corresponding to those of an editor of a newspaper;
- (c) in the case of any other publication, any person publishing it.

(8) For the purposes of the section—

“publication” means any material published online or in physical form as any well as any speech, writing, website, online news outlet, social media posting, relevant programme or other communication in whatever form which is addressed to the public at large or any section of the public;

a “relevant offence” means any offence where it is alleged by the survivor that the behaviour of the accused amounted to domestic abuse;

“survivor” means the person against whom the offence is alleged to have been committed.”

This new clause provides lifetime press anonymity for survivors of domestic abuse, and reflects similar protections for survivors of sexual assault enshrined in the Sexual Offences (Amendment) Act 1992. It prevents identifiable details from be published online or in print, and creates a new offence for breaching this anonymity.

New clause 21—Register for domestic abuse—

(1) The Secretary of State must arrange for the creation of a register containing the name, home address and national insurance number of any person (P) convicted of an offence that constitutes domestic abuse as defined in section 1 of this Act.

(2) Each police force in England and Wales shall be responsible for ensuring that the register is kept up to date with all relevant offences committed in the police force's area.

(3) Each police force in England and Wales shall be responsible for ensuring that P notifies relevant police forces within 14 days if they commence a new sexual or romantic relationship.

(4) A failure to notify the police in the circumstances set out in subsection (4) shall be an offence liable on conviction to a term of imprisonment not exceeding 12 months.

(5) The relevant police force shall have the right to inform any person involved in a relationship with P of P's convictions for domestic abuse as defined in section 1 of this Act.”

This new clause would require that any person convicted of any offence of domestic abuse as defined in section 1 must have their details recorded on a domestic abuse register to ensure that all the perpetrator's subsequent partners have full access to information regarding their domestic abuse offences.

New clause 22—Recourse to public funds for domestic abuse survivors—

(1) The Immigration Acts are amended as follows.

(2) In section 115 of the Immigration and Asylum Act 1999 after subsection (10) insert—

“(11) This section does not apply to a person who is a victim of domestic abuse in the United Kingdom who provides evidence in one or more of the forms set out in section [Recourse to public funds for domestic abuse survivors] of the Domestic Abuse Act 2020.”

(3) In paragraph 2(1) of Schedule 3 to the Nationality, Immigration and Asylum Act 2002 after sub-paragraph (b) insert—

“(ba) to a person who is a victim of domestic abuse in the United Kingdom who provides evidence in one or more of the forms set out in section [Recourse to public funds for domestic abuse survivors] of the Domestic Abuse Act 2020, or”.

(4) In section 21 of the Immigration Act 2014 at the end of subsection (3) insert “or if P is a victim of domestic abuse”.

(5) In section 3 of the Immigration Act 1971 after subsection (1) insert—

“(1A) The Secretary of State may not make or maintain a condition under subsection (1)(c)(ii) on leave granted to a victim of domestic abuse in the United Kingdom who provides evidence in one or more of the forms set out in section [Recourse to public funds for domestic abuse survivors] of the Domestic Abuse Act 2020; and it is not a breach of the immigration laws or rules for such a victim to have recourse to public funds.”

(6) For the purposes of this section, evidence that a person is a victim of domestic abuse may consist of one or more of the following—

- (a) a relevant conviction, police caution or protection notice;
- (b) a relevant court order (including without notice, ex parte, interim or final orders), including a non-molestation undertaking or order, occupation order, domestic abuse protection order, forced marriage protection order or other protective injunction;
- (c) evidence of relevant criminal proceedings for an offence concerning domestic violence or a police report confirming attendance at an incident resulting from domestic abuse;
- (d) evidence that a victim has been referred to a multi-agency risk assessment conference;
- (e) a finding of fact in the family courts of domestic abuse;
- (f) a medical report from a doctor at a UK hospital confirming injuries or a condition consistent with being a victim of domestic abuse;
- (g) a letter from a General Medical Council registered general practitioner confirming that he or she is satisfied on the basis of an examination that a person had injuries or a condition consistent with those of a victim of domestic abuse;

- (h) an undertaking given to a court by the alleged perpetrator of domestic abuse that he or she will not approach the applicant who is the victim of the abuse;
- (i) a letter from a social services department confirming its involvement in providing services to a person in respect of allegations of domestic abuse;
- (j) a letter of support or a report from a domestic abuse support organisation; or
- (k) other evidence of domestic abuse, including from a counsellor, midwife, school, witness or the victim.

(7) For the purposes of this section—

“domestic abuse” has the same meaning as in section 1 of the Domestic Abuse Act 2020;

“victim” includes the dependent child of a person who is a victim of domestic abuse.

(8) Within 12 months of this Act being passed, the Secretary of State must commission a review into the operation of the provisions in this section.

(9) The Secretary of State must lay before Parliament a report setting out the findings of the review.”

This new clause seeks to ensure that certain provisions under the Immigration Acts – including exclusion from public funds, certain types of support and assistance and the right to rent – do not apply to survivors of domestic abuse. There will be a review into the operation of this provision.

New clause 23—Commissioning specialist domestic abuse services for victims and perpetrators of domestic abuse—

“(1) It is the duty of relevant public authorities in England and non-devolved relevant public authorities in Wales in the exercise of their functions to commission sufficient specialist services for all persons affected by domestic abuse regardless of status.

(2) To ensure compliance with the duty under subsection (1) public authorities must—

- (a) regularly assess population and support needs changes in their area;
- (b) take account of any strategy to end violence against women and girls adopted by a Minister of the Crown; and
- (c) co-operate to discharge the duty.

(3) The Secretary of State may issue regulations making provision for the resolution of disputes between public authorities relating to the discharge of the duty under subsection (1).

(4) In relation to the provision of domestic abuse support as defined by section 54(2), each relevant local authority may discharge the duty under subsection (2)(a) through compliance with its obligations under section 54(1)(a).

(5) In performing the duty under subsection (1) a relevant public authority must secure sufficient specialist services for (among others) the following persons—

- (a) any victim of domestic abuse aged over 18;
- (b) any child aged under 18 who experiences or witnesses domestic abuse;
- (c) any person aged over 18 who exhibits abusive behaviour towards another person to whom they are personally connected;
- (d) any child aged under 18 who exhibits abusive behaviour towards another person to whom they are personally connected.

(6) In performing the duty under subsection (1), a relevant public authority must where necessary secure specialist services designed to meet the particular needs of a group that shares a status to ensure appropriate and effective service provision.

(7) In this section—

“abusive behaviour” is behaviour that is abusive within the definition in section 1(3).

“domestic abuse” has the meaning given by Part 1 of this Act.

“personally connected” has the meaning given in section 2 of this Act.

“relevant public authorities” are public authorities with statutory functions relevant to the provision of specialist services, including but not limited to—

- (a) Ministers of the Crown and Government departments;
- (b) local government in England;
- (c) NHS Trusts in England;
- (d) Police and Crime Commissioners;
- (e) prison, police and probation services.

“status” means a status for the purpose of Article 4(3) of the Council of Europe Convention on preventing and combating violence against women and domestic violence, and combined forms of any such status.

“specialist services” include but are not limited to the following when provided in connection with domestic abuse, whether provided by a public authority or any other person or body—

- (a) protective measures and action taken to protect persons against domestic abuse;
- (b) residential accommodation, including refuge services and other relevant accommodation and support as defined in section 54(2);
- (c) counselling and other support;
- (d) advocacy services;
- (e) access to welfare benefits;
- (f) perpetrator programmes;
- (g) financial support;
- (h) legal services;
- (i) helplines;
- (j) services designed to meet the particular needs of a group that shares a status to ensure appropriate and effective service provision, including separate or single-sex services within the meaning given in Part 7 of Schedule 3 the Equality Act, and “communal accommodation” within the meaning given in paragraph 3 of Schedule 23 to the Equality Act 2010.

“victims of domestic abuse” includes—

- (a) persons towards whom domestic abuse is directed and
- (b) persons who are reasonably believed to be at risk of domestic abuse.”

This new clause would establish a statutory duty on relevant public authorities to commission specialist support and services to all persons affected by domestic abuse. This includes refuge and community-based services; specialist services for groups with protected characteristics; services for children and young people; services for perpetrators.

New clause 24—Proceedings under the Children Act 1989—

“(1) Part I of the Children Act 1989 is amended as follows.

(2) In section 1 (the welfare of the child) after subsection (2B) insert—

“(2C) Subsection (2A) shall not apply in relation to a parent where there has been domestic abuse which has affected the child or other parent.

(2D) Evidence of domestic abuse may be provided in one or more of the forms set out in regulation 33(2) of the Civil Legal Aid (Procedure) Regulations 2012.”

(3) Part II of the Children Act 1989 is amended as follows.

(4) In section 9 (restrictions on making section 8 orders) after subsection (7) insert—

“(8) No court shall make a section 8 order for a child to spend unsupervised time with or have unsupervised contact with a parent who is—

- (a) awaiting trial, or on bail for, a domestic abuse offence, or
- (b) involved in ongoing criminal proceedings for a domestic abuse offence.

(8A) In subsection (8)—

“unsupervised” means where a court approved third party is not present at all times during contact with the parent to ensure the physical safety and emotional wellbeing of a child;

“domestic abuse offence” means an offence which the Crown Prosecution Service alleges to have involved domestic abuse.”

This new clause seeks to change the presumption that parental involvement furthers the child’s welfare when there has been domestic abuse. It also prohibits unsupervised contact for a parent awaiting trial or on bail for domestic abuse offences, or where there are ongoing criminal proceedings for domestic abuse.

New clause 25—Effective protection and support for all victims of domestic abuse—

(1) The Secretary of State must take steps to ensure that all victims of domestic abuse, irrespective of their status, receive—

- (a) equally effective protection against domestic abuse, and
- (b) equally effective support.

(2) In this section—

“status” includes a status for the purpose of Article 4(3) of the Council of Europe Convention on preventing and combating violence against women and domestic violence and any combined forms of such status.

“victims of domestic abuse” includes persons who are reasonably believed to be at risk of domestic abuse.”

This new clause ensures all victims of domestic abuse are protected, regardless of their status, in line with Article 4(3) of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

New clause 26—Victims of domestic abuse: leave to remain—

(1) The Secretary of State must, within 3 months of this Act being passed, lay a statement of changes in rules made under section 3(2) of the Immigration Act 1971 (“the immigration rules”) to make provision for leave to remain to be granted to any person subject to immigration control who is a victim of domestic abuse in the United Kingdom.

(2) The statement laid under subsection (1) must set out rules for the granting of indefinite leave to remain to any person subject to immigration control who is a victim of domestic abuse in the United Kingdom; and the statement must provide for those rules to be commenced no later than one month of the laying of the statement.

(3) The Secretary of State must make provision for granting limited leave to remain for a period of no less than 6 months to any person eligible to make an application under the immigration rules for the purposes of subsection (2); and such leave shall include no condition under section 3(1)(c)(i), (ia), (ii) or (v) of the Immigration Act 1971.

(4) The Secretary of State must make provision for extending limited leave to remain granted in accordance with subsection (3) to ensure that leave continues throughout the period during which an application made under the immigration rules for the purposes of subsection (2) remains pending.

(5) Where subsection (6) applies, notwithstanding any statutory or other provision, no services shall be withheld from a victim of domestic abuse solely by reason of that person not having leave to remain or having leave to remain subject to a condition under section 3(1)(c) of the Immigration Act 1971.

(6) This subsection applies where a provider of services is satisfied that the victim of domestic abuse is eligible to make an application to which subsection (3) refers.

(7) The Secretary of State must, for the purposes of subsection (5), issue guidance to providers of services about the assessment of eligibility to make an application to which subsection (3) refers.

(8) In this section—

an application is “pending” during the period—

- (a) beginning when it is made,
- (b) ending when it is finally decided, withdrawn or abandoned, and an application is not finally decided while an application for review or appeal could be made within the period permitted for either or while any such review or appeal remains pending (meaning that review or appeal has not been finally decided, withdrawn or abandoned);

“person subject to immigration control” means a person in the United Kingdom who does not have the right of abode;

“provider of services” includes both public and private bodies;

“services” includes accommodation, education, employment, financial assistance, healthcare and any service provided exclusively or particularly to survivors of domestic abuse.”

This new clause would make provision in the immigration rules for the granting of indefinite leave to remain to migrant survivors of domestic abuse and limited leave to remain to a survivor who is eligible to make an application for indefinite leave to remain.

New clause 27—Victims of domestic abuse: data-sharing for immigration purposes—

(1) The Secretary of State must make arrangements to ensure that personal data of a victim of a domestic abuse in the United Kingdom that is processed for the purpose of that person requesting or receiving support or assistance related to domestic abuse is not used for any immigration control purpose without the consent of that person.

(2) The Secretary of State must make arrangements to ensure that the personal data of a witness to domestic abuse in the United Kingdom that is processed for the purpose of that person giving information or evidence to assist the investigation or prosecution of that abuse, or to assist the victim of that abuse in any legal proceedings, is not used for any immigration control purpose without the consent of that person.

(3) Paragraph 4 of Schedule 2 to the Data Protection Act 2018 shall not apply to the personal data to which subsection (1) or (2) applies.

(4) For the purposes of this section, the Secretary of State must issue guidance to—

- (a) persons from whom support or assistance may be requested or received by a victim of domestic abuse in the United Kingdom;
- (b) persons exercising any function of the Secretary of State in relation to immigration, asylum or nationality; and
- (c) persons exercising any function conferred by or by virtue of the Immigration Acts on an immigration officer.

(5) For the purposes of this section—

“consent” means a freely given, specific, informed and unambiguous indication of the victim or witness, by an express statement of that person signifying agreement to the processing of the personal data for the relevant purpose;

“immigration control purpose” means any purpose of the functions to which subsection (4)(ii) and (iii) refers;

“support or assistance” includes the provision of accommodation, banking services, education, employment, financial or social assistance, healthcare and policing services; and any function of a court or prosecuting authority;

“victim” includes any dependent of a person, at whom the domestic abuse is directed, where that dependent is affected by that abuse.”

This new clause would require the Secretary of State to make arrangements to ensure that the personal data of migrant survivors of domestic abuse that is given or used for the purpose of their seeking or receiving support and assistance is not used for immigration control purposes.

New clause 28—*Enabling access to abortion in abusive relationships—*

“(1) The Abortion Act 1967 is amended as follows.

(2) At the end of section 1 add—

“(5) Subsection (3) of this section shall not apply to the termination of a pregnancy by a registered medical practitioner who is of the opinion, formed in good faith, that the woman is unable to access treatment for the termination of pregnancy in a hospital or a place approved by the Secretary of State under subsection (3) by reason of the abusive behaviour of a person with whom the woman is personally connected within the meaning of section 2 of the Domestic Abuse Act 2020.”

In cases of domestic abuse where a woman seeking an abortion is subject to coercive control, this new clause would remove the legal requirement for attendance at a hospital or licensed premises in order to access lawful abortion services.

Amendment (a), line 4 after “apply to the” insert “medical”

Amendment (b), line 6 after “faith,” insert

“that the pregnancy has not exceeded nine weeks and six days and”

Amendment (c), line 10 at end insert—

“(3) This section may not take effect until the Government has conducted an inquiry into the safety, number, and impact of abortions carried out under the temporary coronavirus crisis provisions where the place of abortion was the woman’s home, and has laid a Report on this before Parliament.”

New clause 30—*Local Welfare Provision schemes—*

“(1) Every local authority in England must deliver a Local Welfare Provision scheme which provides financial assistance to victims of domestic abuse.

(2) The Secretary of State must issue guidance on the nature and scope of Local Welfare Provision schemes and review this biannually in consultation with the Domestic Abuse Commissioner and other such individuals and agencies the Secretary of State deems appropriate.

(3) The Chancellor of the Exchequer must provide local authorities with additional funding designated for Local Welfare Provision, to increase per year with inflation.

(4) For the purposes of this subsection “domestic abuse” is defined in section 1 of the Domestic Abuse Act 2020.”

This new clause would allow victims of domestic abuse to access a local welfare assistance scheme in any locality across England.

New clause 31—*Guidance: Child maintenance—*

“(1) The Secretary of State must issue guidance relating to the payment of child maintenance where the person with care of the child is a victim of domestic abuse.

(2) Guidance issued under this section must take account of—

(a) the potential for the withholding or reducing of child maintenance to constitute economic abuse under section 1(4) of this Act;

(b) the need for enforcement action to prevent non-payment; and

(c) the difficulties faced by victims of domestic abuse in obtaining evidence to support an application for a variation of a child maintenance calculation.

(3) The Child Maintenance Service must have regard to any guidance issued under this section when exercising a function to which the guidance relates.

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

(a) the Domestic Abuse Commissioner, and

(b) such other persons as the Secretary of State considers appropriate.

(5) The Secretary of State must publish any guidance issued under this section.”

This new clause would require the Secretary of State to issue guidance to the Child Maintenance Service to tackle the problem of abusers continuing economic abuse by withholding or reducing child maintenance payments.

New clause 32—*Assessment and management of serial and serious domestic abuse and stalking perpetrators—*

Within six months of the commencement of this Act, a Minister of the Crown must lay a report before both Houses of Parliament reviewing arrangements for assessing and managing the risk presented by serial and serious harm domestic abuse and stalking perpetrators.”

New clause 33—*Monitoring of serial and serious harm domestic abuse and stalking perpetrators under MAPPA—*

“(1) The Criminal Justice Act 2003 is amended as follows.

(2) In section 325 (Arrangements for assessing etc risk posed by certain offenders) —

(a) in subsection (1), after ““relevant sexual or violent offender” has the meaning given by section 327” insert—

““relevant domestic abuse or stalking perpetrator” has the meaning given in section 327ZA;”;

(b) in subsection (2)(a), after “offenders” insert “(aa) relevant domestic abuse or stalking perpetrators,”.

(3) After section 327 (Section 325: interpretation) insert—

“327ZA Section 325: interpretation of relevant domestic abuse or stalking perpetrator

(1) For the purposes of section 325—

a person (“P”) is a “relevant domestic abuse or stalking perpetrator” if P has been convicted of a specified offence and meets either the condition in subsection (2)(a) or the condition in subsection (2)(b).

(2) For the purposes of subsection (1), the conditions are—

(a) P is a relevant serial offender;

(b) a risk of serious harm assessment has identified P as presenting a high or very high risk of serious harm.

(3) An offence is a “specified offence” for the purposes of this section if it is a specified domestic abuse offence or a specified stalking offence.

(4) In this section—

“relevant serial offender” means a person convicted on more than one occasion for the same specified offence; or a person convicted of more than one specified offence;

“specified domestic abuse offence” means an offence where it is alleged that the behaviour of the accused amounted to domestic abuse within the meaning defined in Section 1 of this Act;

“specified stalking offence” means an offence contrary to section 2A or section 4A of the Protection from Harassment Act 1997.

(5) Within six months of the commencement of this section, a Minister of the Crown must lay a report before both Houses of Parliament reviewing the interpretation of the term “relevant domestic abuse or stalking perpetrator” for the purposes of section 325.

(6) A report under subsection (5) must give specific consideration to arrangements for assessing and managing the risks of domestic abuse or stalking posed by perpetrators convicted of offences other than a specified offence.

(7) Subject to a report under subsection (5) being laid before both Houses of Parliament, a Minister of the Crown may by regulations amend this section.”

This new clause amends the Criminal Justice Act 2003, which provides for the establishment of Multi-Agency Public Protection Arrangements (“MAPPA”), to make arrangements for serial domestic abuse or stalking perpetrators to be registered on VISOR and be subjected to supervision, monitoring and management through MAPPA.

New clause 34—Threat to disclose private photographs and films with intent to cause distress—

In the Criminal Justice and Courts Act 2015, after section 13 insert—

“33A Threat to disclose private photographs and films with intent to cause distress

(1) It is an offence for a person to threaten to disclose a private sexual photograph or film of a person to whom they are personally connected without the consent of an individual who appears in the photograph or film if the threat is made to either—

- (a) the individual who appears in the photograph or film, or
- (b) another individual who is intended to tell the individual who appears in the photograph or film,

(2) But it is not an offence under this section for the person to threaten to disclose the photograph or film to the individual mentioned in subsection (1)(a).

(3) For the meaning of “consent” see section 33(7)(a).

(4) A person guilty of an offence under this section is liable —

- (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both), and
- (b) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine (or both).

(5) For the purposes of this section, “personally connected” has the same meaning as in section 2 of the Domestic Abuse Act 2020.”

New clause 35—Duty to co-operate: children awaiting NHS treatment—

“(1) The Commissioner must within 6 months after section 14 comes into force issue a request under that section to the NHS bodies in England mentioned in subsection (2) to co-operate with the Commissioner to secure that the objective set out in subsection (3) is met within 12 months after that section comes into force and continues to be met.

(2) The bodies are—

- (a) every clinical commissioning group established under section 14D of the National Health Service Act 2006, and
- (b) every other NHS body in England (as defined in section 14(7)) whose co-operation the Commissioner thinks is necessary to secure that the objective set out in subsection (3) is met.

(3) The objective is that where a child affected by domestic abuse has been referred for NHS care or treatment in the area (“Area A”) of a clinical commissioning group as a result of being so affected moves to the area (“Area B”) of another clinical commissioning group, the child receives that care or treatment no later than it would have been received in Area A.”

New clause 36—School admissions—

“(1) The Secretary of State must, within six months after this section comes into force, secure that the school admissions code issued for England under section 84 of the Schools Standards and Framework Act 1998 (“1998 Act”) contains such provision as the Secretary of State considers necessary to achieve the objective set out in subsection (5).

(2) The Secretary of State must secure that the Commissioner is consulted about any proposed provision under subsection (1).

(3) The Welsh Ministers must, within six months after this section comes into force, secure that the Welsh Government school admissions code issued under section 84 of the 1998 Act contains such provision as the Welsh Ministers consider necessary to achieve the objective set out in subsection (5).

(4) The Welsh Ministers must secure that the Commissioner is consulted about any proposed provision under subsection (3).

(5) The objective is that—

- (a) oversubscription criteria for admission to any school to which the school admissions code applies give the same priority to children falling within subsection (6) as to looked-after children (within the meaning of section 22(1) of the Children Act 1989), and
- (b) the Code contains appropriate guidance about admission of children who have moved home to avoid domestic abuse or who are otherwise affected by domestic abuse.

(6) A child falls within this subsection if the child—

- (a) is in the care of, or provided with accommodation by, a body exercising a function in respect of children affected by domestic abuse which, if the body were a local authority, would be a social services function of the kind mentioned in section 22(1)(b) of the Children Act 1989, or
- (b) has moved home as a result of being affected by domestic abuse.”

Amendment 3, clause 1, page 1, line 15, after “abuse”, insert “(see subsection (4A))”

This amendment would provide the ability to further define specific abuse.

Amendment 25, page 2, line 3, after “that” insert

“, unless A believed they were acting in B’s best interest and the behaviour in all the circumstances was reasonable,”

This amendment is alternative to Amendment 1. It clarifies that economic abuse has to be unreasonable and not cover incidents of the withholding of money where it is intended to be in a person’s best interest – e.g. someone caring for another or the partner of a gambling addict who gives consent. This amendment uses similar wording to the defence for controlling and coercive behaviour.

Amendment 1, page 2, line 3, after “effect”, insert “without permission, consent, necessity or any other good reason”

The aim of this amendment would be to specify that economic abuse has to be deliberate and unreasonable not just the withholding of money, for example, with lawful authority or good reason – e.g. someone caring for someone or the partner of a gambling addict who gives consent etc.

Amendment 2, page 2, line 5, leave out “acquire, use or maintain money or other property” and insert “maintain their own money or personal property”

The aim of this amendment would be to specify that economic abuse must involve the person’s own money and not the lawful property of someone else.

Amendment 4, page 2, line 6, at end insert—

“(4A) “Psychological, emotional or other abuse” includes but is not limited to—

- (a) parental alienation, false allegations of domestic abuse by A against B, or
- (b) A deliberately preventing B having contact with their child or children for no good reason.”

This amendment gives specific examples of domestic abuse – parental alienation, false allegations of domestic abuse and the prevention of contact with a parent for no good reason.

Amendment 24, page 2, line 6, at end insert—

“(4A) “Psychological, emotional or other abuse” includes but is not limited to—

- (a) parental alienation, or
- (b) A deliberately preventing B having contact with their child or children for no good reason.”

This amendment is alternative to Amendment 4. It gives specific examples of domestic abuse – parental alienation and the prevention of contact with a parent for no good reason.

Amendment 5, page 2, line 6, at end insert—

“(4B) “Parental alienation” is defined as a child’s resistance or hostility towards parent B which is not justified and is the result of psychological manipulation by parent A.”

This amendment defines parental alienation.

Amendment 6, page 2, line 7, leave out subsection (5)

This amendment removes the potential creation of two victims of a single act of abuse.

Amendment 7, page 2, line 10, leave out subsection (6)

This amendment is consequential upon Amendment 6.

Amendment 11, clause 6, page 4, line 3, after “the” insert “objective”

This amendment aims to ensure there is no bias and that pre-conceived notions do not form part of the identification of domestic abuse process.

Amendment 12, page 4, line 8, after “abuse” insert “;

- (e) a gender-neutral approach to domestic abuse”

This amendment would recognise explicitly that domestic violence affects everyone regardless of their sex.

Amendment 13, page 4, line 23, at end insert—

- “(h) monitoring the estimated number of actual victims of domestic abuse compared to those prosecuted for such offences according to the sex of the victim and making recommendations to address any differences in outcomes between the sexes;”

This amendment would make sure that male and female perpetrators of domestic abuse are prosecuted in similar relative numbers.

Amendment 14, page 4, line 23, at end insert—

- “(i) monitoring the estimated number of actual victims of domestic abuse in same sex relationships by gender.”

This amendment would ensure that those in same sex relationships are separately monitored in line with the gender neutral approach to domestic abuse.

Amendment 40, clause 7, page 5, line 2, leave out “the Secretary of State” and insert “Parliament”

This amendment changes the provision enabling the Commissioner to report to the Secretary of State to one enabling the Commissioner to report to Parliament.

Amendment 41, page 5, line 5, leave out subsections (3) to (5) and insert—

“(3) The Commissioner must ensure that no material is included in the report which—

- (a) might jeopardise the safety of any person, or

- (b) might prejudice the investigation or prosecution of an offence.

(4) The Commissioner must send a copy of any report published under this section to the Secretary of State.”

This amendment is linked to Amendment 40.

Amendment 15, clause 11, page 6, line 38, after “Board”)” insert

“through an open recruitment process”

This amendment would ensure that members of the Advisory Board are appointed via an open recruitment process.

Amendment 19, page 7, line 7, after the first “of” insert

“each of (a) male and (b) female”

This amendment would ensure that different people separately representing the interests of male and female victims are appointed to the Advisory Board.

Amendment 46, page 7, line 7, after “abuse” insert—

“in England;

- “(aa) at least one person appearing to the Commissioner to represent the interests of victims of domestic abuse in Wales”

This amendment would require representation for domestic abuse victims in Wales, ensuring that both the interests of domestic abuse victims in England and Wales are equally addressed.

Amendment 20, page 7, line 9, after “with” insert

“each of (a) male and (b) female”

This amendment would ensure that different people separately representing the interests of male and female organisations are on the Advisory Board.

Amendment 16, page 7, line 11, leave out paragraph (c)

This amendment would remove the necessity for a representative of health care providers to be on the Advisory Board to make space for representatives of both male and female victims/groups.

Amendment 17, page 7, line 14, leave out paragraph (d)

This amendment would remove the necessity for a representative of social care providers to be on the Advisory Board to make space for representatives of both male and female victims/groups.

Amendment 44, page 7, line 21, after “abuse” insert “;

- (g) at least one person appearing to the Commissioner to represent the interests of charities and other voluntary organisations that work with victims of sexual violence and abuse that amounts to domestic abuse in England”

This amendment will add a representative of sexual violence and abuse specialist services in a domestic context to the Commissioner’s advisory board.

Amendment 18, page 7, line 24, leave out subsection (6)

This amendment is consequential upon Amendment 17.

Amendment 42, clause 13, page 8, line 16, leave out from “must” to “on” and insert “report to Parliament”

This amendment changes the requirement for the Commissioner to submit an annual report to the Secretary of State to a requirement to report to Parliament.

Amendment 43, page 8, line 25, leave out subsections (3) to (5) and insert—

“(3) The Commissioner must arrange for a copy of every annual report under this section to be laid before Parliament.

(4) Before laying the report before Parliament, the Commissioner must ensure that no material is included in the report which—

- (a) might jeopardise the safety of any person, or
- (b) might prejudice the investigation or prosecution of an offence.”

This amendment is linked to Amendment 42.

Amendment 21, clause 55, page 36, line 11, after the first “of” insert

“each of (a) male and (b) female”

This amendment would ensure that different people separately represent the interests of both male and female victims on the domestic abuse local partnership boards.

Amendment 22, page 36, line 15, after “with” insert

“each of (a) male and (b) female”

This amendment would ensure that different people separately represent the interests of both male and female organisations on the domestic abuse local partnership boards.

Amendment 45, page 36, line 22, after “area” insert “;

- (h) at least one person appearing to the authority to represent the interests of charities and other voluntary organisations that work with victims of sexual violence and abuse that amounts to domestic abuse in its area”

This amendment adds a representative of Sexual Violence and Abuse specialist services in a domestic context to the Local Authority’s advisory partnership.

Government amendments 27 to 29.

Amendment 26, page 46, line 38, leave out Clause 64.

Amendment 8, clause 67, page 51, line 12, leave out paragraph (b)

This amendment is consequential upon Amendment 6.

Amendment 23, page 51, line 15, at end insert—

“(4) If it transpires that the local authority has been given incorrect information or that it has taken into account false allegations of domestic abuse as the basis for granting a tenancy, it must revoke the secure tenancy within 7 days of receiving this information by giving the tenant 28 days notice to quit in addition to passing on such information to the police, where they are not already involved, as soon as is practicable thereafter.”

This amendment makes provision for someone who has made false allegations of domestic abuse to lose the home they gained under these false pretences.

Amendment 35, clause 68, page 51, line 28, at end insert—

“(2A) The Secretary of State must issue guidance under this section which takes account of evidence about the relationship between domestic abuse and offences involving hostility based on sex.

(2B) In preparing guidance under subsection (2A) the Secretary of State must require the chief officer of police of any police force to provide information relating to—

- (a) the number of relevant crimes reported to the police force; and
- (b) the number of relevant crimes reported to the police force which, in the opinion of the chief officer of police, have also involved domestic abuse.

(2C) In this section—

“chief officer of police” and “police force” have the same meaning as in section 65 of this Act;

“domestic abuse” has the same meaning as in section 1 of this Act;

“relevant crime” means a reported crime in which—

- (a) the victim or any other person perceived the alleged offender, at the time of or immediately before or after the offence, to demonstrate hostility or prejudice based on sex,

- (b) the victim or any other person perceived the crime to be motivated (wholly or partly) by hostility or prejudice towards persons who are of a particular sex, or

- (c) the victim or any other person perceived the crime to follow a course of conduct pursued by the alleged offender towards the victim that was motivated by hostility based on sex;

“sex” has the same meaning as in section 11 of the Equality Act 2010.”

Amendment 47, page 51, line 28, at end insert—

“(2A) The Secretary of State must issue separate statutory guidance on domestic abuse that also constitutes teenage relationship abuse and such guidance must address how to ensure there are—

- (a) sufficient levels of local authority service provision for both victims and perpetrators of teenage relationship abuse,
- (b) child safeguarding referral pathways for both victims and perpetrators of teenage relationship abuse.

(2B) The guidance in subsection (2A) must be published within three months of the Act receiving Royal Assent and must be reviewed bi-annually.

(2C) For the purposes of subsection (2A), teenage relationship abuse is defined as any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse, which can encompass, but is not limited to psychological, physical, sexual, economic and emotional abuse, including through the use of technology, between those aged 18 or under who are, or have been in a romantic relationship regardless of gender or sexual orientation.”

This amendment would place a duty on the Secretary of State to publish separate statutory guidance on teenage relationship abuse. The statutory guidance would cover not just victims of teenage domestic abuse but extend to those who perpetrate abuse within their own teenage relationships.

Amendment 9, page 51, line 30, leave out from “that” to the end of line 31 and insert

“victims and perpetrators of domestic abuse in England and Wales are both male and female.”

This amendment removes the sex specific reference to females, to include male victims of domestic abuse and reflect the fact that both men and women are perpetrators of domestic abuse.

Government amendment 30.

Amendment 10, page 51, line 31, after “female”, insert

“and this should in no way exclude male victims from the protection of domestic abuse legislation and services for survivors.”

This amendment is an alternative to Amendment 9.

Government amendments 36, 37, 31, 32, 38, 33, 34 and 39.

Victoria Atkins: Homes should be places of love and safety, but for 2.4 million people across the country they are not. We want the abuse to stop, and we want victims to live, peaceful, safe and happy lives. That is why the Government are bringing forward this Domestic Abuse Bill.

Domestic abuse does not just affect adults. It affects the children living in abusive households too. The Government have always recognised the devastating impact that domestic abuse has on a child who sees, hears or experiences it. Indeed, the need to consider the effects on children runs through the Bill, through the draft statutory guidance and in our non-legislative work. As I hope is acknowledged, our approach throughout

[Victoria Atkins]

the extensive scrutiny of the Bill has been to listen, and that is exactly what we have done. We have listened carefully to my right hon. Friends the Members for Maidenhead (Mrs May) and for Basingstoke (Mrs Miller). We have listened to my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) in Committee, as well as other Members across the House, including the hon. Member for Blaydon (Liz Twist), who have encouraged us to do more. I am, therefore, pleased to introduce new clause 15 to the Bill, which states that children who see, hear or experience domestic abuse are victims.

As with the statutory definition in clauses 1 and 2, we expect the new clause to be adopted more generally by public authorities, frontline practitioners and others responding to domestic abuse. Indeed, it is vital that locally commissioned services consider and address the impact of domestic abuse on children.

We have also listened to the harrowing experiences of victims going through the family and civil courts. It is vital that victims of domestic abuse are supported to give their best evidence in court and to minimise the distress that this can cause. The Bill on introduction already ensured that victims of domestic abuse are automatically entitled to special measures in criminal proceedings, meaning that they can, for example, give evidence from behind a screen or via a video link. New clauses 16 and 17 now extend that automatic eligibility to victims giving evidence in family and civil proceedings.

In May last year, the Ministry of Justice established a panel of experts to review how the family courts deal with the risk of harm to children and parents in private law children's cases involving domestic abuse and other serious offences. The panel received more than 1,200 submissions and the report was published just a couple of weeks ago. The submissions highlighted that many victims of domestic abuse feel extreme anxiety about appearing in the family court and coming face to face with the perpetrator. Anyone who has tracked the progress of this Bill, or who has worked with and listened to victims outside the confines of this Chamber, will know just how terrible some of those experiences can be. The panel has recommended that the provisions in the Bill concerning special measures in the criminal courts should apply to all private law children's cases in which domestic abuse is alleged. New clause 16 does that, and new clause 17 achieves the same in civil proceedings.

However, we have gone further with regard to civil proceedings, as new clause 18 prohibits cross-examination in person where such cross-examination by the perpetrator is likely to diminish the quality of the witness's evidence or would cause significant distress to the witness. This new clause also prevents the victim from having to cross-examine the alleged perpetrator in person, with counsel being appointed by the court, if necessary. In each scenario, such cross-examination can serve to re-traumatise victims and, again, prevent them from giving their best evidence in court. Cross-examination in person is already prohibited in the criminal courts. The Bill, on introduction, extended the prohibition to the family courts and, on the recent recommendation of the Civil Justice Council, we will now ensure that the bar applies across all courts. These changes will have a profound impact on victims in all our constituencies who are seeking justice.

Chris Bryant (Rhondda) (Lab): I wholeheartedly support everything that the Minister has said, but one additional factor that can make it more difficult for a victim of domestic violence to feel secure in this system is that they have had a brain injury which might not have been diagnosed. So all the anxiety, loss of memory and loss of executive function may be completely misunderstood by many other people around her. Is it not time that we made sure, as my new clause 13 would do, that all victims of domestic violence and abuse are screened for acquired brain injury?

Victoria Atkins: I thank the hon. Gentleman for his intervention. I of course pay attention to the fact that he has had a long-standing campaign on this matter. I have looked carefully at his proposals, and the Government have two chief concerns. The first is that any clinical need of the individual must, of course, be a matter for doctors. I would be very worried about making a blanket application for anyone who is a victim of domestic abuse, not least because we know that, as clause 1 sets out, domestic abuse can take many forms and is not just restricted to physical violence. So I believe that the correct way to deal with the very important point he raises is to enable clinicians to make that judgment. The second point relates to screening. I understand that the UK screening authority would have to consider whether such a universal programme should be introduced. I believe that it has looked at this relatively recently and has concluded that the evidence is not there. If I may, I will return to the text of my speech now. I will hear his arguments develop during the course of this afternoon and comment further if need be.

On the subject of justice, one of the most chilling and anguished developments in recent times has been the increased use of the so-called rough sex defence. This is the subject of the last of the Government's new clauses on Report, new clause 20. Before I develop the argument for the new clause, I would like to pay particular tribute to the right hon. and learned Member for Camberwell and Peckham (Ms Harman) and my hon. Friend the Member for Wyre Forest (Mark Garnier), who have been unrelenting in their work to secure justice for victims about whom the most difficult and violent claims can be made by defendants in the course of a criminal trial. They have been absolutely committed in their campaign to clarify the law. Indeed, I seem to remember that my hon. Friend raised this issue in the first Second Reading debate in October, which reminds us all of the journey that this Bill has had. They have called on the Government to codify the law in relation to the use of violence in consensual sadomasochistic sexual acts and the so-called rough sex defence. I am incredibly grateful to them for their continued and constructive engagement on this important and sensitive issue. I also note the support that Members across the House have given to these provisions, and I thank everyone for their work on this.

Jim Shannon (Strangford) (DUP): The Minister is setting the scene very clearly regarding what is important and what we wish to see happening, and I congratulate her on that. The increase of this type of activity by some 11.6% on worldwide internet traffic has concerned me. This is not just about getting at people individually; it is also about getting at the people who are the drivers who make it happen. What has been done to ensure that those who buy into that system—some might do so

inadvertently, but they none the less find themselves in a difficult situation—and who make it available and make it happen can be caught?

Victoria Atkins: If I have understood the hon. Gentleman correctly, he is not just addressing the use of this so-called defence in our courts but reflecting on the wider impact of pornography, particularly internet pornography, on violence towards women and girls in particular. I know that my hon. Friend the Member for Congleton (Fiona Bruce) will be raising this in her speech and if I may I will respond to her in that part of the debate, but I very much take on board his point.

The hon. Gentleman will know that part of the problem that has emerged in the last 15 to 20 years is that, whereas in the old days cases were reported freely in the newspapers and so on, such cases are now also reported on the internet. In that regard, I must pay particular tribute to the family of Natalie Connolly, who have suffered in more ways than anyone can really contemplate. I am pleased—and I hope they are satisfied—with the developments that have resulted from the hard work of the right hon. and learned Member for Camberwell and Peckham and my hon. Friend the Member for Wyre Forest. I hope that Natalie's family are satisfied with what we have reached in this Bill.

We have been clear that there is no such defence to serious harm that results from rough sex, but there is a perception that such a defence exists and that it is being used by men—it is mostly men in these types of cases—to avoid convictions for serious offences or to receive a reduction in any sentence when they are convicted. As my right hon. Friend the Lord Chancellor indicated on Second Reading, this area of law is extremely complex. It is therefore important that anything that is placed in the Bill does not have unintended consequences. In acting with the best of intentions, we do not want to inadvertently create loopholes or uncertainties in the law that can then be exploited by those who perpetrate such crimes.

If I may, I would just like to take a moment to thank my friend the Under-Secretary of State for Justice, my hon. Friend the Member for Cheltenham (Alex Chalk). As the co-Minister on the Bill, he has brought all his legal expertise to the consideration of how we can address the mischief and the upset, which we all want to address, in a way that does not have unintended consequences.

Sir Robert Neill (Bromley and Chislehurst) (Con): May I join the Minister in doing that? This issue has bedevilled criminal law cases going back to the 1920s and 1930s. The attempt in the past has been to fit appropriate legal protections within the framework of the Offences Against the Person Act 1861. It is particularly to be welcomed that we have now moved away from that rather antiquated straitjacket and have something that is fit for purpose. The work the Government and my hon. Friends have done is immeasurably important to legal practitioners, as well as to victims.

Victoria Atkins: I am happy to take that intervention and I thank my hon. Friend, the Chair of the Justice Committee, for his support.

In new clauses 4 and 5, the right hon. and learned Member for Camberwell and Peckham and my hon. Friend the Member for Wyre Forest have, broadly,

sought to codify the principles set out in current case law in this area, namely that which resulted from the case *R v. Brown*. That case involved a group of men who participated in sadomasochistic activities. We have taken up the challenge set by the right hon. Lady and my hon. Friend and, working closely with them, have tabled new clause 20 to achieve just that. More specifically, the new clause aims to make it clear that consent to serious harm for sexual gratification is not a defence in law. The new clause codifies, and therefore restates, the general proposition of law expressed in the case of *R v. Brown*, which is that a person may not consent to the infliction of serious harm and, by extension, their own death. Those interested in such matters will note that we have been careful to preserve the position in relation to sexually transmitted infections, but we have done so in a way very much in keeping with current case law. I hope that the House has been reassured that new clause 20 achieves the objective of providing the confirmation and clarification of the law requested.

I am very conscious that many Back Benchers wish to speak—sadly, many have put in to speak but will not be called due to the level of interest in this important piece of proposed legislation—but, if I may, I will take a little time to address an issue that I know is of great importance not just to those of us in this place, but to those who work in the world of tackling domestic abuse and, of course, to the victims themselves. That is the issue of migrant women, in particular migrant women who have no recourse to public funds. If I may, I will deal with new clauses 22, 25 and 26 in this part of my speech.

I hope hon. Members received a “Dear colleague” letter this morning from me and the Under-Secretary of State for Justice, my hon. Friend the Member for Cheltenham, explaining our position. We are absolutely committed to doing what we can to support all migrant victims of domestic abuse as victims first and foremost. In 2012, we introduced the destitution domestic violence concession—the DDVC—to support migrant victims of domestic abuse who are living in this country on the basis of certain partner visas. Such people have come to the UK with the intention of living here permanently with the reasonable expectation of obtaining indefinite leave to remain. The DDVC is not available to people who enter the country on other visas, such as visitor, student or work visas, or, indeed, to anyone who is here illegally. This is because in order to obtain such visas they will have confirmed that they are financially independent and therefore require no recourse to public funds, and their stay will be for a defined period of time. They do not, therefore, have a legitimate expectation of securing indefinite leave to remain. Simply extending the DDVC to all migrant victims is therefore not the way to address the needs of migrant victims who currently cannot claim under that scheme. We need to find a way of ensuring that they have adequate support, rather than provide a pathway to indefinite leave to remain or a blanket lifting of the no recourse to public funds condition.

5 pm

Last July, we committed in our response to the Joint Committee that scrutinised the draft Bill to review the Government's response to migrant victims of domestic abuse. We published the findings of that review last week. Despite our call for evidence to support the review,

there is currently a lack of evidence to demonstrate which cohorts of migrants are likely to be most in need of support, the numbers involved and how well existing arrangements may address their needs. Without clear information that identifies the groups of migrants who may be most in need of support, it is not possible to ensure that any additional funding or support services are targeted correctly and effectively.

We need to address those evidence gaps before we are in a position to take well-grounded decisions on how best to protect these victims in the long term. That is why the Government are launching a £1.5 million pilot: the support for migrant victims scheme. As I announced on Second Reading, the purpose of the pilot is to determine how we can ensure that victims can obtain immediate access to support, and that any future strategy meets the immediate needs of victims and is fit for purpose.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I welcome the points that the Minister has made on other topics, but on this one, if she wants to do further research and investigation why not just lift the provisions and requirements on no recourse to public funds in the meantime, until the research is completed and she has more information about what she wants to do next?

Victoria Atkins: The right hon. Lady makes a point that I know would, at first blush, be attractive, but the problem is that we do not have that bedrock of evidence. We are coming to the Dispatch Box with an open heart, and I hope that it is acknowledged across the House that that has been our approach throughout the Bill proceedings. I do not know whether she has had a chance to read the report that we published last week on the work that the Home Office has done. There has been some very good work by charities, through the tampon tax funding and so on, but we are unable to put in the figures that we need to in order to undertake the sort of reform that she is urging upon us. We must have the data to ensure that anything that we are putting forward in the longer term best meets the needs of victims and is sustainable.

A person who comes to this country on, for example, a six-month visitor visa falls under one of the categories that one of the witnesses gave evidence to the Joint Committee on, in the evidence that was given to us as part of this review—the Southall Black Sisters. The right hon. Lady will know that people on visitor visas, who may be here for six months, will have made representations to the Home Office specifically on their financial circumstances, and we want to ensure that we can treat such people fairly and give them access to the help that they need. It is why we are very keen to focus on support rather than to follow the urgings of others that we deal with immigration status before we look at support. We want to help these victims to access help first and foremost as victims.

The pilot programme is to determine how we ensure that victims can obtain immediate access to support, and that any future strategy meets the immediate needs of victims and is fit for purpose. Support for migrant victims is a very important issue for all of us. We recognise that, which is why we are committed to launching the pilot project as quickly as possible. We are currently reviewing the options for implementing the pilot and

expect to make further announcements in the summer, ahead of its launch in the autumn. We must resist the urge to act before we have the evidence on which to base comprehensive proposals, to ensure that measures are appropriate.

As I say, I want to give plenty of time to Members to debate the Bill at this important stage of its scrutiny. Before I do, I thank hon. Members—I hope I do not speak too soon—for the very constructive, collegiate approach we have taken, all of us, on this Bill. I know some very different viewpoints may be held on particular issues that will be debated in this Chamber this afternoon, but I know that the House will keep at the forefront of its mind that we are debating this Bill because we all want to help victims of domestic abuse and we all want the abuse to stop.

Mr Deputy Speaker (Mr Nigel Evans): As the Minister has said, there is a lot of interest, not surprisingly, in wanting to take part in this debate. For the first four non-Government contributors, I will allow seven minutes, and thereafter the limit will be five minutes. Even with that, I am afraid not everybody is going to get in.

Jess Phillips (Birmingham, Yardley) (Lab): I would like to start by saying that we on the Labour Benches fully support all the Government's new clauses and amendments today. Many of them and, in fact, many of the changes to the Bill since its very first draft, all those many moons ago, have been things that we on the Opposition side of the House have championed from both the Front and Back Benches. The Government have taken an approach throughout the whole process of this Bill of seeking always to try to improve it. For this, we are very grateful, and the victims in this country will be grateful. The Bill still has a number of processes to go through in the other place, and I very much hope that the Government will continue to have this attitude to positive change as the Bill progresses, although let us hope it progresses perhaps quicker than it has in the past.

To touch on a number of the Government's amendments very briefly—in support—the changes suggested to the family courts were, by and large, amendments tabled by the Labour party in Committee, and they come hot on the heels of the Family Law Panel review, which was a very good, thorough and timely piece of work. I want to praise my hon. Friends the Members for Hove (Peter Kyle), for Sheffield, Heeley (Louise Haigh), for Swansea East (Carolyn Harris) and for Gower (Tonia Antoniazzi), who worked tirelessly on behalf of their constituents and victims across the country to seek that review. I make a very special mention of Women's Aid, and of Rachel Williams, Sammy Woodhouse and Claire Throssell—all victims and campaigners who have pushed family law reform for victims of sexual and domestic violence through their own pain, suffering and loss.

The amendment on including children in the definition of domestic abuse was again an amendment tabled by the Labour party in Committee. For this, we are eternally grateful, and I look forward to seeing it in today's amended Bill. Huge thanks for this go to all the children and young people who joined the campaign to speak of their experiences of living with domestic abuse and about how, without question, this had victimised them. I want to say thank you to Charlie Webster and, in

memory of Karl, Jack and Daniel, we once again pay tribute to them. To all the children's charities from national groups such as Action for Children, Barnardo's, the National Society for the Prevention of Cruelty to Children and the Children's Society to local grass-roots campaigners such as Free Your Mind in London, WE:ARE—Women's Empowerment And Recovery Educators—in Birmingham and Wirral Women and Children's Aid in Merseyside, I say thank you for all seeing those children and fighting for them.

As for amendments regarding the rough sex defence, so ably championed by my inimitable right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), the hon. Member for Wyre Forest (Mark Garnier) and the new hon. Member for Newbury (Laura Farris), as well as by the brilliant campaign We Can't Consent To This, I simply want to say one thing. Natalie Connolly's name and story has rung out around this Chamber and been told in many newspapers, and the bravery of her family will see this law changed. Today, I do not want to remember her for how she died or to allow a violent man to get to say what her story was. I simply want to remember Natalie, a brilliant, beautiful, bright mother, sister, daughter—a woman who had a story all of her own about the things she loved and cared for. I hope that now the story of Natalie Connolly can be that: one that centres her as a human, just like all of us, not the story that somebody else told.

As the Minister has alluded to, we are debating new clause 23, which stands in my name and that of the Leader of the Opposition, and we return to what seems now like an age-old issue: how we deal with victims of domestic abuse with no recourse to public funds. In Committee, the Minister and I disagreed over the terminology for who we were talking about. I decided to refer to our care workers, NHS workers, people in this building serving us our drinks, to highlight the kind of people I was talking about when I referred to people with no recourse to public funds. The Minister, quite rightly, cited evidence of asylum seekers or even those with irregular immigration status.

Fundamentally, it does not matter on which rhetorical side of the fence we fall. We are talking about people, humans, who, when they have been raped, beaten, controlled and abused, before we ask them how we can help, first we ask what stamp is in their passport. This cannot be right. What is more, the situation as it is today is not only hindering support to victims; it is helping to leave rapists, abusers and violent perpetrators on our streets.

Since our debate in Committee, a number of police officers from across the country have been in touch with me. This is what they told me. One officer said:

“For years now, we have faced difficulties trying to effectively safeguard subjects of very serious offences. There are some things in place, such as the destitution domestic violence concession, but this process can take weeks to sort. The refuges are usually very helpful, but they obviously cannot operate without being paid, so we are often left with subjects being isolated in hotels for weeks, which is a bad outcome for everyone.”

Another officer from a different force got in touch and said:

“The current situation has a serious impact on the police's safeguarding duties. It also has a knock-on effect on our ability to investigate domestic abuse as crimes, since officers are distracted by the need to find alternative safe accommodation and support, rather than concentrate on their primary role, which is to investigate the commission of potential criminal offences.”

The Minister is right to seek evidence, so I have looked to my own force, in the west midlands, which is a place obviously close to my heart. There the police public protection unit last year, out of police force funding, spent £23,161 on temporary accommodation. While some of this will have been due to the pressure on refuge places, I understand from the force that a common reason is accommodating out of police resources victims with no recourse to public funds. As the Minister seeks to gather evidence, I wonder if she will ask every police force how much police money—money that could fund a police officer—they are spending on such temporary accommodation.

The Government's own draft guidance essentially admits that no recourse to public funds is a barrier to women getting out of abusive situations. In the Government's words:

“Victims who have entered the UK from overseas may face additional barriers when attempting to escape domestic abuse that are related to their lack of access to public services and funds, leading to higher dependence on the partner or family that has supported their being in the UK. This may be exploited by partners or family members to exert control over victims.”

The police are saying this is a problem, all the expert charities bar none are saying it is a problem, Members of Parliament who face these issues every day are saying it is a problem, and the Government's own guidance highlights that it is a problem and is being used by perpetrators, so why do we not seek to fix the problem? Our new clause seeks to meet the Government in the middle using what they suggested in Committee. We are suggesting that for the year of the pilot project outlined by the Government they trial the end to no recourse to public funds for victims of domestic abuse.

We have listened to the Government's concerns regarding the pathways to settled status and essentially pleaded with Ministers to test whether giving these victims access to public funds will make a difference. The experts all say it will. Although I recognise what Ministers are saying about needing hard data, you cannot prove a negative; we will never know how many people turned up for help but were turned away because access was not available to them.

5.15 pm

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I am sure the hon. Lady agrees that we just do not know what the picture is. If we were to do away temporarily with the “no recourse to public funds” condition, that would bring people forward, confident that they would not be penalised in any other way.

Jess Phillips: I absolutely agree. I agree not because it suits my purpose, but as someone with a vast amount of experience of handling cases of victims with no recourse to public funds, both as a support worker and as a Member of Parliament. My heart sinks when somebody tells me that they have no recourse, when I know there is very little I can do. That is when they come to me—someone who knows the different possible pilots that are happening. With the greatest respect to Members in this House, does everybody know how they would go about accessing exactly what was needed? Now think of Sue, who is at your local homelessness centre. The reality is that we will never know how many get turned away—that data will never be available—but by dropping “no recourse”, we can find out if it works.

[*Jess Phillips*]

As legislators, if we know something is a problem, we have a responsibility to address it. Our ideology should always be trumped by facts. I understand that often making law is complicated—seeing the consequences of this or the repercussions of that, the risks, benefits, checks and balances—but I think the Bill before us is quite simple. Today, we are making a law that tries to save people from domestic abuse.

New clause 25 would insert a non-discrimination clause to ensure that all are protected. If we stand here today and create a Bill that, not unintentionally or accidentally, but purposefully and wilfully excludes some from safety, we say that those people do not matter. We say that their life is not as important to us. In the votes today, we will be deciding whose lives are worth trying to save and how serious we are about trying to save them. Our new clause seeks to meet the Government in the middle. It is certainly not, as the Minister knows from the many amendments I tabled in Committee, necessarily what I always wanted, but it is an attempt to meet the Government in the middle. I simply ask that they walk toward us.

New clause 23 would expand an area where the Bill is very good—the duty on local authorities to provide accommodation-based services. This part of the Bill was hard won, and I will be thrilled to see it on the statute book, as it has the potential to put refuge services finally on a sustainable footing. However, 70% of domestic abuse victims do not receive services in refuge; instead, they are supported in community-based services. The victims in those services are often at highest risk of harm and homicide, and we want the same level of sustainability and strategy there as in refuge services.

I spoke last week to a brilliant community worker in Merseyside, who told me that their service, which has only four support workers, is currently supporting 776 complex domestic abuse cases. She had yet to receive any money from the announced covid-19 schemes, which would only last until October anyway. She told me how the easing of lockdown and the good and right national conversation about domestic abuse was massively increasing the numbers and the complexity of their caseload.

Our clause would place a duty on all relevant public bodies, not just local authorities, to do their part in commissioning domestic abuse services in the community. Every single health commissioner should have a duty to look at what domestic abuse services they can provide. Instead, as it stands, some A&E departments, such as those at the hospitals in Birmingham, have specialist domestic abuse workers on site, but the vast majority do not. If public bodies are working with people, they are working with victims of domestic abuse. All should do their part.

The new clause would also ensure consideration for specialist groups catering for child victims, disabled victims, those working with perpetrators of abuse, LGBT victims, male victims and older victims, as well as services run by and for black and minority ethnic women, so that they have proper strategies in place to protect them. Groups such as *Sistah Space* in Hackney, which offers specialist services for black women, and *Stay Safe East*, which is one of only a tiny number of specialist disabled victims' services, live hand to mouth, never knowing how sustainable their services might be. They rely on crowdfunding and fun runs to fund life-saving services.

I remember what it was like working in those services, drafting letters every January to put community-based staff on notice because we did not know, for example, whether our project catering for child victims or stalking victims would be funded after April. That is the reality for the vast majority of community services. The Bill recognises that refuge needs to be put on a sustainable footing. Bravo! It is absolutely brilliant. I think I said to the right hon. Member for Basingstoke (Mrs Miller) that I might retire when that happened, but I will renege on that—sometimes even I do not tell the truth.

We must give the same attention to vital life-saving community services, which support the vast majority of victims in this country. One-hundred-and-twenty specialist community-based support services from all across our country wrote to the Government, and to all of us, to say:

“Our services have remained open during COVID-19—our staff have moved heaven and earth to make that so—ensuring we don't let victims of abuse down. Now we look to you”—

the Government—

“to continue that commitment by pledging to recognise the huge contribution of community-based services in the Domestic Abuse Bill.”

Our new clause would do that.

In new clause 24, we seek, once and for all, to take decisive action to protect the lives of children who live with domestic abuse and have their cases heard in the family court. Between 2006 and 2019, at least 21 children were killed during contact with fathers who were perpetrators of domestic abuse. The Government's report, released last week, states that many mothers explained how they fled the relationship with their father to protect their children, only to find that protection undermined or destroyed by the family court. The Opposition recognise that the Government, and especially the Under-Secretary of State for Justice, the hon. Member for Cheltenham (Alex Chalk), committed to a review of the pro-contact family court culture and how in some cases it endangers the lives and welfare of children. I have heard Ministers and Secretaries of State stand in the Chamber and cite the case of Claire Throssell, whose two sons, Jack and Paul, were murdered by their father after he was granted contact. We should not just say her name or think of her loss as some grisly exception when the Government's own commissioned review shows that there is a systematic problem. We should act now to save lives and improve the safety of our country's children while we have this Bill in front of us. At the very least, the Government should seek to ensure that their planned review is time-bound to conclude with the return of the Bill from the other place. If it is not, we could lose the legislative opportunity that is presented to us.

The argument to end the presumption of contact for proven violent perpetrators is, in my mind, made. There are already dead children—and I do not want to have to call for an urgent question to ask Ministers where we are with the review each time a new case of child homicide hits the media. I want us to act now, or at least to commit to a short timeframe of when and how the Government will act. I have no doubt that Ministers from the Home Office and the Ministry of Justice understand the severity and importance of the issue and, like the Opposition, do not want to kick the safety of our children into the long grass.

Amendments 40 and 43 relate to the degree of independence afforded to the commissioner of domestic abuse. The Bill before us deviates from the precedent set for the Children's Commissioner by requiring reports and advice to be submitted to the Home Office rather than Parliament. Our amendments would retain the statutory requirement for safeguarding considerations but remove the possibility of the Home Office interfering, putting on undue pressure, or, in reality, just delaying the commissioner's work. Every commissioner who gave evidence to Parliament in consultation for the Bill supports this approach. We will not press these amendments to a vote today, but we are keen to see further debate on the commissioner once the Bill arrives at the other place.

We do not stand here today to fight a political battle. The Domestic Abuse Bill has all our fingerprints across its pages. Its very existence sends a message to the victims in this country that we can see them, and to the perpetrators, that we will not tolerate them. We tabled the amendments and new clauses because, as has been the case since the Bill's inception many, many moons ago, we want it to be the best it can be and for it to ensure that, no matter who you are, where you come from, where you work or whether you need refuge or want support in your own home, here in this Great Britain, we want to help you, because that is the kind of country we are: one that leaves no victim behind.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): Order. We move on to the seven-minute limit.

Mrs Theresa May (Maidenhead) (Con): May I say how much I welcome the fact that the Bill has returned for its Report stage and Third Reading? This is a very important Bill. I will not be able to speak on Third Reading, so I shall take this opportunity to thank the Ministers who have shown their significant commitment to the Bill in taking it through the Committee and the House. I thank all the officials in the Home Office and the Ministry of Justice, who I know, from my time in the Home Office, also have a very real commitment to seeing that we have improved legislation to help the victims of domestic abuse. I also thank all Members of this House, because this is truly a Bill where there has been cross-party support and where every effort has been made to ensure that the Bill can go through in the best shape that it can. I will come to an area where there is obviously, as we have seen, a difference of opinion across the Chamber, but I think that this has been an excellent example of the House at its best, working with Government to improve the lives of victims up and down the country.

I want to welcome, particularly, two of the amendments that the Government have put forward—first, new clause 15, which relates to children. I have said before in the Chamber that this is, as my hon. Friend the Minister referenced, an important area. For too long, we turned a blind eye to the impact that domestic abuse had on children in a home in which that abuse was taking place. It is absolutely right that we should now recognise that those children are also affected. Their lives are affected and for so many, their whole future adulthood has been affected by what they have experienced, seen or heard within their home, where domestic abuse is taking place.

I also particularly welcome the way in which the Government have dealt with the issue of the rough sex defence. I pay tribute to my hon. Friend the Member for Wyre Forest (Mark Garnier) and the right hon. and learned Member for Camberwell and Peckham (Ms Harman) for the campaign that they have fought to keep this at the forefront of thinking and ensure that some changes could be made in relation to the Bill.

I want to pick up on what is—as is clear from what the shadow Minister, the hon. Member for Birmingham, Yardley (Jess Phillips), has just said—an area of disagreement across the Chamber in relation to migrant women. I and others across the House will of course have dealt with cases of constituents who have come to this country, very often with the hope and expectation that they would marry and have a happy and settled life here in the future, only to find themselves the victims of domestic abuse and to find that their immigration status, or their uncertain immigration status, is used by their abusers as a further way to abuse them and keep them within that abusive relationship. Obviously the DDVC acted in relation to those who are here on partner visas, but there is concern that there are those who still fall through the net and find themselves unable to access the support necessary for them.

5.30 pm

I take the Minister's point that those who have come on other visas have generally, in fact if not in all cases, had to show that they have independent financial support, but it is perfectly possible that they might find themselves in a relationship where the removal of that financial support is part of the abuse they are suffering. We have to take account of that as we look at this issue.

Having heard the Minister and the shadow Minister, it seems to me that there is an intention on both sides of the House to identify the numbers of these cases and the evidence for them, but a difference of approach on how to do that. In these cases, it is particularly important—it is important when dealing with all domestic abuse, but particularly so in these cases—that no action is taken to achieve something that has been enabled by the legislation but that inadvertently leads to further abuse, an increase of abuse or to people finding themselves the subject of abuse. That is why I take the view that the Government's approach of having a pilot to look at cases to find the best ways to target support is the right way forward, but it is a difficult area. We know that there are those who find themselves unable to access support despite the abuse they are receiving. It is important, therefore, that the Government put the pilot together in a way that ensures they can identify the evidence they are looking for and then take the measures necessary on the basis of that evidence in a timely fashion.

On the Bill more generally, I will mention two or three other issues. The shadow Minister has just referenced healthcare in talking about other organisations providing support and services. I want to say how important it is that within our healthcare system, those who are interacting with victims of domestic abuse can be in a position to identify where that domestic abuse is taking place. There is some evidence that when GPs are trained, they are able to identify such abuse at a much earlier stage, which means that intervention and support can start at an earlier stage. The healthcare system needs to place greater emphasis on domestic abuse, particularly as it

can lead to other issues affecting not just physical health, but mental health. Sadly, in some cases it can lead to suicide.

I want to mention employers. Post covid, many employers are going to think it is wonderful that everybody can work at home, but for victims of domestic abuse, home is not a safe place. I urge employers, when they are looking at encouraging employees to work at home, to think about those who might need to be in the workplace in order to be away from an abuser.

The Government have taken some important steps during the covid-19 crisis not only on funding, but on publicity around domestic abuse issues. I urge the Government to maintain those steps.

Caroline Nokes (Romsey and Southampton North) (Con): Will my right hon. Friend give way?

Mrs May: I am afraid I am on a strict time limit.

Caroline Nokes: You get an extra minute.

Mrs May: It has been so long that I had forgotten. I will give way.

Caroline Nokes: I thank my right hon. Friend for giving way. Does she agree that some of the posters we have seen during the course of covid, emphasising that domestic abuse is something that always works at home, have been incredibly compelling in getting across the message that she is seeking to make?

Mrs May: I absolutely agree with my right hon. Friend. I would also say that some of the local health trusts in my area in Berkshire have put together small videos getting out important messages about the support that is available and the fact that that support is there for people who are the victims of domestic abuse.

I hope the Government are going to publicise this Bill. It is important that victims and perpetrators know the implications of the Bill, particularly the fact that for domestic violence protection orders and notices, for example, it is not up to the victim to apply—others and third parties can apply for those things. Perpetrators need to know that.

Overall, this is a very important Bill. I welcome the cross-party support for it. I hope it will have a swift passage through the other place, because the sooner this Bill is on the statute book, the sooner we can provide extra support and help to the victims of domestic abuse. We will be able to say to them, “We are on your side. We understand. We want to help. It is not your fault”. The sooner the Bill is on the statute book, the sooner we can say to perpetrators, “This has got to stop.”

Yvette Cooper: May I begin by welcoming the work that the right hon. Member for Maidenhead (Mrs May) has done on domestic abuse over many years, the personal interest that she has taken in the issue, and her work on coercive control and on getting this Bill started in the first place?

I welcome the Bill and the amendments that the Government have tabled, particularly those around strengthening protections for children, strengthening protections in court and ending the appalling rough sex defence. I welcome the Government’s response to Members

right across the House, who have been campaigning so powerfully for added measures and for changes to protect people from this awful crime—this torture in the home. The importance of this Bill and these measures has only grown during the coronavirus crisis, as perpetrators have exploited lockdown to increase their control and abuse, and calls to helplines and concerns have increased. Since the beginning of lockdown, 35 women and children have been murdered by a partner or ex.

I particularly want to speak to new clauses 32 and 33, which have cross-party support. I pay tribute to Laura Richards at Paladin who was behind a lot of this work, and encourage the Government to look at the report that she has published today which shows that there is a serious gap in the way our system responds to the risk from serial perpetrators of abuse. There are systems in place, such as multi-agency risk assessment conferences, to manage the risks to repeat victims, but there are no proper systematic approaches in place to monitor or tackle repeat perpetrators. These are dangerous people—predominantly dangerous men—who may go on to become ever more dangerous.

We need to make sure that when the call comes in about domestic abuse by someone who has been convicted before for abuse against someone else, it is not just treated as a new or one-off offence. We need to ensure that there are systems in place to join up the dots to link police, probation and support services together and to monitor people who have a series of previous domestic abuse or stalking convictions so that if they start a new relationship, the police and local services know that a new family are at risk and can take action. Too often, that does not happen. Clare’s law does not solve the problem because it relies on an individual asking about an offender’s history. What if they do not know to ask? What if they are too scared? Why is it still left to victims to ask for help, rather than having a proper system in place to monitor serial abusers and offenders? As Laura Richards points out,

“professionals load the victim up with actions and a safety plan and rarely do any multi-agency problem solving and risk management regarding the perpetrator.”

New clause 32 calls on the Government properly to review the way in which serial abusers are monitored and managed, and to publish that review swiftly. New clause 33 sets out a stronger way to respond to serial abusers, by bringing them into the process for managing serious offenders—the multi-agency public protection arrangements, or MAPPAs—so that serial domestic abuse perpetrators and stalkers can be properly addressed. So far, the Government have resisted this.

In response to the recommendation in our Home Affairs Committee report on this subject a few years ago, the Government said, “Well, we will work with the police and with existing information systems.” Those information systems are not working. The police national database is far too sporadic and patchy with regards to the way in which police officers respond to this issue across the country. The Government have said that they do not want a stand-alone register, but this does not have to be a stand-alone register. The whole point is to bring this into the existing MAPPA and violent and sex offender register—ViSOR—processes that are currently used for sex offenders and the most serious violent offenders. We have processes that can work. Why not use them for serial domestic abusers who can escalate that abuse?

Nor is it good enough for the Government to simply say, “Well, there’s a lot of good work under way. We’ve got to respond to pilots.” We have already heard them say in response to the powerful speech from my hon. Friend the Member for Birmingham, Yardley (Jess Phillips), on the need to address the issue of no recourse to public funds for migrant women, that we need to wait for pilots. In that case, it is not enough to respond to pilots. We should be taking some action while we wait for those pilots to conclude.

Similarly, on serial domestic abusers, by all means let us have pilots and different measures in place on how best to respond to perpetrators, but let us get on with having the systems that can join up the information so that the police and probation can work together and know who those dangerous serial abusers are. The tragedy is that Laura Richards’s report lists case after case where that did not happen, where someone has been murdered and the killer had a history—the killer had abused many times before—and the police, probation services and others did not have a system in place to identify that and to respond. It has happened too many times.

If Ministers will not listen to me and will not listen to the Select Committee when we make these recommendations, perhaps they will instead listen to the calls from the families of victims. Perhaps they will listen to the words of John Clough, the father of Jane Clough, who said,

“It’s way past time serial abusers and stalkers were treated with the same gravitas as sex offenders and managed in a similar fashion”,

or those of Celia Peachey, daughter of Maria Stubbings, who said,

“My mum was failed and the lessons have not been learned. Our current system is failing women and children—violent men must be made visible. Men with violent histories must be checked and joined up.”

I urge the Minister not to simply reject these amendments out of hand. Even if the Government are not yet able to accept new clause 33, which would set up the system and process to manage serial offenders, I urge them to at least accept new clause 32, to urgently review the risk management of these serial abusers and offenders across the country and report back, so that we can keep more women safe.

Caroline Nokes: I welcome the opportunity to speak once more on the Domestic Abuse Bill—I have done so several times now. It is an honour to follow my right hon. Friend the Member for Maidenhead (Theresa May), who has given so much passion and commitment to this incredibly serious issue, and the Chair of the Home Affairs Committee, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), who has demonstrated ably that it is possible to work on a cross-party basis, even convincing me to add my name to some of her amendments. She makes a good case about the importance of identifying and registering serial perpetrators of domestic abuse, so that victims can be forewarned of what they are potentially getting themselves into.

I am conscious that many Members wish to speak, but I am also conscious that we are missing the hon. Member for Canterbury (Rosie Duffield), who has spoken so passionately in this House. I hope that, this afternoon, all of us can be a voice for her. My hon. Friend the

Minister has worked incredibly hard on this Bill, and during its passage she has still made time to listen to many Back-Bench Members who have wanted to raise their concerns. I appreciate that she has brought forward a series of amendments on Report which demonstrate that she has been listening, and in those areas where she has not been able to bring forward amendments and new clauses, she has still shown commitment. I use as an example the conversations I have had with her about the fact that domestic abuse should be recorded whatever the age of the victim. She has undertaken to continue to work with the Office for National Statistics. We know that, tragically, abuse can occur at any age—just being a pensioner does not make someone immune or exempt. It is crucial that we have the statistics and that she continues that work so that we can understand the full scale of the problem.

I am relieved to see the inclusion of new clauses that give greater protection to children who witness abuse and the commitment on housing victims of abuse. Finally, after an incredible pincer movement by the right hon. and learned Member for Camberwell and Peckham (Harriet Harman) and my hon. Friend the Member for Wyre Forest (Mark Garnier), we have new clause 20, which will bring to an end the so-called rough sex defence. That new clause and much of the other work that has gone on shows that this place is better when we can put aside the adversarial nature of the House and ensure that we find cross-party solutions. However, inevitably, I will turn to some of the areas on which we have failed to find cross-party solutions and consensus.

My hon. Friend the Minister will be aware of my new clause 34, which seeks to make it an offence to threaten to disclose private photographs. We all know from the debates that we have had and the representations that we have received that abuse occurs in many forms. It can be financial. It can be the withdrawal of a passport. It can involve mental control and coercive control. It is already an offence to share private intimate images or films. My new clause seeks to make it a specific offence to threaten to do so, because that is part of the mental control that abusers use over their victims. It need not necessarily be an actual act but can be the threat of an act.

5.45 pm

Today Refuge launched its new campaign, The Naked Threat, which highlights the alarming figure of one in seven young women having been on the receiving end of threats to share intimate or sexual images. As 72% of those threats came from a current or former partner, that clearly puts this into the category of domestic abuse. Although I accept that that may not be for this Bill, I want to assure the Minister that I will return to it in future. Today I can be a voice for Natasha, who described the repeated threats, over years, of intimate images being shared, destroying her reputation, as being like having a bucket of ice-cold water thrown over her. She was gripped by the terror of feeling exposed and ashamed.

I turn to an issue on which I seek specific reassurance from the Minister—new clause 28, which I am sure will be debated at length today. I have a great deal of respect for the hon. Member for Kingston upon Hull North (Dame Diana Johnson), but my view is that this Bill is

simply not the right place for that debate. It would permit different treatment for women who were victims of abuse from that of other women. It would potentially require clinicians, over a telephone consultation, to determine whether a patient was a victim of abuse, possibly opening up those clinicians to subsequent legal challenge. I do believe that we must return to this issue in this House—we must have a thorough and full debate on abortion rights—but today is not the time to do so.

Victoria Atkins: My right hon. Friend knows that in recent days a range of views have been expressed, including by two Royal Colleges, on new clause 28 and what it seeks to achieve. Indeed, there are difficulties with the new clause. The Government therefore consider that the right way forward is to undertake a public consultation on whether to make permanent the current covid-19 measure allowing for home use of early medical abortion pills up to 10 weeks' gestation for all eligible women. Does that reassure her?

Caroline Nokes: I thank my hon. Friend for that commitment and look forward to the consultation coming forward. It is important that we have the opportunity to look further at how these emergency regulations have worked during the period of covid and that we understand how they can assist women. I am sure that my right hon. and learned Friend the Lord Chancellor will say something about this in his closing comments. I do not know whether the appropriate place is via new legislation or via the consultation that my hon. Friend referred to, but there is clearly a real need for debate and for this House to be able to express its view and understand the issue thoroughly.

The hon. Member for Birmingham, Yardley (Jess Phillips) spoke with her usual forcefulness, and she will know that I have found common ground with much of what she said. I welcome her support for the broad direction of the Bill. I also welcome her comments about the need for us to find a mechanism to support migrant women who are the victims of domestic abuse. I have said this previously in the Chamber and I have no doubt that I will say it again. I vividly recall sitting around a table with my hon. Friend the Minister; my hon. Friend the Member for Charnwood (Edward Argar), who was then in the Ministry of Justice; the noble Baroness Williams, who I think was the Victims Minister; Southall Black Sisters and other charities; and the hon. Member for Birmingham, Yardley, who I always regard as an expert on these matters. There was consensus around the room that we have to find a way to treat the migrant victims of domestic abuse as victims first. I am sure that there are differences of opinion—as there were in the room that day—as to how we best do that. I very much hope that the pilot projects of which my hon. Friend the Minister has spoken will be able to provide us with the data that we need so that we can find a long-term, enduring solution to help, and help effectively, victims of domestic abuse who are here perhaps with no legal public funds or with insecure immigration status that means they are dependent on their partner for their right to be in the UK.

Whether it is the much-needed changes that are to be introduced in respect of the family courts—I welcome new clauses 16, 17 and 18—or other measures, it is crucial that we find a way to make our court system support the victims of domestic abuse. We must find a

mechanism whereby it supports the children who might otherwise be obliged to come into contact with perpetrators. I welcome the fact that we are moving to a position wherein the legal process will no longer be able to perpetuate abuse.

My hon. Friend the Minister has worked hard on the Bill, and I welcome the changes that have been introduced. I commend her for having made such enormous progress. It has been a difficult journey for a Bill much delayed. We are not there yet, but I sincerely hope that our noble Friends in the other place do not delay the process much further. I commend my hon. Friend for her very hard work.

Sir Robert Neill: This is a very important Bill and I warmly welcome it. It deals with a number of what have hitherto been quite intractable legal and social issues. It is to the Government's great credit, and to the credit of Members from all parties, that we have managed to find a practical way forward to resolve a number of those otherwise intractable issues.

Like my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes), I particularly welcome the measures to bring procedures in the family courts into line with the protections that have existed for a long time in the criminal courts. That deficiency is a problem that has been recognised for a long time by practitioners and many of the judiciary in the family courts, so we are right that to plug that gap.

I hope the Minister will indicate that we will have regulations to set out the specified offences in relation to new clause 17 as soon as possible, so that there is clarity on that.

On new clause 18, proposed new section 85H is a particularly important provision. It specifies in subsection (7) that the qualified legal representative appointed by the court to carry out the cross-examination "is not responsible to the party."

That is necessary and deals with the difficult situation wherein the abusive party seeking to make the cross-examination raises issues that in the interests of justice need to be tested by the cross-examination of the alleged victim or victim, but that rightly should not be done by the abuser because they will continue the abuse. The court therefore appoints the advocate, and it is important that we stress that that advocate is, in effect, acting as *amicus curiae*—they are acting to assist the court—and has no responsibility to the abusive party.

I hope, too, that we will make it clear that the regulations that provide for the remuneration of those advocates are interpreted generously, because those who assist the court in such a way will be undertaking a particularly onerous and difficult task. They may well often be hampered by the hostility of the abusive party while acting in the interests of the justice whose case they have to test by cross-examination of the case of the victim. That is a difficult position that we are, out of social necessity, putting that advocate in, and they deserve to be properly recompensed for the time that I suspect is likely to be required to do that job properly. Subject to those caveats, the provisions are very welcome.

The abolition of the consent defence in new clause 4 is particularly welcome. There is no doubt that the matter was settled in large measure by the case of *Brown* and the decision of the House of Lords—the Judicial

Committee of the House of Lords, as it then was—but the law had been very difficult going back to the case of Donovan in 1934, which stood during the early days of my practice at the Bar. Even on the Brown decision there was dissent within the House of Lords. A number of judgments in the Brown case suggested that because of the awkward interaction of social policy and the attempt to fit the regime with that in the Offences Against the Person Act 1861, which hardly works for the type of pornographic videos and so on that we see nowadays and that propagated some of this behaviour, if it were to be changed further it needed the intervention of Parliament, not least because it also engaged issues such as the right to privacy under the European convention on human rights. It is right that we act in the way that we do to give legislative clarity, rather than placing the courts in the difficulty of interpreting such policy areas.

I will turn, if I may, to the point about acquired brain injury that the hon. Member for Rhondda (Chris Bryant) made. I am not sure that legislation is the way forward, but I know that the Justice Committee, in a number of our considerations, noted the fact that it is only in recent years that the extent of pre-acquired brain injury and the impact that it can have within the justice system—criminal, civil and family—has begun to be recognised. Further work and research in this field will be a very welcome thing in any event.

I listened with great care to the shadow Minister's case for new clause 24 and the proceedings under the Children Act. I am very sympathetic, but my only qualm is in relation to section 11 of the Children and Families Act 2014, which set up the presumption of parental involvement and was regarded as progressive in its time. We do know, and she is absolutely right, that there have been the most egregious and terrible cases of abuse of that presumption, but if we are to change it, are we right to move from a presumption to an outright prohibition in a certain classification of case—where the issue of abuse arises, I accept that—or are we better to go to something like a rebuttable presumption against access in such supervision cases? That is the area in which we need to have a proper debate. That is why I welcome the panel's recommendation of further consideration of how we get to where I think we all want to be, with the best, most legally watertight and most effective measure.

In relation to new clause 28, with every great respect to the hon. Member for Kingston upon Hull North (Dame Diana Johnson), I rather agree with the formulation of my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes). The only other issue that I would raise from my experience as a criminal practitioner is that, on more than one occasion, I found instances where part of the abuse had been to force the victim to have an abortion. The irony is that reliance on a telephone call to procure the means of doing that does not give the safeguard of knowing who is standing next to the victim when she makes the telephone call. I have certainly seen instances of that in practice, as other criminal practitioners will have done. Although the intentions are good and well meant, I have a concern about moving down the route set out in new clause 28.

All in all, however, this is a good Bill. There are good, constructive amendments that I hope we will forward today. I, too, express the hope that the other place will

pass the Bill swiftly, because it is a major piece of reform that has been embarked on here and, for once, the way that the House has worked together on this should bring credit to our system and our consensual approach, for which we should all be very grateful.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): Order. We move to a five-minute limit.

Dame Diana Johnson (Kingston upon Hull North) (Lab): May I start by thanking the Minister for the helpful and courteous way that she has navigated this Bill through the House over the years? I was a member of the draft Bill Committee and then of the Bill Committee that met just before the general election in 2019. I have watched with interest as the Bill has developed and, I am in no doubt, improved. I also thank my own party's Front-Bench team for their work and the shadow Minister, my hon. Friend the Member for Birmingham, Yardley (Jess Phillips), for her tireless campaigning.

The issue that I want the House to consider today is one that has not been discussed before in all the hours of debate around domestic abuse, and it has arisen out of the covid-19 pandemic and the steps that the Government have taken to ensure that women could access reproductive healthcare services during lockdown. The Government made it very clear that that was going to be a temporary measure and that it would be revoked as soon as possible. Although the Chair of the Women and Equalities Committee chided me in her contribution for tabling new clause 28, I am sure that she will understand that the opportunities to raise these matters are very few and far between and it seems to me that if you don't go fishing, you don't catch any fish.

New clause 28 is supported by the Royal College of Obstetricians and Gynaecologists, the Royal College of Midwives, the Faculty of Sexual and Reproductive Healthcare, the British Society of Abortion Care Providers, the British Pregnancy Advisory Service, Marie Stopes, the End Violence Against Women Coalition and Women's Aid. Hon. Members will be aware that current abortion law restricts the ability of healthcare professionals to provide care to women. The Abortion Act 1967 requires that abortion takes place on licensed premises. That means that, outside covid regulations, women have to attend a clinic or hospital to administer the first pill as part of an early medical abortion, even if a woman is unable to safely attend a clinic because she is in an abusive relationship.

6 pm

Of course, there are abortion clinics around the country, but they are not as local as GP surgeries or pharmacies. For women in more rural areas in particular, that can mean that they have to travel quite a distance to a licensed clinic. That can be difficult for many women, but for women in abusive relationships, who have to account for their time, their location and their spending, it can be impossible to safely travel to an abortion clinic. Requiring a woman to attend at a clinic is not a clinical requirement. It is simply that, because of the existing abortion law written in the 1960s, women in those circumstances cannot access legal healthcare services unless they physically attend at a licensed premises.

Of course, the basis of abortion law in England and Wales is criminalisation. If a woman ends her pregnancy without being in a licensed premises, such as by using pills bought online, she is committing a crime that carries a maximum life sentence under the Offences Against the Person Act 1861—a law from more than 150 years ago. The largest provider of online abortion pills estimates that one in five requests that it receives from Great Britain cites domestic abuse as the reason the woman cannot access legal abortion care. We have also already heard about the problems of migrant women who have no recourse to public funds.

New clause 28 would provide women in abusive relationships with the ability to access safe legal abortion care without having to attend at a clinic, so if a doctor determines that a woman is in an abusive relationship and cannot attend a clinic, she can obtain the appropriate care remotely. For women in the first 10 weeks of pregnancy, that is currently available under the covid-limited regulations using telemedicine. Women can receive abortion medication at home and, as a result, illegal abortion—that is, getting tablets from the internet—has all but disappeared. Instead, women are using the legal service and not risking prosecution and criminalisation.

That is a temporary measure, however, so I am pleased indeed that the Minister on the Front Bench announced that there will be a public consultation, but I ask the Minister responding at the end of the debate to confirm that the regulations will stay in place until the public consultation has taken place and a decision has been made. That will ensure that the women whom I and other hon. Members are most concerned about can still access telemedicine and reproductive healthcare services until a public consultation has been held.

Tim Loughton (East Worthing and Shoreham) (Con): This is a really good Bill that has been made better by scrutiny. I pay tribute to the Prime Ministers, Ministers and shadow Ministers past and present who have made such fantastic contributions to it. The cross-party working, as ably demonstrated with regard to the rough sex defence, is a particular tribute to this House. I pay tribute, too, to the right hon. and learned Member for Camberwell and Peckham (Ms Harman) and my hon. Friends the Members for Wyre Forest (Mark Garnier) and for Newbury (Laura Farris). There are other good additions to the Bill that have not had that level of publicity that I will speak to before I reference my new clauses 35 and 36.

I am really pleased that, with new clause 15, children have been added to the Bill. We know that about three quarters of child safeguarding cases involve domestic abuse. I hope that the Bill will apply to all children and babies—none should be outside the definition. It needs to apply to unborn babies as well, because, again, disgracefully, we know that something like a third of domestic abuse begins during a woman's pregnancy. The impact that that can have on the woman herself, of course, and on the relationship with the baby, and the stress levels that are caused, is considerable and could be with that child throughout their whole lifetime.

New clause 15 is important to view children and the impact that the perpetrator has on them as part of the equation and to make sure that support is available to help them. I hope that the domestic abuse commissioner,

when she makes the community-based services assessment, will make sure that appropriate provision for children is included in it.

I certainly support new clauses 16, 17 and 18, which will hopefully counter the re-traumatising of victims in the court environment, as we have done for rape cases as well. I have added my name to new clauses 32 and 33 with the Home Affairs Committee Chair. One item that is not included in the Bill—I also raised this on Second Reading and I hope the Minister will take it on board—is recognising suicides that are caused as a result of domestic abuse. It is really important that they are investigated properly by the police, as they would be if they were domestic abuse homicides, and that they are recorded as suicides. I would be grateful if that could be looked at.

My new clauses 35 and 36 are not rocket science. New clause 35 contains a duty to co-operate in relation to children awaiting NHS treatment. I want to thank the domestic abuse charity Hestia, which is one of the largest providers of refuges in London and the south-east, and its UK Says No More campaign, which has been so powerful. According to the Children's Commissioner, 831,000 children are in households where there has been domestic abuse. About half the residents in refuges are children. The traumatic impact on children cannot be underestimated, particularly on their mental health in the short, medium and long term. Those who have to flee their home to go to a refuge, sometimes moving out of area altogether, should not lose out on timely access to the healthcare services they have relied on before the domestic abuse impact, as well as those that have resulted from it. Waiting lists and approved treatments can differ from one clinical commissioning group to the next, so this new clause is modelled on the priority access for military veterans under the armed forces covenant for servicemen, servicewomen and their families when they move around the country. It would maintain children's places on waiting lists with the co-operation of various parts of the NHS.

New clause 36 follows a similar principle for school admissions. Local authorities have a duty to provide school places for looked-after children and adopted children as a priority. As we know, it can be highly disruptive when children are forced to leave their school, and in cases of domestic abuse, that can happen all of a sudden and through no fault of their own. Based on the principle that we apply to looked-after children, we need a simple revision by the Secretary State for Education to the schools admission code. These two new clauses are simple but important measures to ensure that, at such a traumatic time for children escaping domestic abuse, their health and education should be impacted as little as possible.

Finally, I would like to comment on new clause 28, on abortion, tabled by the hon. Member for Kingston upon Hull North (Dame Diana Johnson). As she knows, I have been supportive of the temporary measures and of the measures to include women from Northern Ireland in the ability to access these services, but I believe that this is a step too far. This is the wrong place for such a measure. It would make a temporary emergency provision long term and permanent. As my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), the Chair of the Justice Committee, has said, this could have a detrimental impact, with abusers forcing an abortion on their partner without the scrutiny of clinicians.

On that basis, if the hon. Lady does force her new clause to a vote, which I hope she does not, I will be voting against it.

Gavin Robinson (Belfast East) (DUP): It is a pleasure to follow the hon. Member for East Worthing and Shoreham (Tim Loughton), and to participate in the debate. I want to take this opportunity to remind Members that figures published this week indicate that, in Northern Ireland in the past three months during the pandemic, there has been a 15% rise in 999 emergency calls relating to domestic abuse compared with the corresponding three months of last year. There is therefore a pertinence to today's debate. I know the sincerity with which Members have approached these issues, given the contributions to the Bill's different stages over the past number of months, not least those of the Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins). I praise her again for her efforts.

It will come as no surprise that in previous contributions I have recognised the importance of devolved government in Northern Ireland. I have also acknowledged that there is a separate and corresponding Bill in our devolved legislature, but I have lamented the fact that the Bill in Northern Ireland tries only to close the gap in domestic abuse legislation prior to this Bill. The progress of this Bill will leave further glaring omissions in our legislative protection for abuse victims in Northern Ireland. There will be no statutory gender definition in our legislation, no provision for a domestic abuse commissioner or office in Northern Ireland, and no reforms to our family courts or review of child contact. No changes outlined in this Bill on housing, homelessness and refuges will have corresponding changes in the Northern Ireland legislation. No additional welfare policies in this Bill will apply in Northern Ireland to protect women and children, and there will be no protection for migrant services either.

I hope that in the contributions today and during the passage of this Bill, legislators in Northern Ireland will take appropriate account of the progress and changes that we are attaining here in the House of Commons and recognise that they are appropriate for further legislative consideration in Northern Ireland. There is no provision on stalking in our legislation, and no change on the non-fatal strangulation or rough sex issues. I commend the Minister for the work she has done and those who have campaigned on the rough sex defence, because today's provision is an important step forward. I know I am going to be followed by the hon. Member for Shipley (Philip Davies), and I think that our amendments are important; I hope he will take the time to outline the rationale behind providing legislative protection on parental alienation and recognising that those are important issues. I hope that they will receive support this afternoon.

On new clause 28, I agree with the comments made by the right hon. Member for Romsey and Southampton North (Caroline Nokes) and the hon. Member for Bromley and Chislehurst (Sir Robert Neill). We are not normally in the same place on issues such as this, but the rationale they have outlined at this time, on this Bill, is an important consideration.

Jim Shannon: We all know my position on abortion. Does my hon. Friend agree that this attempt to add new clause 28 to a Bill that is designed to protect from harm

is opportunistic and simply wrong, and that we can never support it, although we absolutely advocate for the need for changes in our domestic abuse legislation?

Gavin Robinson: I am grateful to my hon. Friend for that. I agree with him in part, but I will say this about the hon. Member for Kingston upon Hull North (Dame Diana Johnson): I have never found her contribution on issues such as this to be provocative, offensive or sensationalist in the way she presents them, although I do not agree with many of them. She presents them in a very cogent and sensitive way, albeit I doubt we will ever agree on the issue at hand.

I look forward to the contribution from the hon. Member for Congleton (Fiona Bruce). I have said before that she embarks on herculean efforts when it comes to the defence of life and of the rights of the unborn child. The three amendments she proposes to new clause 28 highlight its frailties. In amendments (a), (b) and (c), she highlights that it makes no reference to the nine-week, six-day time limit associated with the coronavirus provision of telemedicine abortion and no reference to whether new clause 28 applies to medical terminations or surgical terminations. As with the contribution from the hon. Member for Kingston upon Hull North, the new clause also makes no reference to the impact on victims of domestic abuse at home and the benefit of leaving that home and entering a clinical setting or engaging with the clinician, to highlight not just the pregnancy that they are struggling with, but the issues of abuse that they are struggling with. No reference is made to the 7% of women within our country who procure abortions not because they want them, but as a result of coercive control; there is no reference to the 7% of women who are forced to proceed and procure an abortion because of domestic abuse. In fairness, the hon. Lady was not in a position to outline the frailties associated with her new clause 28. I am grateful that, given the contributions I have heard so far, I do not think the House will be minded to support it. I will be very clear in my position that I can see no circumstances in which I could support it at all.

Philip Davies (Shipley) (Con): I have tabled 26 amendments, so I have about 10 seconds per amendment. I wish to put on record my thanks to the Minister for her consideration of my amendments. We may not have ended up in total agreement on them, but I appreciate the time she has spent engaging with me on them. They are simply about trying to make sure we protect all victims of domestic abuse. I have had many, many conversations with men and women on this subject, where they have agreed wholeheartedly with what I am trying to achieve. Most people understand that both men and women can be and are victims of domestic abuse, and both men and women can be and are perpetrators of domestic abuse. There are those who seek to claim that domestic violence is a gendered crime—in other words, that it is a crime done by men to women. Not only does this insult the male victims of domestic violence and ignore gay and lesbian victims of domestic abuse, but it is utter rubbish. For example, according to the official figures, a woman in a lesbian relationship is one and a half times more likely to be a victim of domestic abuse from her partner than a woman in a heterosexual relationship.

6.15 pm

Two thirds of victims of domestic abuse are women and one third are men, according to the Office for National Statistics. As it happens, two thirds of people who are murdered are men and two thirds of people who take their own life are men. Does anybody seriously want to stand up and say that we should ignore the one third of victims of murder who are women or the one third of those who take their own life who are women simply because they are in a minority? Of course not, and the same should not apply when it comes to domestic violence. Being a male victim of domestic violence should not be less important or more important than being a female victim.

Mrs Miller: I am listening to my hon. Friend very carefully and I have read through his amendments very carefully, but I am not clear which aspect of the Bill he is disagreeing with, because this Bill of course covers every victim of domestic violence. What changes does he want to the Bill?

Philip Davies: My right hon. Friend makes a fair point, but unfortunately the Bill is not actually quite as it seems. There are references saying that the Government should take note of, and services should be provided on the basis of, the fact that women are more likely to be a victim than a man, but it should be irrelevant. It does not matter whether the victim is a male or a female—it is completely irrelevant—and we should take out any of those kinds of reference. The Bill should be gender neutral. That is the point I am trying to make.

In the rest of the time allowed, I want particularly to focus on my amendment 24, which is about classing parental alienation and when a parent deliberately prevents the other parent from having contact with their child or children for no good reason as domestic abuse. There are thousands—hundreds of thousands—of mums and dads, as well as grandmas and granddads, who do not have any relationship with their children at all, simply because one parent has deliberately and for no good reason turned their child against the other parent. I think they will find it quite extraordinary that all the main political parties are trying to block parental alienation being in the Bill as the criminal offence of domestic abuse. Parliament is failing those people, but I will keep speaking up for them. This is simply cruel—not just for the parent, and the grandparents, deprived of access, but for the children. It should be quite clearly classed as domestic abuse if this is done without any good reason at all.

I am very grateful to the Minister for including parental alienation and preventing contact with children as examples of domestic abuse in the recently released draft of the statutory guidance that goes alongside this Bill. I would have liked to see this in the Bill itself, but I believe that this is a momentous development, as it means that when considering domestic abuse, parental alienation and preventing contact are now specific examples that the Government have highlighted in their guidance. Such individuals, including those men and women who have written to me about their distressing personal experiences and who are clearly suffering now, have a message from the Government that what they are experiencing is clearly abuse. I very much hope that this will be of significant comfort to those who currently feel completely helpless in these situations.

Of my other amendments, I want to highlight one in particular in the time I have left. It is about lie detector tests, which have not come up in the rest of the debate. My amendment 26 would remove the use of lie detector tests. I am on the Digital, Culture, Media and Sport Committee, and we did an inquiry into “The Jeremy Kyle Show”. Many people in this House revile Jeremy Kyle because he used lie detector tests on his programme, and people pointed out that they are not reliable and that they come up with dodgy results. It seems extraordinary that the same people who pointed out that it was outrageous for Jeremy Kyle to use lie detector tests in an entertainment programme because they were not reliable would support using them in something as serious as this, when clearly the tests are just as unreliable as in his case. I would like to see the evidence that says that these tests are accurate and justifies their use, which, by the way, will presumably exonerate Jeremy Kyle; otherwise, we should not touch them with a bargepole. I look forward to hearing the Government’s evidence to support the use of lie detector tests. However, the main important message from me is that parental alienation is and should be domestic abuse.

Tonia Antoniazzi (Gower) (Lab): It is not particularly a pleasure to follow the hon. Member for Shipley (Philip Davies), who talks about the alienation of fathers and grandparents when the family court has given and continues to give parental rights to men who have perpetrated violent crimes against their children. I find it absolutely disgusting.

The ongoing covid pandemic has shone a light on the paucity of services available to victims of domestic violence. Since 2010, funding for services has been decimated, as has been shown time and again, with mainly women and children finding themselves homeless and unsupported after falling victim to domestic abuse. That is why the Bill is welcome, even though it has been a long time coming. The Bill, at its heart, must be about providing services to people who have become victims of abuse by their partner, regardless of their gender. We know that it is mainly women who suffer from domestic abuse, be it physical violence, threatening behaviour or coercive control. The consequence of that could be an unwanted pregnancy.

Throughout lockdown, access to telemedicine has meant that illegal and highly unsafe abortion has almost completely disappeared across Great Britain. That is why I fully support new clause 28, tabled by my hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson), which would ensure that women in abusive relationships can access care in a way that would not put them in danger. Abortion is essential healthcare, and many women in abusive relationships would seek to end a pregnancy without their partner’s knowledge. The current law puts those women in danger. That situation cannot continue. I welcome the fact that the Minister mentioned a public consultation. The new clause would not change the underlying law on abortion. It would not change the time limit or the many healthcare laws and regulations that govern abortion. It would simply enable the most vulnerable women to access the care they need without the threat of prosecution.

Prosecutions must be brought where a defence of rough sex is invoked. There can never be consent where someone dies—never. I commend the work of my right

hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman) on this matter. Protection for women killed by men who claim that consent was granted is surely one of the most basic rights. We should pass into law measures that make it clear that that will not be tolerated. Speaking out on one's experience of domestic violence is a very brave thing to do. A fear of reprisal stops many from speaking out. That is why I also pay tribute to my hon. Friend the Member for Canterbury (Rosie Duffield), who found it too difficult to come to the Chamber to speak this evening.

Many of the measures in the Bill are welcome, but there is such a hill to climb. We need to keep on protecting victims and their children. That is not just victims of domestic abuse. We must ensure that we provide a safe and fair family court system and that our justice system protects those who have been subjected to sexual assault. The overhaul of the family court for domestic abuse victims will transform so many lives, many of whom I have represented. I welcome the Government's commitment to amending the Bill so that victims of domestic abuse will be automatically eligible for special measures in the family court.

I have been dealing with a young woman who was groomed and raped at age 15 by a man many years her senior. Her case was not taken seriously, and even though the perpetrator admitted what he had done in a police interview, it was not taken any further. Now, a few years on, this man has been sentenced to prison and is on the sex offenders' register, but my constituent has suffered the most appalling neglect and lack of support in bringing the case, so much so that she feels worse for doing it. No victim of any crime should ever be made to feel such regret. This is not an isolated incident; we have all dealt with cases where women have not been believed and where children have been endangered. Without proper funding, services cannot be provided to people who need them. Without funding, people fall through the cracks, and for far too long too many have fallen through these cracks and been let down. We cannot let that continue. I think we all, on both sides of the House, agree on that.

Mrs Miller: We are dealing with extremely serious issues here, but I have to say that, at times, the passage of this Bill has been a little like the running of the grand national. Whether it is Brexit getting in the way, or general elections, or most recently covid-19, Ministers should get an award for resilience in taking the Bill forward, and we have to make sure that it does not fall at the last hurdle—Becher's brook, perhaps. We must resist the temptation to make it a Christmas tree Bill—to put in so many things we feel strongly about that the Bill falls, perhaps not in this place but in the other place. My right hon. Friend the Member for Maidenhead (Mrs May) was right to say that we have to make sure the Bill is in the best shape it can be.

I am pleased that the Minister listened carefully, not just to Labour Front Benchers, but to the Joint Committee I chaired that looked at the evidence submitted on the first draft of the Bill, and has agreed to make fundamental changes through new clause 15, about including the impact on children of domestic violence; new clauses 16 and 17, responding to recommendations we made about special measures in family court proceedings; and new clause 18, which reflects the Joint Committee's

recommendations on blocking cross-examination of victims by alleged perpetrators. That is important cross-party work, which shows that Joint Committees can add considerable value to the progress of Bills such as this one. I pay tribute to the Ministers for continuing to listen and for acting so swiftly on new clause 20, about rough sex, and to my hon. Friend the Member for Wyre Forest (Mark Garnier), the right hon. and learned Member for Camberwell and Peckham (Ms Harman), and my new hon. Friend the Member for Newbury (Laura Farris) for all their hard work in bringing this to fruition in such a short time.

In common with my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes), I believe that, although there is room for changes such as the inclusion of new clause 20, this is not the time to address the issues—the very serious issues—that the hon. Member for Kingston upon Hull North (Dame Diana Johnson) raises in new clause 28. The rushed nature of its drafting leaves us with a clause that is open to great misinterpretation and does not do justice to the hon. Lady's entirely honourable intentions in raising the issue. I could not support the new clause if she pressed it to a vote, because without the amendments proposed by my hon. Friend the Member for Congleton (Fiona Bruce), there would be a serious risk of exposing some of the most vulnerable members of our society—victims of domestic abuse—to what would be, to all intents and purposes, an unregulated abortion service, which I know is not the hon. Lady's intention.

Dame Diana Johnson: I am a little concerned about what the right hon. Lady just said. We have the Abortion Act 1967 and a plethora of regulations and professional standards, so even with the telemedicine currently in place, it is governed by regulation and legislation. I would not want anyone to think that was not the case.

Mrs Miller: I thank the hon. Lady for her intervention, but she would be encouraging people to undertake abortions outside regulated premises. That is not necessarily her intention, but it is how the amendment could be interpreted.

Let me turn to a couple of issues that the Government still need to consider. First, there is the issue of migrant women, which many organisations have raised as a continuing concern. Equally, I am concerned that there is a lack of evidence on which the Government can base a more concrete solution. I am pleased that the Government have announced a £1.5 million fund to support safe accommodation for migrant women, but I am not pleased that it is yet another pilot because pilots have a tendency to go on, and then we have elections and then nothing really changes. Can whoever is summing up for the Government go into a little more detail on that? In Committee, the Minister touched on the use of the national referral mechanism for trafficking victims as a possible concrete route forward. Could that be scaled up to deal with this issue? How would victims access it?

6.30 pm

Equally, I am concerned that nobody has brought up the issue of information sharing. I know that the Government are currently subject to a judicial review and there are issues around that, but will the Minister update the House once those matters are cleared up?

Will she also tell us whether the Istanbul convention can be ratified as a result of this? Hidden abuse is an ongoing issue. I hope that the Minister will be listening to my comments and the comments of others, particularly on elder abuse. Collecting data is so important for this group. Can the Minister confirm that that will be happening?

Last but by no means least, I support my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) in her new clause 34, which is on the publishing of sexual images without consent. This builds on the work that I and other members have done in relation to revenge pornography. I hope that once the Law Commission reports, the Government will bring in the long overdue online harms Bill to ensure that such measures are put into law once and for all.

Mark Garnier (Wyre Forest) (Con): Thank you, Mr Deputy Speaker, for calling me a bit earlier than I was expecting.

I rise to speak to new clauses 4 to 11 in my name and that of the right hon. and learned Member for Camberwell and Peckham (Ms Harman), and to Government new clause 20. As we all know, these measures refer to the case of my constituent Natalie Connolly, who tragically died in 2016 at the hands of John Broadhurst—an individual who then used the rough sex defence to try to reduce his sentence. I overheard a conversation between two of my colleagues on the Back Benches, and I want to make it clear that these provisions are not about trying to stop people engaging in BDSM if that is what they choose to do. They are about preventing the use of the rough sex defence to try to lessen the charge against an individual.

The tragedy with Natalie Connolly was that she was a perfectly normal person. She was not into this type of thing, but she entered into a relationship with a man who serially abused her by coercing her into this type of rough sex, and who eventually, during an appalling afternoon, ended up killing her in the most brutal and intimate way, the details of which are available and are tragic to read. The problem with this is that not only was she not into this—had been coerced into it—but that the whole conversation about the case resulted in Natalie Connolly's name being associated with rough sex.

I was trying to work out a good way of getting across how vile this is. The hon. Member for Birmingham, Yardley (Jess Phillips), in her opening remarks, was incredibly sensitive and really summed this up; the reality is that Natalie Connolly was the victim of abuse and of a flawed legal system. I received an email from Natalie's father, Alan Andrews, a couple of days ago, talking about this. I will read out some parts of the email, which is incredibly moving. He says, "There is no way that a man should be able to bat away brutal sex violence as just an accident and pave the way to get away with it. To cope with her private life being explored in intricate detail on top of the grief of losing her has been unimaginably hard for the whole family. Natalie is no longer here to tell us what he did to her or why he left her where he did. One thing is for certain; Natalie didn't fantasise about being killed or leaving her daughter without a mum that night."

When Natalie's daughter, Maddison, gets a bit older and starts googling her mother, we do not want her to find all these stories about her mother being described

in this way. We want Maddison to look on her mother with immense pride and say, "As a result of my mother's death, thousands of women are now protected against this type of defence in the future." That is why this is so incredibly important and I am so grateful to all the people who have been involved.

The amendments that the Mother of the House and I tabled, which were co-signed by 70 MPs from both sides of the House, look at the rough sex defence, the review from the Director of Public Prosecutions in the event of a charge being reduced, the anonymity of the victim, and at something else, which is peculiar to modern Britain, where people spend too much time, perhaps, looking at a different type of pornography online from what was perhaps available many years ago.

To find an answer to this problem, we cannot address all those issues; some are quite complex legal issues. They are certainly beyond someone like me, although not my colleagues. However, I am convinced that the Government have come up with a solution in new clause 20 that addresses the issues, either directly through the provision on the rough sex defence, or obliquely by removing the need for specific anonymity for the victims. I am grateful for how the Government have moved on that.

I will say a few specific thank yous to some people. My hon. Friend the Member for Newbury (Laura Farris) has provided a simpleton like me with extraordinary insight into the legal process, the like of which people like me really need. She is an incredibly important new Member of this House. I also thank the two Ministers on the Front Bench: my hon. Friend the Member for Louth and Horncastle (Victoria Atkins) and my hon. Friend the Member for Cheltenham (Alex Chalk), for their incredible hard work. They have been absolute rock stars—particularly my hon. Friend the Member for Louth and Horncastle.

Jess Phillips: Will the hon. Gentleman give way?

Mark Garnier: I will.

Jess Phillips: I just wanted to thank the hon. Gentleman, in order that he can continue thanking people.

Mark Garnier: I thank the hon. Lady; I am conscious that there are a lot of people. My hon. Friend the Member for Louth and Horncastle came to Kidderminster to meet with Natalie's family. It was not a visit to tweet about afterwards, or to put out a press release; it was an incredibly private meeting with a grieving family to find out the effects of the appalling killing of poor Natalie Connolly. It was, frankly, an extraordinary afternoon, and I am so grateful to my hon. Friend for taking the trouble, and for all the work that she has done with my hon. Friend the Member for Cheltenham. The Prime Minister has also been involved, and the Justice Secretary has worked incredibly hard.

In this House, we all know that it is an extraordinary privilege to be a Member of Parliament and to represent our constituents, but it is also an extraordinary privilege to be able to work with quite remarkable, extraordinary long-term parliamentarians. Working with the right hon. and learned Member for Camberwell and Peckham has been an experience the like of which I have rarely had. [*Interruption.*] It has been a privilege, not a peculiar

experience. It has been truly remarkable to be able to work with somebody who has worked so hard for so many years standing up for women's rights, and with some extraordinary achievements.

Liz Saville Roberts: It is truly an honour to follow the hon. Member for Wyre Forest (Mark Garnier), given the work that he has done to prevent the rough sex defence, alongside the right hon. and learned Member for Camberwell and Peckham (Ms Harman). I welcome many of the Government's new clauses and pay tribute to Members across the House who have worked constructively during the Bill Committee, and previously on the Joint Committee, to achieve that. Thanks to their efforts, the Bill now includes many landmark changes—frankly, too many for me to list in the time that I have. It is a pleasure for once to stand on this side of the House and welcome so many of them. I am sure that the whole House will join me in commending the outcome of what has been effective cross-party co-operation.

In that spirit, I urge the Government to take unequivocal action to guarantee that all victims of domestic abuse will be treated equally, and to afford them the same support and resources regardless of their immigration status. We were talking earlier about the evidence gap in relation to some victims, and how temporarily lifting the “no recourse to public funds rule” might provide the evidence required to address that gap, which seems to hamper the pilot project at present. How to find out exactly whom to target certainly seems to be an issue.

I add my voice to the call for further updates, especially on how the pilot scheme might achieve the ratification of the Istanbul convention, which I believe all Members present would very much welcome. I therefore urge the Government to support new clauses 22, 23, 26 and 27, which call for special attention to be paid to the exceptional circumstances migrant women face.

Amendment 46, in my name, would ensure that a representative for Wales would hold a seat on the commissioner's advisory board to reflect the particular circumstances faced by women in Wales. Many of the services aimed at preventing and supporting people affected by domestic abuse are of course devolved, whether relating to healthcare, housing or social services. Specific Welsh legislation exists in the form of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. Much of the funding arrangements are already also devolved in Wales. With the role of the commissioner, it is important that the voice of victims of domestic abuse is heard. What I fear is that, as things stand, the voice of victims of domestic abuse in Wales will not be represented. It is important to remember that there are people who are at present experiencing the jagged edge of legislation, which will hold until Wales gains full legal jurisdiction. The designate domestic abuse commissioner has already done excellent work in co-operating with organisations in Wales—I commend Ms Jacobs for her hard work and her keen interest in the specific circumstances faced by Welsh women—but I beg the Minister to consider that the amendment would safeguard that relationship into the future, rather than its being on voluntary grounds.

Finally, my new clause 21 calls for the creation of a domestic abuse register to ensure that greater protection is provided for potential victims of domestic abuse from individuals who have a track record of abusive behaviour

within a relationship and whose potential for repeat violent actions warrants proactive intervention. A domestic abuse register would provide the incentive for a shift in focus away from reacting to domestic abuse towards a preventive approach. We know that repeat offending by perpetrators with violent and controlling histories of abuse is common. Data provided by the Metropolitan police to the London Assembly as part of the Assembly's domestic abuse report showed that in the year up to September 2019 there were 13,600 repeat victims of domestic abuse and that 21% of the cases discussed at the 2018 multi-agency risk assessment conference were repeat cases. One concern raised in Committee with regard to the domestic abuse register was the consequential increased bureaucratic burden it might place on police forces. Although I argue that cross-force technology offers opportunities, I respond in the spirit of compromise and urge the Government to support new clause 33, tabled by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), as a way of improving the current situation, or even new clause 32.

We must take this opportunity to ensure that the Domestic Abuse Bill includes lifesaving measures to protect all victims of abuse. Recognising predictable perpetrator behaviour and addressing it is key to the Bill's future success.

Sir Edward Leigh (Gainsborough) (Con): I want to speak, if I may, on new clause 28. I thought a consultant who wrote to me summed it up very well: “Of course, we recognise that the Bill is important in view of widespread psychological, physical and emotional sexual abuse of women.” That is a view we all share. However, new clause 28 relates to the enabling of access to abortions in abusive relationships and the effect of the new clause will be to lead the way to coercive abortions within the concept of abusive relationships.

The consultant continued: “From a clinical perspective, I cannot understand how there would be any confidence in detecting an abusive relationship on the basis of a telephone conversation or audio-visual interview. How can the clinician distinguish between a false claim of abuse in order for the women to access a home abortion and a genuinely abusive relationship in which the woman might well be coerced into having an abortion by a partner or other family members? As a consultant”—I stress that this is not my argument, but the consultant's argument—“I would take any abusive relationship very seriously, as it may directly impact upon patient welfare and raise important safeguarding issues. Indeed, what would be the situation if the doctor believes in ‘good faith’ that a ‘home abortion’ is being forced on the woman as the result of an abusive relationship with the father? The presumption behind the new clause is that the woman wants an abortion, but is prevented from proceeding because of the abusive relationship. However, it is likely that in the context of an abusive relationship she is being forced to have the abortion by her partner. New clause 28 would enable access to such coercive or forced abortions in abusive relationships.” That is a very clear argument from a consultant working in the field about the dangers of new clause 28.

6.45 pm

There is also quite a lot that is unclear about new clause 28. For example, it is unclear whether a woman could have abortions anywhere and also whether the

unborn child would have to be of a certain gestational age. That is why it is important that my hon. Friend the Member for Congleton (Fiona Bruce) set out in her amendments that there should be a proper inquiry before the temporary order is made perfect. I think the Government share that point of view.

All these arguments indicate that, since these changes have occurred, we have not had the time or the means to properly scrutinise the consequences of these changes. Such consequences include: women suffering from severe complications; and a woman afraid to phone for advice after experiencing severe complications due to a controlling partner. Perhaps most importantly, the at-home abortion policy could result in more women being coerced into unwanted abortions. As Dr Gregory Gardner, a GP and honorary clinical lecturer at the University of Birmingham, highlighted in his witness statement:

“It will be difficult if not impossible to verify by phone or video whether a woman is undergoing any kind of duress to have an abortion. There does not seem to have been any consideration given to this in the proposed change in policy. There will be women who need delicate counselling to discover coercion or other forms of abuse.”

His testimony highlights the fact that, if we pass this new clause, it will go against the very aims of this Bill, as a phone call often fails to illustrate whether a woman is in a domestic abuse situation.

Jess Phillips: I wonder whether the right hon. Gentleman agrees with the Government-funded telephone lines for domestic abuse if it so difficult to take advice and to give advice to women in a domestic abuse situation over the telephone.

Sir Edward Leigh: I think it was designed by the Government as a very temporary measure. I do not think for a moment that it was designed as a permanent measure; it was designed simply in the context of covid-19. Body language and visual signs cannot be observed over the telephone. It is not a perfect way of consulting. There are already investigations into nine cases where pills issued via telephone were taken beyond the recommended gestation. This is less than two months after the service commenced. In one case, the abortion took place some 18 weeks over the legal limit of nine weeks and six days. We have also seen, of course, the media give better attention to domestic abuse and that increase in visibility may have given victims greater strength to come forward, which is good, but the gravity of women being coerced into abortion does not seem to have been taken as seriously as it should have been. It seems obvious to me that women seeking an abortion under duress may be being observed by abusive partners, or are otherwise acting in fear, and they will be less likely to come forward and disclose abuse.

I could quote doctors on this again and again, but there is not enough time. One said to me:

“This proposed amendment would place doctors in a very risky situation. Deciding whether a patient might be in an abusive situation by one telemedicine consultation would be almost impossible... Assessment of women at risk of domestic abuse should be part of a comprehensive safeguarding strategy—it should not be left to a single doctor working under time pressure, via the medium of telemedicine.”

I know that there are strong views and I respect the position of the hon. Member for Kingston upon Hull North (Dame Diana Johnson). None the less, we will never agree, and this is, frankly, lazy legislating. It is an

abuse of parliamentary procedure. Abortion is such an important issue that we need to have a serious debate around it. We in the Pro-Life lobby recognise that we will never change the fact that if a woman wants an abortion, she will get one, but we will never give up arguing the importance of the value of all life, however frail, and the dignity of all human beings. We consider it a vitally important issue and it should be dealt with properly by Parliament.

Christine Jardine (Edinburgh West) (LD): It is a pleasure to follow the right hon. Member for Gainsborough (Sir Edward Leigh). In fact, it is a pleasure to have reached this stage in the journey of this Bill. As the Minister said earlier, it has in some ways been a very collegiate experience. The hon. Member for Birmingham, Yardley (Jess Phillips) also referred to that as well. It was certainly something that I felt about the Committee. Perhaps that has been because it is a journey that we all appreciate will be life changing for the hundreds of thousands of women particularly, who in this country and every year, face domestic abuse. If there is one message that we all want to go out from this place today, it is that we will accept no excuse for domestic abuse against anyone, whether physical, emotional or financial. It will simply not be tolerated.

In the time I have been involved in the Bill, I am happy to acknowledge that the Government have moved their position in several significant ways, and I am particularly pleased to see children now included on the face of the Bill, because we all recognise the impact that domestic abuse can have on them.

I also acknowledge the fact that the Government have listened to calls from the Liberal Democrats to improve protection of abuse survivors in family courts, where often perpetrators have been able to continue to coerce and control the person they have abused. However, there are still significant changes that many of us in this House would like to see—I will come on to migrant women in a moment—but we also want to strengthen support available from local authorities and measures to support teenagers involved in relationships that are abusive.

As I said, most importantly before us today are the amendments particularly relating to migrant women who encounter domestic abuse. That could enable the ratification of the Istanbul convention—it is now eight years or more since this country signed it. On that subject, I would specifically like to mention new clauses 26 and 27. I am mindful of the Minister’s comments on supporting the support for migrant women scheme, and I look forward to seeing that come to fruition, but new clause 26 would give migrant women who survive domestic abuse the right to remain in this country.

I note that the Government said in their letter that they did not believe a blanket proposal was appropriate, but as Amnesty International points out, expanding the domestic violence rule to offer leave to remain to all survivors is by far the simplest and surest way to stop anyone falling through the cracks. During covid-19, we have seen that it is all too easy for people to do that, regardless of good intentions.

The other relevant new clause I would mention is new clause 27, which would prevent the sharing of data between Government agencies such as the police and the Home Office and reassure those afraid to come

forward and report violent and unacceptable abuse for fear that their immigration status might be investigated and they could ultimately be deported. How can we help people? What would it matter what steps were put in place to support them when they are too afraid to come forward in the first place? Surely we must offer those facing the most horrific of personal circumstances the comfort and security of knowing that they will be helped unconditionally. Numerous charities, such as Southall Black Sisters, End Violence against Women and other organisations, have called for these measures, and we heard heart-breaking evidence in Committee from a woman who had come here from Brazil only to find herself eight years later facing the most difficult of situations because of domestic abuse. I believe the Bill can change that, and all survivors of domestic abuse, regardless of where they come from or who they are, must have the same protection in law.

There is one other vital issue and that is misogyny as a hate crime, in the amendment in the name of the hon. Member for Walthamstow (Stella Creasy), which I have supported throughout the passage of the Bill. The reason is simple for me: if we are truly to tackle domestic abuse effectively—not just respond after the fact but prevent it in the first place—we have to understand where it comes from. That is the aim of amendment 35 in requiring police to record and act on offences that are motivated by misogyny—a hatred and disregard for women. It has been in place in Nottinghamshire since 2016, and campaigners there say that the approach has given women the confidence to report abuse.

In commending those various amendments to the House, I would also like to pay tribute to the right hon. Member for Maidenhead (Mrs May) and hope that when we conclude the proceedings she is happy with what we have done with the Bill she first brought forward.

Fiona Bruce (Congleton) (Con): I support this landmark Bill and the Government's amendments to it. I wish to speak to new clause 1, in my name, new clause 28 and my amendments to it. In 2018, the Select Committee for Women and Equalities concluded:

“There is significant research suggesting that there is a relationship between the consumption of pornography and sexist attitudes and sexually aggressive behaviours”.

The Minister has rightly said that the rough sex defence is unconscionable. In the light of recent survey evidence showing a clear link between rough sex and the influence of pornography, I tabled new clause 1, to ask the Government to investigate this further and to highlight the urgent need for action to be taken by Government to tackle pornography concerns more widely, such as addiction, and to protect children from seeing it and being forced to engage in it. In tabling new clause 1, I am seeking from the Minister—and I appreciate the fact that I have found a listening Minister during the progress of the Bill—an assurance that Government will take early steps to tackle concerns about harm from pornography, so that I do not have to press new clause 1 to a vote.

I cannot put the key objections to new clause 28 better than a response I obtained from a female GP. It is long but worth repeating. She says:

“I am very concerned about the proposed changes to new clause 28. It is extraordinary that it should be argued that a woman suffering or at risk of domestic abuse, seeking abortion

should somehow be considered to be at less risk if she consults a doctor remotely by telemedicine and given abortifacients to take at home. Where is the opportunity to check with her, privately, that she is not being coerced or that she may be in danger, to examine her to determine her stage of pregnancy, to offer support and clear advice in a place of safety? As a medical practitioner working remotely, how can I reliably ensure she is at the stage of pregnancy she says she is, as the use of abortifacients used later than the 9 weeks 6 days limit carries greater risk of complications which I would be responsible for providing care for? And how can I provide assurance that this woman is suffering from domestic abuse unless it has been previously disclosed to me... These factors are virtually impossible to verify without a face to face consultation”.

Jim Shannon: I commend the hon. Lady for all she does in this House on preserving life in every sense of the word. In a context where article 39 of the Istanbul convention highlights the need to counter coercive abortion, does she agree that the proposal to allow women in domestic abuse situations unique permanent access to medical abortion, without needing to leave their abusive environment for a physical consultation, is nothing if not seriously misplaced? That is why her amendments (a), (b) and (c) to new clause 28 are very appropriate.

Fiona Bruce: I will come on to that; I thank the hon. Gentleman for his contribution.

I want to quote someone who works regularly with victims of domestic abuse. She says:

“This proposal in reality is actually a gift to male abusers who want their partners to abort.”

New clause 28 will not help abused women. It could put them in a worse position, and it is dysfunctional. I tabled amendments (a), (b) and (c) to illustrate that fact. I want to thank the hon. Member for Belfast East (Gavin Robinson) and my right hon. Friends the Members for Basingstoke (Mrs Miller) and for Gainsborough (Sir Edward Leigh) for underlining and accepting that. Amendments (a) and (b) address the fact that there is no 10-week gestation limit, which is potentially dangerous, and that this potentially includes surgical abortions outside clinically approved settings, which is similarly concerning. Amendment (c) relates to the vital need for some sort of review of the current emergency legislation before any extension of the legislation is brought forward. I thank the Minister for her proposal of a consultation. Will she confirm that it will be a proper inquiry?

Victoria Atkins: I emphasise that the Government are neutral on the very sensitive topic of abortion, but I hope that my hon. Friend and others across the House who hold a range of views—genuine views—on this topic will take comfort from the fact that the Government intend to launch a public consultation, as I outlined in my earlier intervention, and I thank her for her work.

Fiona Bruce: I thank the Minister for that. On that basis, I will not press amendment (c) to a vote, and nor will I press amendments (a) and (b), because they have achieved their purpose, which was to point out the flaws of new clause 28.

Mr Speaker has—quite rightly, for constitutional reasons—ruled new clause 29 as out of scope. This is a domestic abuse Bill; it should not be hijacked by those continuously campaigning on another issue and constantly looking for opportunities in this place to add badly worded amendments to Bills with unforeseen implications and complications.

[Fiona Bruce]

We have already seen the outcome of such an approach with the Northern Ireland (Executive Formation etc) Act 2019. This House should, I hope, be very wary of repeating that. I support the Government's endeavours to tackle domestic abuse: let us ensure that that is the focus of this Bill.

7 pm

Chris Bryant: This is what happens all too often: a man, and it is normally a man, comes home, perhaps he is drunk, or he loses his temper, or he quietly and dispassionately decides to deal with his partner to teach her a lesson—perhaps to slap her around a bit. Maybe he lashes out with a punch to the face, or he shakes her violently, repeatedly and at length, or he strangles her, or he pushes her down the stairs. I have heard of men slamming their partner's head against the wall, against the door, against the bathroom cabinet, against the toilet bowl, against the kitchen worktop, or against the oven.

These are horrific instances, and in many, many cases there is absolutely no visible wound, or even a bruise, but the damage is invisible and internal, inside the brain. That internal damage can last for years. The woman, and it is normally a woman, may suffer from anxiety or depression expressly because of the injury to her brain. She may suffer from memory loss. She may be more confused. Her language—her speaking—may often be slurred because of the brain injury. Many may doubt her in the criminal justice system because she is confused and finds it difficult to turn up to events on time having lost some of her executive functions. She may suffer from terrible fatigue, which is a very common aspect of brain injury. It is almost certain that she will not have gone to the doctor about it, either because she has a coercive partner who will not let her, because she is frightened of talking to anybody about the domestic abuse that she has suffered, or because she does not realise that a brain injury can do as much damage as any other kind of injury.

Depressingly, we have very little idea of how common this is in this country, because there has been remarkably little research done. That is why my amendments, which are tiny little amendments, seek to redress the balance a tiny little bit. In the United States of America, some work has been done showing that 88% of those referred to a traumatic brain injury clinic from local abuse services had had more than one brain injury from their partner. Only 21% of them had ever volunteered to go to the doctor with it. Work done by Ohio University found that 81%—81%—of domestic abuse survivors had received a blow to the head. But in this country we have no idea of what the true numbers are.

The Disabilities Trust did a really good piece of work in Drake Hall Prison with women prisoners coming on to the secure estate for the first time. It found that 64% of women had had a brain injury and 62% of those injuries had been from a domestic violence incident.

Sir John Hayes (South Holland and The Deepings) (Con): I welcome and endorse the hon. Gentleman's excellent amendments. Not for the first time, he has brought brain injury to the attention of this House. I wonder if I might, through him, invite those on the

Front Bench, either by means of an intervention now or in the concluding remarks, to commit to the kind of research that he has recommended to the House.

Chris Bryant: I am grateful to the right hon. Gentleman, who has been a doughty advocate for those who have suffered from brain injuries, not least because of his own experience. That has been invaluable to the House.

The Disabilities Trust's work, and work that has been done with male prisoners across the estate, was the result of a pilot scheme introduced by the Ministry of Justice. It has been very effective. It is very simple screening—just three simple questions are asked of prisoners arriving. Nevertheless, it has enabled people to rectify some of the problems within the prison—for instance, prisoners who, because of their brain injury, find loud noise, clanging, smashing and things like that to be very disruptive to them. They have, very simply, been able to be put down at the quiet end of the prison. Sometimes, very simple measures have transformed the experience of those individuals and the likelihood of their reoffending, and given them a better opportunity in life.

That is writ even larger when it comes to women prisoners. The evidence is clear that many of the women coming into prison have been victims of domestic violence themselves, so the victim ends up being victimised a third time. All my new clauses are designed to ensure, first, that every single woman coming on to the prison estate is screened—a very simple screening, involving three questions, as has already been done in Drake Hall—and secondly, that every woman coming on to the prison estate who it has already been decided is a victim of domestic violence should be screened for brain injury, so that we can give such women the proper neurorehabilitation they require, so that they can understand the condition they have and lead a fuller life.

I was disappointed by the Minister earlier. I am sure she did not intend to mislead the House, but she said that the national screening agency—I think she means the National Screening Committee—considered screening, when in fact the committee considered screening every single adult in the country for domestic violence. That is not what we are talking about here. I hope she will correct the record when she winds up the debate.

Sir John Hayes: I am pleased to follow the hon. Gentleman, who, as I said, has made a persuasive case, to which I hope the Government will respond in the way he suggests.

For most of us, home is where the heart is; it is where we find love and warmth. I guess that most people here would say that is true of their constituents, by and large, but for too many of the people we represent, home is where the hurt is. It is a place of hate and pain—a pain that, for many of them, dare not speak its name, because they feel shame. The irony—the bitter irony—is that some of the victims of domestic abuse feel that they are in some way to blame, that they are in some way guilty, and it goes on year after year, unrecognised, unnoticed, and therefore untreated, undealt with. This Bill is a brave Bill that, to some degree, begins a process. It will not end here; this is a start, not a conclusion. It begins a process by which we can highlight, recognise and then act upon this awful spectre of domestic abuse.

I remember the case of a constituent who came to see me. We all have, every week, every month, horrible things to deal with—things that are memorable in the

worst way—but this constituent stands out in my memory. It was a gentleman I knew—I had known him for years; I knew his son. I had no reason to believe he was unhappy—he was always cheerful, a rather jolly sort of chap in his mid-50s. He arrived at a surgery; I did not know why, as I had received no notice of what he wanted to see me about. He sat in front of me and, with almost unbearable tension in the air, revealed to me that he had for years been the subject of domestic abuse. His wife had been beating him. He was a disabled man, so the poignancy of that exchange was exacerbated by knowing that she was much stronger than him and much more powerful. As he burst into tears, I recognised that he was far from the only person like that in my constituency and in all our constituencies. In two thirds of cases, the victims are women, but they can be men, too. That personal experience gave me an insight into what domestic abuse can be and mean for so many of those we represent.

G. K. Chesterton remarked that

“the business done in the home is nothing less than the shaping of the bodies and souls of humanity.”

Home is where most of our experiences take place, and the impact on the formation of an individual’s earthly experience happens disproportionately in homes. That is why the Bill is important and why I commend so warmly Ministers for bringing it to the House, and particularly my great friend the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins)—I mean no disrespect to my equally good friend, the Under-Secretary of State for Justice, my hon. Friend the Member for Cheltenham (Alex Chalk), by the way—for championing this cause.

My new clauses seek to do two things, as the House will have seen. The first is to monitor the connection between the kind of relationship that people are in and the propensity of domestic abuse. There is some evidence that the sort of relationship in which people are fitted has an impact on the likelihood of domestic abuse taking place. While postmodernists may resent the idea that the Government should play a part in family formation and social solidarity, I do not share that view because I am not postmodern—in fact, I am not even modern, as many people here know. I ask the Government to look at that in some detail, because there is some disturbing evidence to suggest that some kinds of relationships are particularly prone to domestic abuse, which is a heinous crime by any measure.

Marco Longhi (Dudley North) (Con): Does my right hon. Friend agree that we must absolutely not allow this vital piece of legislation to be potentially used by abusers to coerce pregnant women to have an abortion, and that our duty of protection towards vulnerable people should also have regard for the life of the unborn child, so new clause 28 has no place in the Bill?

Sir John Hayes: I was not going to deal with new clause 28 because it has been debated at some length, but I simply say to the hon. Member for Kingston upon Hull North (Dame Diana Johnson), who tabled it, and who is a respected and experienced Member of this House, that it was not wise to do so for two reasons: not only because it is imperfectly drawn up, but because, if anything, it takes emphasis away from the main thrust of the Bill, which is to deal with the heinous crime that I have described—

Dame Diana Johnson: Will the right hon. Gentleman give way?

Sir John Hayes: I will in a second. But more than that, it may even frustrate the very purpose of the Bill by putting vulnerable women, already suffering from the fear that I described, into an even more fearful circumstance. I happily give way to the hon. Lady, who will no doubt put a counter-view.

Dame Diana Johnson: I am grateful to the right hon. Gentleman for giving way. I want to make it clear that the new clause was obviously drafted to be perfectly in order—it refers to victims of domestic abuse and the particular circumstances they find themselves in in accessing reproductive healthcare—so I am getting a little frustrated. I hear what hon. Members think about the way the clause is drafted, but it is perfectly in order to put a new clause in the Bill about women who are suffering from domestic abuse.

Sir John Hayes: I think there are times and places to have these debates. We take different views, but this is not the time or place to have the debate, and to say more would be to worsen that sin.

I mentioned the research about particular kinds of relationships. The Office for National Statistics research from the year ending March 2019 shows that cohabiting women are almost three times more likely to have suffered domestic abuse than married women or women in civil partnerships. The figures also demonstrated that separated women were significantly more likely to suffer abuse than those in relationships, so there are issues around the connection between abuse and particular family circumstances.

My new clause 3 calls for the Government to look at the character of these crimes and the sentences they attract, with a view to raising the minimum and maximum sentences. Frankly, we ought to be doing that in all kinds of cases, but this crime in particular warrants the Government looking at these things again. I hope that the Government will look at my new clauses. I will not press them because, rather in the spirit that I have just suggested, this is a time for the House to come together in common cause, not to be divided, which is another reason why I am disappointed with new clause 28 and hope that the hon. Lady will have the grace not to press it.

C. S. Lewis said:

“Love is not affectionate feeling, but a steady wish for the loved person’s ultimate good”.

Supporting my new clauses will help do good, as will the Bill.

7.15 pm

Caroline Lucas (Brighton, Pavilion) (Green): I warmly welcome the Bill and the amendments to it that have been tabled. It has been urgently needed for a great many years, but perhaps never more so than now. I add my thanks to the right hon. and learned Member for Camberwell and Peckham (Ms Harman) and the hon. Member for Wyre Forest (Mark Garnier) for all they have done on the campaign against the rough sex defence, and associate myself in particular with amendment 35 on misogyny as a hate crime, which was tabled by the hon. Member for Walthamstow (Stella Creasy) and spoken to very ably by the hon. Member for Edinburgh West (Christine Jardine).

[Caroline Lucas]

Like many others, I urge the Government to look again at the issue of migrant women and the issue of no recourse to public funds. I do not think that, so far, the Government have really recognised what is at stake. As the Chair of the Home Affairs Committee, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), suggested, simply taking away the existing law would be a positive way to deal with the crisis right now.

I wish to speak in particular to a survivor's right to press anonymity, in respect of which there is an omission in the Bill. That gap in the legislation risks undermining many of the provisions designed to increase reporting and access to justice. Currently, the law allows the media to identify domestic abuse survivors when they appear in court. For survivors, the majority of whom are women, that means accepting yet another level of fear and risk. It potentially means that a perpetrator can more easily find them. It means that every aspect of their past behaviour is potentially subjected to unaccountable scrutiny and judgment. Without press anonymity, domestic abuse survivors face the risk of being abused all over again.

My new clause 19 has been developed with RISE, which is one of the leading service providers and advocates for women in my constituency, and it is based on RISE's wealth of experience of what prevents women from reporting domestic abuse and what keeps them as safe as possible once it does happen. The new clause seeks to ensure that survivors of domestic abuse receive the same guarantee of press anonymity that has been in place for survivors of sexual assault for almost 30 years via the Sexual Offences (Amendment) Act 1992. In essence, it would prevent identifiable details from being published by the media, online, in print or on social media, and require any content that breaches anonymity to be deleted. The right to anonymity would come into force as soon as domestic abuse is reported to the police and last for a survivor's lifetime. The new clause would also create a new offence whereby a publisher could be fined for anonymity breaches. That penalty, and the level of fine, is consistent with the 1992 Act and the rights of survivors of sexual assault.

There are many reasons why a failure to guarantee anonymity for survivors weakens the objectives of the Bill. First, domestic abuse victims and survivors are more likely to be killed within the first year of their leaving an abusive partner—a timeframe that frequently coincides with their cases coming to court. Naming survivors in the media puts their wellbeing and safety at further risk, putting them and their children under unimaginable strain and anxiety during what is already an extremely difficult process.

Secondly, the fear of being identified by friends, family members, work colleagues and employers after being named in the press actively discourages survivors from reporting domestic abuse. As one told RISE:

“None of my family knew, neither did my employer...I felt sad, ashamed, embarrassed and violated.”

It must be a survivor's choice as to who they tell about an abusive relationship, and when, not one taken from them by the media. The law as it stands wrests power and control from women in a situation in which a loss of power and control are already factors in their abuse.

Thirdly, cases of domestic abuse can involve sexual abuse, too, and inconsistent survivor anonymity provisions may lead to a breach of the 1992 Act, perhaps inadvertently. The best way to keep survivors safe is to protect their anonymity, especially as sexual violence may not always be disclosed in domestic abuse reports.

The view expressed by the Under-Secretary of State for Justice, the hon. Member for Cheltenham (Alex Chalk), in Committee was that the anonymity provisions are “an exceptional interference with open justice.”—[*Official Report, Domestic Abuse Public Bill Committee*, 16 June 2020; c. 325.]

With respect, I think he is wrong. Of course, there is always a balance to be struck, but there are precedents not only in the 1992 Act but in the Serious Crime Act 2015 in respect of female genital mutilation and in the Modern Slavery Act 2015 as well.

Under my new clauses, survivors could still be named in court and journalists could still report on other aspects of the case; they simply would not be able to publish identifiable details, such as photographs or the survivor's, name, address or workplace. It is not about restricting free speech; it is about keeping survivors safe and alive. There is no justice unless that is one of the Bill's primary objectives. I urge the Government please to consider my new clause again. It would bring this Bill in line with the 1992 Act and make it better and more consistent.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): Order. There have been a lot of interventions, which has extended the time of speeches, so I will have to reduce the time limit to four minutes after the next speaker in order to get as many people in as possible.

Jackie Doyle-Price (Thurrock) (Con): It gives me great pleasure to support the Bill, which is the product of input from all over the House, and all the better for it. I particularly welcome the definition of what constitutes domestic abuse and the emphasis placed on sexual abuse in the definition. We all know that sexual abuse is very much in the toolkit of any abuser and, just as domestic violence was a taboo subject in the past, the role of sexual violence has been, too. What is striking about the passage of the Bill is how it has been a game changer on that—the clause that deals with rough sex most certainly is. In that respect, the Bill makes a very clear advance in favour of the victims and against the abusers. We must ensure that we do everything we can to protect those who are most vulnerable and bring the purveyors of evil crimes to justice.

We must also consider how sexual violence can clearly take place in the domestic context not just with partners but with children. I would like to highlight the comments made by my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes), who talked about the sharing of sexual imagery via phones, which again could be considered domestic abuse given that it comes from relationships. That example really highlights how normalised sexual abuse has become in some contexts. I feel strongly that we collectively in this House—male Members as well as female Members—must do all we can to ensure that women feel empowered to have control over their own destiny when it comes to their relationships. I fear that some of the pornography now

available and so widely circulating is normalising sexual behaviour that is not in the interests of our women and girls. We must all collectively be vigilant about that.

I tabled two amendments to give added emphasis to the importance of considering sexual violence in the domestic violence context. I did so in consultation with Rape Crisis England and Wales, to which I have the great pleasure of giving so much support. It does so much work and is often considered the Cinderella for the reasons that I have described. The real issue for victims of sexual violence is that it never leaves them. It is one thing to bring a perpetrator to justice, but these women, these girls, these victims are not pieces of evidence; they are people, they are fragile, and they need our support—a lifetime of support. I am pleased that the NHS has recognised that with its lifetime support care pathway for victims of sexual violence, but, as with many things in public policy, we can talk the talk, but we do not always walk the walk.

I am pleased to see that police and crime commissioners regularly step up to the plate to commission sufficient services for victims of sexual violence, but all too often locally I see the NHS not doing its bit, and equally we expect more from local authorities. The amendments in my name are there to reboot the emphasis on sexual violence as an element of domestic violence in terms of the functions of the domestic violence commissioner and local authorities. I hope that the Minister in responding will articulate the very real need for holistic support for victims of sexual violence and an expectation that the domestic violence commissioner will do the requisite thing and encourage good practice throughout our public services.

In view of time being very short, I will say little more than that, but I want quickly to address the new clause tabled by the hon. Member for Kingston upon Hull North (Dame Diana Johnson) on abortion. Much criticism has been made of it, which, frankly, is unfair. The real point is that the law is 50 years old and no longer fit for purpose, but, because it is seen as a free-vote issue, Governments do not look at it. I welcome, to a point, what my hon. Friend the Minister has said today, but we need to look more holistically at the safety of our abortion services. It is all very well to say, “Okay, we have had these regulations for covid. Let’s just extend them.”, but I do not think that is good enough. We are told nowadays that as many as one in three people have had access to abortion, so let us look at it more holistically.

Nadia Whittome (Nottingham East) (Lab): It is an honour to follow the hon. Member for Thurrock (Jackie Doyle-Price). I wholeheartedly support the sensible and necessary amendments to this Bill brought forward by several of my courageous and learned colleagues. I particularly wish to mention my hon. Friend the Member for Canterbury (Rosie Duffield), who has spoken courageously on domestic abuse, and my excellent colleague my hon. Friend the Member for Walthamstow (Stella Creasy), because of her ongoing work to have misogyny treated as a hate crime. I am proud to represent Nottingham East, the birthplace of the movement to recognise misogyny as a hate crime, and I pay tribute to pioneers at Nottingham Women’s Centre, as well as Juno Women’s Aid, and, in particular, to Mel Jeffs.

No recourse to public funds renders many of the most at-risk individuals completely powerless and increases their chances of being preyed upon by abusers or falling

into destitution. The choice presented to Members today is whether this Bill progresses with or without leaving migrant women behind. Many migrant women are, in effect, excluded from the protective measures in this Bill as they have no recourse to public funds. What advice has the Minister sought as to whether the Bill, in its current form, is compliant with paragraph 3 of article 4 of the Istanbul convention? We know that migrant women face additional barriers to safety, because abusers commonly weaponise fears of immigration enforcement and separation from their children to control them. The draft statutory guidance to accompany this Bill clearly recognises that migrant women face these additional obstacles to safety and are afraid of reporting. Does the Minister accept that the Government’s current policies in this area in effect encode and entrench the abuser-victim dynamic into the system? Will she acknowledge that the legislation, as it currently stands, does not match the facts recognised in the statutory guidance?

It is promising that some key amendments have made the cut, including the recognition that children are victims of domestic abuse in their own right, as well as the expansion of the ban on abusers cross-examining the victims in court. However, as Pragna Patel, the director of Southall Black Sisters, has said:

“The decision to leave migrant women out of this bill sends the message that their lives are not valued, they are disposable, they are second-class people, they are invisible”.

This invisibility is exacerbated through clause 53, which neglects the commissioning of specialist support for BAME women in the community. There are only 30 specialist by and for black and minoritised women’s refuges for the whole of the UK, with 50% of BAME specialist refuges having been forced to close or been taken over by a larger provider because of Government funding cuts in the past decade. I wish to close with words from the End Violence Against Women Coalition, which has stressed that

“Amending the Bill is the only route to guarantee a fair system to all victims”

and ensure compliance with the Istanbul convention, which this Bill seeks to ratify.

Ruth Edwards (Rushcliffe) (Con): Let us consider these words: “When I met my ex, I was a confident 17-year-old woman, but he wore me down until I did not recognise myself any more.” They are the words of a remarkable woman, my constituent Natasha Saunders. I wish to share some of her story with this House today. First, let me say that this Bill has seen this House at its best, working together to increase awareness of domestic abuse and its devastating consequences, to strengthen support for victims and to bring more perpetrators to justice. It will support victims to give evidence in court and it will end that most pernicious of defences, the so-called rough sex defence.

7.30 pm

It is a sad indictment of human nature that our work to tackle domestic abuse will never be over. Even as we pass this excellent Bill, which does so much to protect victims, we must look to the next way in which abusers will seek to control and damage their victims. We know all too well that is what they will be doing, which is why I want to speak to new clause 34. It would strengthen revenge pornography laws, making it illegal to threaten

to share intimate images of someone without their consent. It is in relation to that that I share Natasha's story. She said:

"I'd been in a relationship with my ex-husband for six months when he first ordered me to remove my clothes and pose for intimate photos...In the beginning, I thought taking these photos was an act of intimacy, but they were actually being used as...another way to control me...I'd repeatedly tell him that I didn't feel comfortable taking intimate photos. When I refused, he would taunt me...He would berate me and mock my appearance until I gave in. Posing for these photos made me feel so dirty and worthless, but I was just a teenager and I wanted to make him happy."

Natasha's partner threatened to share these photos with her family and friends. She said she felt

"so exposed and ashamed...The threat was always there and as the years went on, it was like I ceased to exist. He made me feel invisible to everyone and if I displeased him in any way, I knew he could use those pictures to ruin my reputation."

Natasha is a huge inspiration. She has not only survived a horrendous ordeal of abuse and built a new life for herself, but works with Refuge to help other women.

Today, Refuge has published new research that lays bare the scale of the issue. It finds that one in 14 adults in England and Wales have experienced threats to share. That is four and a half million stories like Natasha's. The Law Commission is in the middle of a review that covers a wider set of offences around the making and sharing of sexual images online, and that is why the provisions in new clause 34 are not in the Bill.

Having spoken to both Ministers taking the Bill through Parliament, I am in no doubt about their commitment to improving the law in this area. I am grateful to them for taking on board our views that the timeframe for that review, due to report in the summer of 2021, is a long time for victims to wait. As a result, the National Police Chiefs' Council is now working with the College of Policing to issue clearer guidance to officers about the legal tools they currently have to prosecute some threats to share. I hope more victims will have justice as a result. It is important that we have the right laws, fit for the digital age. That is why we should move quickly as soon as the Law Commission reports.

I leave Ministers with this one thought: our response to coronavirus has shown the speed at which we can move if we have to. Would it not be wonderful if that approach was adopted for the Law Commission's review, and we saw it reporting by the end of this year, instead of next?

Laura Farris (Newbury) (Con): I will confine my remarks to Government new clause 20, which concerns the rough sex defence. Those on the Front Bench should feel proud of the new clause. The first question that any Government have to answer when they bring new legislation before the House is why the legislation is needed. It has been said, "If the common law already says that someone cannot consent to serious injury or death, does Parliament need to legislate?" The answer is emphatically yes, and here is why. *R v. Brown*, the authority for this issue, which is nearly 30 years old, does not cover consent in all forms of sexual harm. There are other cases—contradictory cases—that can be applied, and we saw that pretty starkly in the case of Natalie Connolly, where *R v. Brown* was applied, but only in part. When it came to her internal injuries—the ones that were the most savagely inflicted, the most serious and the most

proximate cause of death—the court applied a completely different case and concluded that the violence in that context was lawful. That could not happen under new clause 20, because it rules out the possibility of consenting to any serious harm for sexual gratification, and the inconsistency goes.

The second problem with *Brown* is that it answered one specific question: whether the defence of consent should apply to the infliction of bodily harm in the course of sadomasochistic encounters. I have heard it described as a case about consensual torture. That has always created the risk of conflating violent sex in a domestic abuse context with BDSM, as we saw in Natalie Connolly's case and those of others. Sadomasochism becomes a prism through which the violence on the night is interpreted, because *Brown* invites that.

Not only does that traduce the reputation of the victim, but it offends one of the most fundamental principles of justice, that he who asserts must prove. In those serious cases, it was not proven in a way that a member of the public would understand. All we know is that it was violent and it was sexual and that she is dead. New clause 20 reduces the risk of the courts being drawn into such considerations by drawing a line through consent in the first place.

Above all, codifying the defence sends a powerful message about what we as a society say about sexual violence and degrading behaviour in a way that the common law never could. In fact, new clause 20 is not didactic—it does not try to tell people how to live their private lives—but it sends a powerful message to the perpetrator that they will be responsible for all the consequences of their actions, which is a game changer when rape convictions are at an all-time low.

The most affecting feature of the last two weeks has been other countries' reactions to the Government's decision. In New Zealand, where they were as appalled by the Grace Millane case as we were, Ireland, Hungary, Germany, France and Canada, people are writing about what the British Government are doing in the context of similar cases that have been before their courts and with reference to Members of their own Parliaments who are working to achieve the same thing. The Ministers involved should feel proud of the leadership that they have shown.

Finally, the most powerful message of new clause 20 is a tacit one about the dignity of the women who have been killed in this way. It is not the perpetrator in the dock who gets to define her, or the judge in his sentencing remarks, but we in Parliament who draw a line in the sand and say, in effect, what the victims and their families never could: that she could not consent to that.

Catherine West (Hornsey and Wood Green) (Lab): It is a delight to have heard the excellent points of the hon. Member for Newbury (Laura Farris). I put on record three fantastic women who have worked in this area in my constituency: Denise Marshall, who was the chief executive of Eaves, the wonderful Mary Mason, who was the chief executive of Solace Women's Aid, and Harriet Wistrich, who is the director of the Centre for Women's Justice and who worked hard on the Sally Challen case. That case is not dissimilar to those that the hon. Lady mentioned, although, of course, Sally Challen was acquitted after many years in prison and was

subject to some awful coercive behaviour from her partner who she actually killed. My constituent Harriet Wistrich worked hard on that case, which is now a precedent. We need those important test cases to prove how we can improve the law and women's experience.

I welcome three other elements of the Bill: first, the robust framework for the new domestic abuse commissioner; secondly, the two new civil protection orders, which will strengthen the everyday practice on domestic abuse; and thirdly, the secure lifetime tenancy in England housing authorities. I mention briefly the work of Hearthstone, which is Haringey Council's excellent housing provision for women facing domestic violence. The fact that it is embedded in the local authority allows much better quality allocations for women who face uncertain housing situations.

The test of the Bill is not just how well written it is or what fantastic speeches we may give tonight, but the quality of the legal aid that women and victims of domestic violence can get day in, day out in our courts. I am sorry to say that legal aid still does not match the desperate need of so many women victims. I hope that the Government will look at the provision of legal aid in future, although not necessarily specifically in this legislation. In terms of the practice and the everyday experience, we need excellent legal representation for those women. I also put on record my support for amendment 35 looking at misogyny as a hate crime, which my hon. Friend the Member for Walthamstow (Stella Creasy) has spoken eloquently about as part of the ratification of the Istanbul convention.

I want to put on record my support for new clause 22 for women who have insecure immigration status and a fear of deportation. Looking through my casework of this month, I had the case of a woman who had no recourse to public funds and was not able to gain access to important financial provisions in that she did not have access to housing benefit and all the other provisions. Fortunately, having written to the Home Office, my caseworker had an amazing success—a huge thank you to my team—but this cannot be down to individual cases on a case-by-case basis such as this; we need a much more holistic look at no recourse to public funds.

I was very pleased to hear the Minister announce this evening that there will be a pilot scheme worth £1.5 million, but I fear that pilot schemes peter out, are introduced very late on in the financial year and tend to be very piecemeal. In my view, we desperately need to pass new clause 22 so that we can take in the most vulnerable women, including those with no recourse to public funds, whom we see in our surgeries. We cannot rely on the fact that they may pop into our surgeries and we can write to the Home Office. We need a much more inclusive provision, so hon. Members should please vote for new clause 22.

Chris Clarkson (Heywood and Middleton) (Con): I would like to start by saying this is a good Bill. I would particularly like to add my support to new clause 20, and I pay tribute to my hon. Friends the Members for Newbury (Laura Farris) and for Wyre Forest (Mark Garnier) and to the Mother of the House, the right hon. and learned Member for Camberwell and Peckham (Ms Harman), for their work on this. I would also like to pay tribute to my hon. Friend the Member

for Cities of London and Westminster (Nickie Aiken) for her work on new clause 15, which I think achieves a great deal of good.

I will briefly touch on new clauses 22, 25 and 26. I welcome the Government's long-standing commitment to support all domestic abuse survivors, including migrants, and they should always be treated as victims, regardless of their immigration status. The introduction of the destitution domestic violence concession and the domestic violence indefinite leave to remain scheme in 2012 were important steps in supporting migrant women who are victims of domestic abuse. It is important to note that obtaining these visas means that those affected have set up their lives in the UK with the expectation of obtaining indefinite leave to remain here. Already, this concession permits them to receive welfare payments, support and safe accommodation, and the scheme enables them to apply for the indefinite leave to remain that they would have had had they not been victims of domestic abuse.

The concession and the scheme are not available to people who enter the country on other visas, such as visitor, student or work visas, or to those here illegally. As we have heard, this is because, to obtain such visas, they will have already confirmed that they are financially independent and therefore require no recourse to public funds and, as such, their stay will be for a defined time. They do not therefore have a legitimate expectation of securing indefinite leave to remain.

I welcome the fact that the Government have pledged £1.5 million towards a pilot later this year, which will be used to assess the level of need for migrant victims of domestic abuse and to inform decisions. I join my right hon. Friend the Member for Maidenhead (Mrs May) in hoping that this will identify the gaps in the current support available.

At this point, I was going to talk about amendments 40 to 43, but, as I understand from the hon. Member for Birmingham, Yardley (Jess Phillips) that they will not be brought forward, I will not labour that point as time is short. None the less, I would like to put on the record how welcome are the appointment of Nicole Jacobs as the Domestic Abuse Commissioner and the establishment of her independent office, which rightly holds the Government to account to ensure that all areas are working better to protect victims. I have the utmost confidence that my right hon. Friend the Home Secretary will listen to her sage advice.

Abuse can come in myriad forms—not just physical control or coercion, but financial and mental. Having listened to my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes), it is clear that we also have to consider the new forms that abuse can take as technology and society develop. I welcome the fact that the commissioner will be required to have specific focus on victims from minority groups, and I hope that she will include the LGBT+ community, who experience disproportionately high levels of domestic abuse and distinct barriers in accessing support.

Finally, I would like to thank the Ministers and Members from both sides of the House for all their work on this truly historic Bill, which puts the determination to protect victims and their families at the very heart of our law.

Liz Twist (Blaydon) (Lab): It is a pleasure to take part in this debate.

[Liz Twist]

Children are victims of domestic abuse, not just witnesses. In March I held a Westminster Hall debate on this very issue, and that was the start of a series of conversations thereafter. At the conclusion of that debate, I said to the Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins), who is no longer in her place, that I would like her to go away and “grapple some more” with a resolution to include children in the Bill, so today I am really pleased to see new clause 15, which will indeed include children in the definition of domestic abuse. This has had such widespread support from charities and organisations across the children’s sector and the violence against women and girls sector, which have come together to assure us that they are united in believing that children should be included.

7.45 pm

New clause 15, on recognising and seeing children as victims of domestic abuse, will lead to a greater understanding that children experience domestic abuse too, and will hopefully lead service providers to ensure that children get the services they need. I thank the Minister for her work on this measure, but the amendment on its own is not enough. We know that children affected by domestic abuse can recover, and lead happy and healthy childhoods, but they need the right support and they need it at the right time. New clause 15 recognises children as victims and helps local authorities to recognise the importance of ensuring that child victims have access to support. However, it will not help local authorities to deliver the support services in question.

There is a huge issue in provision being patchy as it is, and the covid-19 crisis has only exacerbated existing difficulties and inequalities. The Bill currently includes a welcome duty on local authorities to provide support to adult and child survivors in accommodation-based services. It is a step in the right direction, but this limited duty risks unintended consequences, such as removing funding from key community-based services that are absolutely crucial to supporting child victims of domestic abuse. The Government must ensure that community-based services are provided—and, crucially, funded—under any new statutory duty. I therefore also support new clause 23, which will address both the access to services and the funding required to keep them running.

We often think of domestic abuse services, refuges and perhaps the police as the frontline against domestic abuse, but in fact women experiencing abuse are much more likely to suffer a range of negative outcomes, including homelessness, substance abuse and mental health problems, and to be in touch with a wide range of public services. It is therefore important that we ensure that people working on the frontline of public services are able to recognise the signs, provide support and assistance, and highlight issues—with a training programme to raise awareness—so that people get the support they need.

Finally, let me talk briefly about new clause 22. Much has been said on the issue, and I can say no more than that for people who suffer from domestic abuse, support should not be a choice depending on whether they have their immigration status. I support the new clause to ensure that people who have no recourse to public funds in future have that help.

Christian Wakeford (Bury South) (Con): I was proud to support the Bill on Second Reading, and am happy to see it back here today for its final stages.

This is a landmark piece of legislation, which shows the best of this House; we can work cross-party to achieve something fundamental. If I were to have one criticism, it would be that the Bill could achieve so much more. That said, this is an admirable start and one that I fully endorse. However, the Bill needs to be the starting point for protecting victims, not the destination.

I pay tribute to my hon. Friends the Members for Newbury (Laura Farris) and for Wyre Forest (Mark Garnier), and to the right hon. and learned Member for Camberwell and Peckham (Ms Harman), for securing the amendment on rough sex—new clause 20—which will prevent men from literally getting away with murder.

This needs to be a victim-led process. There are concerns about a stalkers register that means that the victims need to correct their behaviour; that cannot be right. If a victim has to modify their behaviour, then we have let down the victim. I am hopeful that the Minister will agree that there is scope to review victim support services, and that victims should be included in that process. Despite the good intentions of stalking protection orders, I fear that they will not protect victims in the way that they should.

This truly is a heinous crime. If not prevented, it can and often does lead to further crime, such as sexual abuse and even murder. My hon. Friend the Member for Birmingham, Yardley (Jess Phillips) mentioned the murder of Jane Clough. I am a long-standing friend of her sister, Louise Berry, who tragically lost Jane 10 years ago. It would be remiss of me not to pay tribute to John and Penny Clough for the fantastic, tireless work that they have done with the Justice for Jane campaign to prevent other women from paying the ultimate and avoidable cost of this crime. I also pay tribute to the hon. Member for Pendle (Andrew Stephenson) for securing an amendment to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 that allowed the prosecution to appeal against bail, to further aid victims of this awful crime.

I conclude by reiterating my opening remarks. If we are serious about tackling this most heinous of crimes, which has affected millions of women throughout recent years, we really need to ensure that the victims are fully included in the entire journey, and that this is a journey. This is not the destination; it is just the start of the process to ensure that we tackle this crime fully. In doing so, we need to ensure that adequate funding is in place, not only to bring the perpetrators to justice but to protect victims in their entirety. I trust that the Minister will continually review the matter, and take further action where needed to truly support victims of this most awful crime.

Carla Lockhart (Upper Bann) (DUP): I thank the Minister, and Members from both sides of the House, for bringing to fruition a Bill that will protect and support victims of domestic abuse. As many in this House have outlined, domestic abuse is on the rise in the UK. Northern Ireland figures released today show an increase of 1,000 cases in the past three months. The figures show a 15% increase on the same period last year, and domestic abuse is no respecter of gender or age.

Last week, as I travelled by car around my constituency, I listened to an interview about a young lady called Joleen Corr, a 27 year-old girl from Downpatrick. She was a mum of one and she was propelled down a set of stairs and died as a result of a brain injury. Her mum was devastated, and continues to be devastated. I trust that the legislation will assist in bringing some comfort to people like the Corr family. As a wife and mum, I am thankful for the safe haven of my own home, but I know that many throughout the UK do not have the safety that I enjoy. I want the Bill to be just the start of great things to assist victims. I also pay tribute to Mr Steven Smyth from Northern Ireland, who is today running 100 miles to raise awareness for Men's Alliance Northern Ireland, a support group for male victims of domestic abuse. I commend him for his efforts.

A person who works with women experiencing domestic abuse in England said of new clause 28 over the weekend, "We work every day with women who experience domestic abuse. We see the way they are controlled and manipulated. To me, this suggests the legislation will only be making that worse. It will give abusers more power and more reason to keep the woman being abused at home, away from people who can really help them." This House should not hinder those professionals in their work.

The new clause seems to be a clear attempt to use the Domestic Abuse Bill as a vehicle to advance an agenda that is emphatic on expanding access to abortion, seemingly failing to acknowledge that allowing women to have an abortion at locations other than hospitals or places approved by the Secretary of State has already led to serious complications. We all know that abortion is not the answer to domestic abuse. Surely we should be addressing how women find themselves in such difficult situations, and take measures to prevent that.

Ian Paisley (North Antrim) (DUP): Does my hon. Friend agree that pushing that agenda has led to the ludicrous situation in Northern Ireland where one Minister brought forward a proposal to allow for abortion pills to be administered by a foreign jurisdiction over the phone to patients in Northern Ireland? Is she as appalled by that proposal as I am?

Carla Lockhart: I agree with my hon. Friend that we have an absolutely terrible situation in Northern Ireland as a result of the legislation that was railroaded through this House, and forced on the people of Northern Ireland.

The amendment makes no provision for helping women to get out of the abusive situation. Providing women with abortion pills while failing to address the reasons why women may be unable safely to attend a clinic does not present itself as a responsible or logical solution to tackling domestic abuse. Our laws should be designed to help vulnerable women escape domestic abuse situations, not enable them to remain in those horrific situations. Indeed, if a woman is not assessed in person—and, specifically, given an ultrasound—and if she has gone beyond the legal limit for an abortion by pill, the risk of complications goes up dramatically. Coercion of some kind is frequent in an unplanned pregnancy, and in removing the requirement of a face-to-face consultation, there is no guarantee that a patient can speak freely without the coercive party listening in. Furthermore, we know that women are coerced into having abortions

based on sex selection. If an abusive partner does not want a particular sex of child, they can force their partner into having an abortion via telemedicine.

On new clause 1, I welcome changes being made to remove the defence of consent in cases of rough sex, but I believe we need to do more to tackle the drivers for rough sex practices. I strongly support new clause 1 in the name of the hon. Member for Congleton (Fiona Bruce), whom I commend for her efforts and work in this regard. The House needs to be clear about depictions of rough sex in pornography. Such practices cannot be normalised, and such content should be made illegal. In terms of pornography, it is already illegal, but it is notable that the campaign group We Can't Consent To This, which has been advocating for a change in the law on the rough sex defence, states:

"In four of the most recent killings"—
of women and girls—

"the men viewed 'extreme porn' featuring violence including strangulation...before or after the killing of the women."

Madam Deputy Speaker (Dame Rosie Winterton): Order.

Nickie Aiken (Cities of London and Westminster) (Con): This Bill, as it stood at Second Reading, was a remarkable piece of legislation, but having gone through Committee, I believe it has been improved further. After Third Reading, when it comes, it will be legislation that the whole House can be very proud of.

The Bill sits on a long and impressive list of legislation that successive Conservative Governments have introduced over the past 30 years—the Children Act 1989; the Protection from Harassment Act 1997, which created the offence of harassment; the Protection of Freedoms Act 2012, which created the offence of stalking; and the Modern Slavery Act 2015, which my right hon. Friend the Member for Maidenhead (Mrs May) took through the House, which created the offences regarding slavery, servitude and human trafficking and made provision for the protection of victims.

Fay Jones (Brecon and Radnorshire) (Con): My hon. Friend and I served on the Bill Committee together. I completely agree with everything she has said, but does she agree that bringing forward the Bill during the coronavirus pandemic and pushing it forward throughout lockdown is further evidence of the Government's support for victims?

Nickie Aiken: I absolutely agree with my hon. Friend. Also on the list is the Serious Crime Act 2015, which created the offence of coercive control. In 2017, the Conservative Government doubled the maximum sentence for stalking and a couple of years later passed the Stalking Protection Act 2019, creating stalking protection orders. That leads us to today and the Bill, which I dearly hope we will see become law shortly. That is an impressive history from Conservative Governments, taking strong, decisive and meaningful action to protect those who are unable to protect themselves and giving a voice to the most vulnerable. It is also important to note the notable gap in such laws between 1997 and 2010.

I was honoured to sit on the Domestic Abuse Bill Committee, my first as a Member of Parliament. It is important to say that on Second Reading and in Committee I highlighted the need to amend the definition of domestic

[*Nickie Aiken*]

abuse to include children within households where such abuse is present, and to recognise children of the victims of abuse, not just as witnesses. It is estimated that up to 30% of children live in a household where abuse is taking place. Until now, children were seen as the hidden victims of domestic abuse who were never directly affected, but we know that that is not true. Every day, children's services teams up and down the country, and children's charities such as Barnardo's and the Children's Society, see the devastating effects that witnessing such abuse can have on a child's development, educational attainment and long-term mental health. I saw this myself as children's services lead at Westminster.

8 pm

Home is meant to be our place of safety where we are loved and cherished the most, but for some children home becomes a torture chamber. They wake up every morning not knowing whether a tiny mistake will lead to violence and the type of abuse that most of us could never imagine. My campaign to seek this amendment to the definition was sparked not only by my experience in children's services but by hearing the experience of a constituent of mine who has become a friend: the broadcaster Charlie Webster. Charlie has told me her story of growing up in a home where domestic abuse at the hands of her stepfather had a devastating effect on her, her mum and her brothers. Charlie is a survivor and now a strong campaigner for better understanding of the effects that witnessing domestic abuse can have on a child, and I thank her for helping me to understand why the definition had to be amended.

I therefore wholeheartedly support and welcome Government new clause 15, on recognising children as victims of abuse within their households. I am pleased that, for the purpose of this new clause, a child is recognised as someone under 18. It will therefore include teenagers and young adults who, although perhaps more developed than their young peers, are still forming an understanding of the world around them. It is important to me to highlight the need to amend the definition to include children. I lobbied Ministers to accept the need for the amendment, and I am delighted that they listened. In fact, the Government have listened throughout this process.

In closing, I would like to pay tribute to the Ministers who have led on this legislation: the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), and the Under-Secretary of State for Justice, my hon. Friend the Member for Cheltenham (Alex Chalk). As a new MP, I have been in awe of their attention to detail and their willingness to listen to those on both sides of the House, to victims and to organisations working with domestic abuse. I also pay tribute to the Home Secretary and the Lord Chancellor for their work on this. The amendments that have been accepted are testament to the Government's ambition for this legislation to make a long-lasting and fundamental difference, and I commend this vital and groundbreaking Domestic Abuse Bill to the House.

Stephen Timms (East Ham) (Lab): I am pleased to follow the hon. Member for Cities of London and Westminster (Nickie Aiken), but I was disappointed

that she struck a more partisan tone than other speakers have done today and perhaps did not recognise as fully as she might the contribution to the Bill that has been made by Members on this side of the House. I am glad that it has been acknowledged by others across the Chamber.

I want to speak specifically on new clause 22, on access to public funds for survivors of domestic abuse. People are often surprised to discover that there is a large number of law-abiding, hard-working families in the UK, often with children born here, sometimes with children who are UK nationals, whose immigration status is subject to the no recourse to public funds condition. In the Liaison Committee on 27 May, I asked the Prime Minister about the position of a Pakistani-origin family in my constituency whose two children were both born in the UK. The father had stopped work because of the coronavirus lockdown, and the family were being forced into destitution because they had no recourse to public funds. The Prime Minister's answer was that a family in that situation

"should have support of one kind or another",

and I very much agree with that view. Unfortunately, the Government's current policy does not deliver help to families in that situation. More than 3 million people have claimed universal credit since the beginning of March because their work has ended and they have not been eligible for one or another of the Government's schemes. That vital safety net provided by universal credit is simply not available for people with no recourse to public funds, and both the Home Affairs and the Work and Pensions Committees have recommended unanimously that the no recourse to public funds restriction should be lifted for the duration of the current crisis. One of the points the Prime Minister made at the Liaison Committee was that he would find out how many people are in that position. Unfortunately, he has not been able to do so, because the Home Office does not know. It appears that the Home Office does not even have an estimate of how many there are. Fortunately, the Children's Society has reported that there are more than 100,000 children in the UK whose parents have leave to remain but no recourse to public funds.

Where someone is a victim of domestic abuse, having no recourse to public funds is catastrophic. Protections that the House supports for victims are simply not available. The barriers they face are generally insurmountable. Only 5% of refuge vacancies are accessible. The reason is that housing costs in a refuge are largely met through housing benefit. People with no recourse to public funds cannot claim housing benefit. As Women's Aid points out, the options for a woman with no recourse to public funds and unable to access a refuge space are shocking: it is either homelessness or returning to the perpetrator.

I welcome the fact that a small pilot is under way, but we know what the gap is. Anyone who came to the UK, other than on a spouse visa, cannot benefit from the domestic violence concession. The other people in this category need that help as well, and I urge the House to support new clause 22.

Peter Gibson (Darlington) (Con): It is a pleasure to speak in this debate having sat on the Bill Committee. It was indeed a privilege that my very first Bill Committee was on such a ground breaking piece of legislation and

so ably led by the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), who is a dedicated Minister.

I have met numerous victims of domestic abuse, each with a moving personal story of their sadly continuing ordeal. All too often, the abuse continues and, sadly, escalates after a relationship ends. I believe that this Bill addresses that. Although the majority of victims of domestic abuse are women, we know that men are victims, too. I draw upon the family experience of a relative of mine who was attacked by his wife, who attempted to stab him, who attempted to poison him and who inflicted broken bones. She repeatedly harassed him with abusive telephone calls at work. The harassment continued even after a traumatic divorce. Abuse and manipulation of their children continue, too. The scars on my relative and his children are long lasting. It is my belief that this Bill would have curtailed that abuse at a much earlier stage and saved much trauma to the victim and his children and saved many wasted resources. I welcome new clause 15.

Family Help in Darlington was one of the UK's first women's refuges. It has been doing amazing work in my constituency since 1976. I thank its staff for all that they do and for the help and understanding that they have given me in respect of this important issue. Although they welcome all that this Bill does, they have asked that I urge Ministers to ensure that funding streams will enable them to plan into the future.

Rydal Academy, a primary school in my constituency, is undertaking fantastic work with its higher than average concentration of children from homes where abuse takes place. The key safeguarding leads at the school are keen to see perpetrator programmes put in place locally, and to end the generational cycle of abuse that is all too familiar. Again, I welcome the provisions in the Bill that will address that.

Domestic abuse is not confined to heterosexual relationships alone, and I welcome the fact that this Bill provides the same protections to those victims who are sadly suffering in same-sex relationships. I echo the plea of my hon. Friend the Member for Heywood and Middleton (Chris Clarkson) on this point.

This Bill has had a long passage, having undergone many stages in this House and in the previous Parliament, but we can be proud of the protections that we are bringing to the statute book, building on the protections listed by my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken). However, this Bill is not the place to make changes to our abortion laws. I will therefore be opposing new clause 28.

Tracy Brabin (Batley and Spen) (Lab/Co-op): It has been a privilege to sit in this debate and hear so many very personal stories not just about constituents, but about family members. It was interesting and moving to listen to the hon. Member for Darlington (Peter Gibson) talk about his family, to remind us that it is not just women who are victims of abuse.

I thank all Members of the House who have pushed the Bill to this point—through Prorogation, covid and lots of other challenges—for all their hard work. I have spoken twice on the Bill, and was honoured to put my name to the new clauses in the name of my right hon. and learned Friend the Member for Camberwell and

Peckham (Ms Harman). Although Labour will not press those new clauses, we will strongly support Government new clause 20.

I am grateful that the Government have listened to the demands here and in the wider community for major new inclusions, because 60 women in the UK have died, with more being injured, in what men claim is violence that “she asked for”. No one can fail to be moved by the courage of the parents of those who have been brutally murdered by so-called lovers, only for the abuser to use the rough sex excuse to lessen their sentence. Like so many others in the House, I thank the campaign group We Can't Consent to This for the work that it has done to ensure that justice is served, and support its request that the Crown Prosecution Service and the Director of Public Prosecutions collect and evaluate data on this issue and report back on any use of rough sex claims. The Government say that they will continue to keep the criminal law under review. We must see a clear statement of how that will be done.

I thank my council—Kirklees Council—which has committed an extra £400,000 in this year's budget to improve local domestic violence support services. Many Members know that we rely on local support to help women and girls at risk of violence, and that that support has faced desperate cuts, including to policing and preventive services, for almost a decade. Hopefully this legislation will go some way to supporting those authorities, because we need support in the community, not just in refuges.

I pay tribute to the personal commitment of the Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins), for explicitly recognising children as victims of domestic abuse. New clause 15 puts children in the proposed legal definition. This helps to put children at the heart of how our society deals with domestic abuse and is supported by my hon. Friend the Member for Birmingham, Yardley (Jess Phillips). This measure is vital, as there is compelling evidence that shows that children exploited in gangs are more likely to see domestic violence call-outs, which is another reason that we have to eradicate domestic violence when there are children in the family. The impact is felt throughout children's lives and we must protect them with every tool at our disposal.

Domestic abuse affects children and young people in different ways. A range of interventions must be available so that children can get the right form of specialist help. But it is obvious that we need the money. Between 2010-11 and 2018-19, central Government funding for children and young people's services fell by £2.2 billion. Women's Aid Federation of England's survey on the impact of covid found that 60% of the service providers that responded had needed to reduce or cancel their service provision for children. Crucially, we need local authorities, but they have reported that policy and best practice guidance on domestic abuse are insufficient, and most feel that a statutory duty that is adequately funded to provide services would support them.

Let me finally say to all those young women who have contacted me: we are listening to you. Just because you are not in a domestic situation does not mean to say that you are not being abused. Hopefully, this Bill will be there to help you.

Alexander Stafford (Rother Valley) (Con): Domestic abuse is a scourge on our society. We must take robust and meaningful action to tackle the perpetrators and protect the victims of this despicable crime. I warmly welcome the Bill and the Government amendments that recognise the vulnerability of children, victims giving evidence in court and those in sexual relationships.

I wish to speak on three new clauses. First, new clause 28 extends a temporary provision for abortion pills to be posted and taken at home, threatening to hijack the Bill and draw our focus away from the very serious subject matter at hand. Abortion is an incredibly sensitive matter that deserves close consideration. Such a seismic change to the law should not be tacked on to a domestic abuse Bill as an amendment, as it lessens some of its impact. Disturbingly, the new clause does not have a gestation period limit and is not limited to medical abortion. In terms of addressing domestic abuse, as we have heard, the new clause could in fact worsen the very problem that it tries to address. By removing confidential face-to-face meetings between women and a medical professional, it becomes impossible for clinicians to establish whether the woman was coerced into requesting the home pill or even whether it was in fact her on the telephone. This is a serious point. We should not do anything that could make domestic abuse any worse.

8.15 pm

I now wish to focus particularly carefully on the two Government amendments. New clause 15 concerns children as victims of domestic abuse. It provides that references in the Bill to a victim of domestic abuse include children who see, hear or experience the effects of abuse. This is incredibly important, because someone can be abused but not actually physically harmed themselves. Some 831,000 children in England alone are living in households that have reported domestic abuse. It is the most common additional factor of need identified at the end of children's social care assessment, being identified in more than half of relevant assessments. This is a shockingly high figure. Domestic abuse has a devastating impact on young people, resulting in emotional, social, physiological and behavioural difficulties, with short-term and long-term implications. Children are always blameless in these situations, and every child deserves to live in a stable and secure home. Witnessing abuse is frightening and damaging, and it is only right that children are regarded as victims, for in this situation they clearly are, and it is a great change that is happening in this Bill. The new clause is clearly worded and gives protection to some of the most vulnerable people in society—our children.

I must also note my support for new clause 20. The existing defence in the law allows abusers to kill their partners and, by calling on the defence, to lessen their sentence. But not only does it lessen people's sentence, it also increases the abuse, pain and suffering under this rough sex defence. This is deeply distressing for the family of the murdered victim. New clause 20 removes the defence and ensures that there can be no impunity or refuge from justice for abusers, in any shape or form.

New clause 15 and new clause 20 will protect children and partners in Rother Valley and across the country. The wide-ranging and detailed nature of this Bill is a clear reminder that the Government will pursue domestic abuse wherever it exists. I am pleased that so many from across this House have been working together to make

sure that anything that can be ironed out in the Bill will be, to make sure that children are put at the heart of it. For that reason, I am proud to support these Government amendments to this transformative Bill.

Apsana Begum (Poplar and Limehouse) (Lab): I rise to speak to amendment 35 in the absence of my hon. Friend the Member for Walthamstow (Stella Creasy), who could not be here to contribute to this debate in person as her childcare needs mean that she has a proxy vote. I would like to express my appreciation to her for her work in tabling amendment 35.

Amendment 35 goes to the heart of so many cases of domestic abuse in that it makes the link between domestic abuse and misogyny. Violence against women and girls does not occur in a vacuum. Hostility towards women and girls generates a culture in which violence and abuse are tolerated and excused. Changing that means challenging not only individual acts of abuse but the very source that enables them. The gathering of evidence about the extent, nature and prevalence of hostility towards women and girls, and how that interplays with the experience of domestic abuse, is crucial to recognising these connections.

The amendment proposes to mandate police forces around the country to record misogyny as a hate crime where they are not ordinarily doing so. The mandatory collecting of data by police forces would help to assess how misogyny influences the experience of domestic abuse. Once we start to record the experiences of women victims by acknowledging, naming and recording the problem of male violence, male entitlement and gender bias together with women's reported experiences, we not only start to track perpetrators but can seek to add to our understanding of the nature of violence against women in order to work on how to end it. As my hon. Friend the Member for Canterbury (Rosie Duffield) said, for many abusers the idea of a strong, independent, successful woman is just that—an idea—but

“they do not like the reality”.—[*Official Report*, 2 October 2019; Vol. 664, c. 1273.]

Misogyny in the context of domestic abuse can present itself in an abuser characterising women other than his partner with sexist stereotypes and admonishing his partner to be different. An abuser may want his partner to dress and groom attractively or even modestly but then label her for doing so. Despite evidence from a number of police forces around the country about the benefits of adopting such an approach, the Government have not yet commented on whether all police forces should do so. I would welcome the Minister's views on that.

The Law Commission is about to launch a consultation on how to include misogyny in hate crime legislation. It is right to wait for the outcome of that work, but that should not prevent the Government from gathering data that would influence the prosecution of such a crime or recognise its place in understanding violence against women. I would welcome the Minister's views on the Government's understanding of the role of misogyny in causing violence against women and their assessment of the impact the policy has had to date in police forces where it has been enacted, such as in Nottingham. The amendment will no doubt allow women to name their experiences and let them know they will be believed when doing so.

Anthony Mangnall (Totnes) (Con): It is a privilege to speak in the debate and hear the recounted stories that so many hon. Members have brought to the House. Domestic abuse is a horrific experience; I have spoken to many of my constituents who have suffered it. However, this is a landmark Bill, and we should all be rightly proud of what is going on this afternoon.

I was sorry not to be able to contribute on Second Reading. However, I listened carefully to hon. Members from across the House, whose contributions were heartfelt and have added great weight to the Bill. I congratulate my hon. Friends the Members for Newbury (Laura Farris) and for Wyre Forest (Mark Garnier) and the Mother of the House, the right hon. and learned Member for Camberwell and Peckham (Ms Harman), on their extraordinary work in ending the perverse and unjust rough sex defence. The addition of their amendment will ensure that perpetrators can no longer escape justice from the most heinous and horrific crimes.

My reason for speaking in the debate is twofold. I do so first as chair of the all-party parliamentary group on preventing sexual violence in conflict and, secondly, because a new domestic abuse prevention group has been set up in my Totnes constituency called SASHA—support, advice, safety, help and aid. I hope my work on the former and support for the latter will be of use in tackling this issue and helping all those who, too often, suffer in silence. Much of the work that I and others have done on preventing sexual violence is based on tackling the culture of impunity, ensuring that justice is delivered, and supporting and providing the assistance that so many need. The same can be said of this Bill, which I hope will deliver for people across the country and serve as an inspiration to people around the world, with other countries following suit. I suggest we should be very proud of that.

At the start of the debate, I listened to my right hon. Friend the Member for Maidenhead (Mrs May) and the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), who spoke passionately about advertising and ensuring that people are aware of the contents of the Bill. That cannot be said enough. People must understand what the clauses do and how there will no longer be the injustice of people getting away with a flimsy defence. The Bill will end the reality of people thinking that domestic abuse is just something that occurs and that it is of a time. We can do better than that.

Covid-19 has highlighted the prevalence of domestic abuse both at home and abroad. The sad fact is that crises and conflicts only see gender-based violence increase, regardless of where someone is or where they live. The facts speak for themselves. As other hon. Members have said, 26 women and girls have been killed since the lockdown began in March. That is a tragedy in itself. The lockdown has forced people from their schools, their places of work and their social areas—essentially their refuges and places of safety—and pushed them back into the arms of abusers, behind locked doors from which they cannot call out, cry out or ask for help. Again, that is something that the Bill will deal with in its entirety. However, for every crime, how many will not be reported? For every bruise, every broken bone and every rape, how many people will not be able to come forward? That is of serious concern. We must continue to work on that.

The Bill, as I said, is a landmark piece of legislation. It does all the things in the right area. However, it is also important to note that it is the first step of many that I hope this Government and future Governments will take to ensure that we can always seek justice for those who need it. Only when victims have places of safety and perpetrators feel the full force of the law will we be able to believe that progress is being made. I see that my time is already running out, so I will just make the point that the creation of a commissioner, the new civil domestic and protection notice, and the international jurisdiction are all incredibly useful.

Alex Davies-Jones (Pontypridd) (Lab): Diolch, Madam Deputy Speaker. It is an honour to follow the hon. Member for Totnes (Anthony Mangnall), who spoke so passionately. I echo and support his calls.

It is an honour to speak on the Bill, which I know has the potential to change the lives of so many domestic abuse victims across the UK. Colleagues may be aware that I sat on the Bill Committee. We heard compelling evidence from a wide range of charities and campaign groups, including Women's Aid, Welsh Women's Aid and the Latin American Women's Rights Service. I pay tribute to them for the fantastic work they do every day, although it is of course frustrating that their services are required and relied upon by so many victims in the first place.

I also pay tribute to my fantastic colleague, my hon. Friend the Member for Canterbury (Rosie Duffield). I know that her bravery in speaking up about her personal experiences has formed the inspiration for many of our speeches today. I thank her and admire her for her courage. I hope that by speaking up I can do my bit to ensure that the experiences of domestic abuse victims remain at the forefront.

It is clear that coronavirus has confirmed and exposed what I already knew to be true, based on experiences with domestic abuse victims in my own constituency: there is simply not enough protection and support for domestic abuse victims. Since December, my team and I have dealt with more cases of domestic abuse than I ever imagined possible. It feels as though domestic abuse is seen by many people as a hidden offence, something that happens in the newspapers, behind closed doors or somewhere else, but not to people on our doorsteps. The harsh reality is that domestic abuse is a very present threat to so many individuals in so many households. It is happening right now, right this minute.

Ultimately, 10 years of Tory austerity has impacted the ability of local authorities to fund the specialist services that support survivors of domestic abuse. I welcome the Bill, but it must go further to provide equal protection for all victims of domestic abuse: men, women and children. A one-size-fits-all approach to tackling domestic abuse will prolong the suffering of victims, so it is vital that we use this opportunity to ensure that the Bill commits to a co-ordinated cross-Government response to domestic abuse. The Bill must deliver the changes that survivors urgently need in all areas of their lives, from housing to healthcare, from immigration access to justice and to welfare reform.

The changes simply must apply to migrant women, who we know face a unique set of acute barriers when seeking support, coupled with the Home Office hostile environment. Migrant women face the unique threat of

[Alex Davies-Jones]

having their immigration status used as a form of coercive control, which may prevent them from seeking support. I find it hugely concerning that more than half the police forces in England and Wales confirmed, in response to freedom of information requests, that they share victims' details with the Home Office for immigration control purposes. Surely it is our duty to protect victims. They should be prioritised ahead of and above immigration action.

I would also like to take this opportunity to pay tribute to the fantastic work of Laura Richards and others for all their hard work in relation to new clause 33. Colleagues may be aware that domestic abuse currently costs society at least £66 billion a year, yet that estimate does not include stalking or the psychological impact of stalking. Therefore, the cost is likely to be much, much higher. It is clear that we could save the lives of many, if only the violent histories of domestic abuse perpetrators were actively joined-up. It is vital that our police, prison and probation services are able to identify, assess and manage serial and serious domestic violence perpetrators and stalkers ahead of their committing an offence. The Bill presents a real opportunity to better protect victims, intervene and prevent further abuse, but it does fall short of committing to a multi-agency problem-solving approach by statutory agencies.

To conclude, public protection must be at the forefront. Our current incident-led approach to patterned offences such as domestic abuse and stalking is costly with people's lives, especially for victims.

Sara Britcliffe (Hyndburn) (Con): After giving my maiden speech on the Second Reading of this landmark Bill, I would like to acknowledge the cross-party work since then in Committee that will rightly protect so many. I recognise the courage it will have taken for Members across this House to speak of their own experiences and for every victim who has come forward, including my constituents. They have shaped the Bill.

8.30 pm

I will use the short time I have to talk about new clause 15. Home should be a safe place for children—a place of comfort, where they have the support of parents who love and protect them; a place free from violence. On Second Reading, my hon. Friend the Member for Bolsover (Mark Fletcher) spoke about his personal experience, reducing me and many others to tears. His bravery in standing up in this House was inspirational, and his words will have rung true for many. The fear felt by children in those circumstances is unimaginable, as is the feeling of helplessness and being unable to intervene. Children really are the hidden victims, and they need the law to protect them. Action for Children rightly states that making these changes could help thousands of children, and analysis by the Children's Commissioner shows that 831,000 children in England are living in households that report domestic abuse. It is the most common additional factor of need identified at the end of social care assessments of children in need, and was identified in more than half of relevant assessments in 2018-19. The Bill must reflect the fact that children are also victims of domestic abuse who need support, and new clause 15 would do that.

I would like to take a moment to thank Nicole Jacobs, the domestic abuse commissioner. Services in my constituency have informed me that the commissioner has made a tremendous difference in ensuring that resources get to the frontline. I also wholeheartedly thank frontline charities such as the Emily Davison Centre in Hyndburn, the first ending violence against women and girls hub in the UK.

I am glad that the Bill emphasises that domestic abuse is not just physical violence, but that it can be emotional, coercive, controlling or economic abuse. That definition is in place for all the victims who felt that their concerns were not legitimate when their partner constantly criticised or humiliated them, making them believe that that criticism was the truth. The Bill is for those who have worried that what they are having to go through does not constitute abuse when awful comments are made to them and then quickly legitimised by a short apology, or when someone is constantly told by their partner that they are not good enough and all their successes are trivialised. It is for victims who have been accused of doing something wrong, then left for days on end to think over what they have done, with all forms of contact withdrawn while they mull it over. It is for those who are made to believe that every single thing that happens in their relationship and every fault is somehow their fault, and every action taken by their partner is a consequence of something they have done wrong. It is for those who have been gaslighted so often that their sense of self has become so eroded that they begin to believe that they are the problem and that this is normal. The Bill says to those victims, "No, it isn't your fault. It isn't you, and it isn't right," and it gives them the support they need to get out. That is why I wholeheartedly welcome the Bill and all the work that has been done to make sure that we can keep the millions of victims safe and support the survivors of this horrendous crime.

Abena Opong-Asare (Erith and Thamesmead) (Lab): Thank you, Madam Deputy Speaker, for the opportunity to speak on such an important subject. In the weeks and months to come, this House will debate the economic recovery from covid-19, and the decisions will mainly affect women. The poor financial situation of women is one of the main factors contributing to the difficulty of leaving an abusive relationship. Today, we have a chance to create a more secure future for the millions of women at risk of domestic abuse across the UK. It is our duty as representatives to understand the environment in which domestic abuse is allowed to manifest and thrive, and to create legislation to protect victims from that environment.

I represent constituents in the London boroughs of Greenwich and Bexley. In 2018-19, the London borough of Greenwich had the highest volume of domestic abuse offences across London. In 2019, Bexley borough reported an 8.5% increase in domestic abuse offences. Such offences, which already number in the thousands in Greenwich and Bexley, are likely to have increased during the covid-19 period. By April 2020, the Met had reported a 24% rise in domestic violence across London and warned that the true extent of offending was likely to be greater. Women in low-income households are 3.5 times more likely to experience domestic violence. While everyone across the UK will feel the financial impacts of covid-19, women will face an increased risk

of financial difficulties and be at more risk of domestic abuse, which is why it is so important that we support the Bill today.

In my constituency of Erith and Thamesmead, women's median earnings are 40% lower than men's. Some 75% of women's income in my constituency is absorbed by the median private rent cost, compared with 44% of men's. If single women are priced out of renting in Erith and Thamesmead, how will they feel financially able to leave an abusive relationship? If women cannot afford basic necessities for themselves and their children due to mainly low-paid or insecure work, how will they feel financially able to leave an abusive relationship? If women are more likely to lose their jobs due to covid-19 and face financial instability, how will they feel able to leave an abusive relationship? The answer is that they will not and many do not.

We have a responsibility in this House to support these new measures to protect victims of domestic violence at a time when there is likely to be an increase in offences. Those measures include secure lifetime tenancies in English housing authorities, which will remove the barriers that prevent victims from leaving their existing social housing tenancy and support them to remain in homes that the perpetrator has left. There is also the framework for the new domestic abuse commissioner to hold public authorities to account and the statutory definition of domestic abuse that will allow victims to report abusive behaviour that may prevent them from leaving a harmful situation, such as control over their finances.

I call on Members to support new clause 22, on access to public funds for survivors of domestic abuse, which would ensure that victims get the vital support and services that they need to escape abuse, regardless of their immigration status. I also call on Members to support new clause 23, which would introduce a duty to commission sufficient specialist domestic abuse services for all victims of domestic abuse so that all victims can receive support within their home, community or local refuge.

Virginia Crosbie (Ynys Môn) (Con): I thank the hon. Member for Erith and Thamesmead (Abena Oppong-Asare) for her courage in speaking up for victims of domestic abuse and my hon. Friend the Member for Brecon and Radnorshire (Fay Jones), who spoke so passionately on behalf of victims in Committee.

When it was introduced, the Domestic Abuse Bill was a groundbreaking piece of UK legislation. The Government have followed through on their commitment to update and future-proof the law by bringing this enhanced Bill to the House. In preparation for my role on the Bill Committee, I spoke with representatives of Gorwel to understand how domestic abuse presents itself in my constituency. Gorwel, which means "horizon", provides support services for up to 500 victims of domestic violence and homelessness every week across north Wales. From my discussions with them, and my previous work with other support services, it is clear that domestic abuse cuts through every cultural, social and gender divide.

In Committee, we heard horrific evidence of violence and abuse. We sought to clarify and understand where support is most needed and how it can best be provided. The Bill is backed up with genuine funding to help our authorities tackle this horrendous offence. It provides the most comprehensive package of protection for victims of domestic abuse ever seen in the UK.

The Committee recognised, too, that there are some areas in which there are significant gaps in data and where more work is required to understand the best ways to support specific groups of victims, such as migrant victims. We heard much evidence from groups such as Southall Black Sisters and discussed the matter at length in Committee. We know that some migrant victims have no recourse to public funds and may not be eligible for the destitution domestic violence concession. The Government have already provided more than £1 million of support for those victims through the tampon tax fund. However, it is a complex and nuanced area of concern, with a wide variety of associated issues, such as immigration, trafficking, child protection and asylum.

We identified that there are still significant gaps in our understanding of the needs of the group. I therefore welcome the Government's announcement of a £1.5 million pilot project, which will not only support migrant victims to find safe accommodation and services, but will be designed to assess gaps in provision and gather robust data to inform future funding. Improving our understanding of the needs of migrant victims will allow the Government to invest public money in providing appropriate support mechanisms that are fit for purpose.

I entered politics to help those who have no voice, and this landmark legislation has allowed me to do just that. It has been an honour to sit on the Domestic Abuse Bill Committee, and I am proud of the difference that the Government are making to the lives of people all across the UK.

Madam Deputy Speaker (Dame Eleanor Laing): The next Member on the list has withdrawn, so we go directly to Laura Trott.

Laura Trott (Sevenoaks) (Con): I pay tribute to all those who have contributed to the Bill. I am relatively new to the House, but cross-party working on matters that will make a real difference to people's lives is exactly why I wanted to be here.

I wish to speak to new clause 20, make a brief mention of new clause 28, and then say a word about parental alienation. First, on new clause 20, I join the wholehearted praise for my hon. Friends the Members for Wyre Forest (Mark Garnier) and for Newbury (Laura Farris), and for the Mother of the House, the right hon. and learned Member for Camberwell and Peckham (Ms Harman).

The legislation we will pass today is too late for Natalie Connolly, although I hope it will bring some comfort to her family. It is shameful that the perpetrator was given three years and eight months for what he did to Natalie, but it is not too late for the many other victims. It is important to note that new clause 20 is about serious harm, not just murder. The Centre for Women's Justice has worked on numerous cases that have been dropped due to the rough sex defence. I very much hope that those cases can be looked at again and that the CPS will open itself up to bringing cases forward. I cannot imagine how hard it is for someone to go through the process of going to the police and reporting the case, only to be told that because of rough sex their experience is not valid. We must make sure that never happens again for any victim and that the cases of people who have gone through it can be addressed. I really hope that the CPS will do something about that.

[*Laura Trott*]

I understand why new clause 28 was tabled and strongly support the review announced from the Government Front Bench announced earlier. The hon. Member for Kingston upon Hull North (Dame Diana Johnson) made an important point about access to the provision of abortion, particularly for people who are victims of domestic violence. It is true to say that access to abortion services is not the same as access to GPs, and that should be the case. We all know that when someone takes abortion pills the effects can be quite dramatic and quite quick. It is important that women are very close to abortion services, to allow dignity in a process that can be so difficult for so many. I hope that that is considered as part of the review.

On parental alienation, which was raised earlier by my hon. Friend the Member for Shipley (Philip Davies), we need to be very careful, as I know those on the Front Bench will be. Parental alienation is brought up quite frequently in the divorce process and is something in respect of which there is a huge amount of conflict. I am nervous about bringing it into the definition of domestic violence, because I worry that it will add something else that will bring conflict to a process in which there are already so many issues. I know that those on the Front Bench are conscious of that, but I nevertheless urge that we really should tread very carefully in that respect.

I will conclude—because I know that I have to. We are all worried about the rise in domestic violence that has happened during the covid-19 process. I hope that what has happened with this Bill today will send a strong message to the country that this House will not tolerate it and we will act to address it.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Eleanor Laing): Order. I am afraid there is very little time left, so I have to tell everyone except the next speaker that they will not have the chance to speak this evening. I am sure you will all have worked that out.

Ruth Jones (Newport West) (Lab): I am grateful to be able to take part in this debate and say a few words on behalf of the many people in Newport West who have written to me about the Bill in recent days.

It is important for us all to acknowledge that domestic abuse is a serious and widespread issue that primarily affects women and children. There are 2.4 million victims each year, and in England and Wales two women a week are killed by a partner or former partner. From representations made to me by constituents in Newport West, including Rob, I know that men are also victims of domestic abuse and need and deserve our support too.

The Government's own figures state that domestic abuse costs taxpayers in Newport West and throughout the UK £66 billion a year. The wonderful charity Women's Aid, to which I pay tribute for its work and campaigning, estimates that £393 million is needed for domestic abuse services annually. When winding up the debate, I hope the Minister will reassure my constituents that the domestic abuse sector will get the adequate long-term funding required by diverse specialist services. That funding must be allocated now.

8.45 pm

I want us to protect the mother, the father and the children in Newport West. I want us to protect the migrant woman who has sought peace and safety in the UK. I want our laws to be a leading example on the world stage. As with the response to covid-19, for us to tackle domestic violence and abuse and show its perpetrators that they will no longer get away with their actions, there must be a co-ordinated, cross-Government response. To be truly transformative, this legislation must deliver the changes survivors urgently need in housing, healthcare, the immigration system, welfare reform and the family courts.

In drawing my remarks and this debate to a close, I pay tribute to the many brilliant women and men on the Labour Benches who have championed this piece of legislation and shown compassion and leadership on these issues. I think of my hon. Friends the Members for Birmingham, Yardley (Jess Phillips), for Swansea East (Carolyn Harris) and for Canterbury (Rosie Duffield), my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott), and others who have now left the House: Paula Sherriff, Vernon Coaker and Ruth George. I also pay tribute to my constituency neighbour and honorary sister, my hon. Friend the Member for Torfaen (Nick Thomas-Symonds), for all his efforts in bringing the Bill back to this House. However, my final tribute goes to Rachel Williams from my constituency, who endured domestic abuse from her husband for many years. He finally took a shotgun to the hairdressing salon where she was working and shot her twice. Fortunately, Rachel survived and now campaigns to help other victims. She is the epitome of a strong survivor.

One in four women experience domestic abuse in their lifetime. Two women a week are killed at the hands of their partner or ex-partner. Three women a week die by suicide as a result of the abuse they have experienced. Two million people experience domestic abuse in England and Wales every year. I make no apology for restating those shocking statistics, but let them remind us all why we are here. With a strong Domestic Abuse Bill, strengthened on Report, we will be able to prove that inaction, apathy and ignorance will finally come to an end once and for all.

Victoria Atkins: It is fair to say there were moments in the past two and a half years when I did not quite believe that I would be able to stand at the Dispatch Box and deliver the winding-up of the Bill's Report stage, so it is a genuine pleasure to be here doing exactly that.

We have seen extraordinary contributions from across the House, not just in this debate but over the history of this Bill and its progress through Parliament. We have heard from Members who have bravely given their own experiences of the abuse they themselves suffered, whether that was the hon. Member for Canterbury (Rosie Duffield), who moved us all on Second Reading in October last year or, indeed, my hon. Friend the Member for Bolsover (Mark Fletcher), who brought to the Chamber his own experiences as a child living in an abusive household. Those are but two examples; there are, sadly, many, many more examples we have heard, both through the direct experience of colleagues, but also through the experiences we have all tried to bring into the Chamber.

There are people we know as soon as their names are said—names such as Clare, Rachel and Holly. We know their stories. If one thing can be drawn from today's debate and the progress of this Bill, it is that we do not just talk about them and the experiences they endured and the experiences that were forced on them, but that we talk about the legacy their lives have had. Their legacy is written throughout this Bill.

As the Minister, I have to, of course, try to respond to the many points that have been made in the debate, and I apologise that I simply will not be able to do so. To give some indication of just how much cross-Government working there has been on the Bill, as well as the work in Parliament, there are now seven Departments—and counting—working on it. During briefing sessions for the Committee sage, the officials briefing me had to have a queueing system because they could not all fit on a conference call. That gives an idea of how many people have been involved in the Bill, and I thank each and every one of them, because I will not have the honour of doing so on Third Reading.

I will jump now to some of the substance of today's debate. The hon. Member for Birmingham, Yardley (Jess Phillips) and many Opposition Members, as well as my right hon. Friends the Members for Maidenhead (Mrs May) and for Basingstoke (Mrs Miller) and the hon. Member for Edinburgh West (Christine Jardine), raised—understandably and rightly—support for migrant victims. I reiterate the Government's commitment to helping victims and to the support for migrant victims scheme, which I announced on Second Reading. We expect to make announcements in the summer about this. We will be working with charities. We are working with the domestic abuse commissioner—I spoke to her about this only on Friday. We want this scheme to have the trust and involvement of everyone who is as concerned about migrant victims as we are. We are aiming to publish the framework of the scheme ahead of Lords Second Reading, and we very much hope that everyone will feel able to support it.

Jess Phillips: If the approximately 3,630 women who we imagine might want to access this scheme a year breaches the £1.5 million that the Government have allocated, will the Government turn people away, or will they make more funds available?

Victoria Atkins: The hon. Lady has rather set out the problem we have, which is measuring the number of women. She will know that we already help around 2,500 women under the DDVC. She will also be aware that, alongside the pilot project, we have the tampon tax funding, which is continuing. I very much see the two schemes running in tandem.

The hon. Member for Edinburgh West has tabled new clause 27, which concerns the firewall. She will know that the police are facing a super-complaint relating to police data sharing for immigration purposes and that there is a judicial review outstanding. Obviously, we have to wait for those cases, but in the meantime we are working with the National Police Chiefs' Council to ensure that the guidance it issues does the job that is required, so I ask her not to press the new clause.

Members across the House dealt with new clause 23. We all want to support domestic abuse victims and their children, regardless of where they reside. We must, however, ensure that any new statutory duties are properly

considered, costed and robust. The new duty on tier 1 local authorities in part 4 of the Bill is the product of extensive consultation and engagement with local authorities and sector organisations. The same cannot be said of new clause 23. The Government are committed to gathering this evidence, and I am grateful to the domestic abuse commissioner for agreeing to lead an in-depth investigation on this. We have to be able to understand where services are and are not provided, to identify best practice and to consult fully with our charities, local authorities and other important parties before considering any statutory commitments. Any new duty must also be properly costed, taking into account existing provision. We expect the commissioner to set out her recommendations in a report under clause 7, and as those who have been following closely will know, we and others will then have 56 days in which to respond. We will act on this, and we will respond promptly.

Chris Bryant: Will the Minister give way?

Victoria Atkins: If I may, I will make some progress.

The hon. Member for Birmingham, Yardley in particular raised new clause 24, and she urged us to act on this—we are doing so. Alongside publishing the family harms panel report, we published the Government's implementation plan for that report. The Under-Secretary of State for Justice, my hon. Friend the Member for Cheltenham (Alex Chalk), is acting on the advice of the panel, which gave careful consideration to the issue of the presumption of contact. The panel concluded that an urgent review of the presumption should be undertaken—it did not conclude that we should legislate immediately. My hon. Friend is beginning this work. He is convening the Family Justice Board this month, and we hope and anticipate that this work will be completed by the end of the year. We share the sense of urgency, and we will act on it.

The right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), the Chair of the Home Affairs Committee, raised new clauses 32 and 33, and new clause 21 has also been raised during the debate. On new clause 21, there was compelling testimony from several witnesses who gave evidence in Committee against the introduction of a separate register, as proposed in new clause 21, because that might diminish, rather than increase, safety. However, we are very conscious of the concerns that the right hon. Lady and others have raised.

We continue to work to keep the effectiveness of risk management processes under regular review, as well as to modify the processes in accordance with emerging evidence and good practice. For example, the College of Policing is testing a revised domestic abuse risk assessment process, with a view to rolling out an improved model across all police forces. Individual forces are also trialling enhanced risk assessment models, and there will be an evaluation of the new stalking protection orders as well. So there is work to be done, and we will very much keep it under review.

My right hon. Friends the Members for Romsey and Southampton North (Caroline Nokes) and for Basingstoke both raised important cases of threats to disclose—indeed, my hon. Friend the Member for Rushcliffe (Ruth Edwards) raised this as well—and we very much understand their concerns. Threats to disclose, regardless of the connection

[Victoria Atkins]

between the offender and the victim, can in many circumstances already be captured by a range of offences. However, the Law Commission is conducting a review of the law relating to the non-consensual taking and sharing of intimate images with a view to assessing the currency of the law. In the meantime, we are working with the College of Policing to ensure that the police have all the information they need to make the right charges and arrests, where appropriate.

Chris Bryant: Will the Minister give way?

Victoria Atkins: I will in a moment, if I may.

The hon. Member for Kingston upon Hull North (Dame Diana Johnson) introduced new clause 28, and may I thank the House for its thoughtful consideration of this new clause? As I set out earlier, the Government consider that the right way forward is to undertake a public consultation on whether to make permanent the current covid-19 measure allowing for home use of early medical abortion pills up to 10 weeks' gestation for all eligible women. In answer to the question she asked earlier, I can confirm that we will keep the current covid-19 measures in place until the public consultation concludes and a decision has been made. I understand that the hon. Lady has been good enough to indicate that, in those circumstances, she will not push the new clause to a vote. I thank her and other Members for their consideration and their responses.

Very quickly, my hon. Friend the Member for Congleton (Fiona Bruce) and my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes) raised important issues regarding research. As Minister for Women, I commissioned research into the impact of pornography on attitudes towards women and girls. This research is to be published soon, so I invite my hon. Friend and other hon. Members who are concerned about this to save their fire for the online harms White Paper and the research that will be published. Again, of course the Government will keep under review the concerns that my right hon. Friend raised in relation to the circumstances of domestic abuse.

Chris Bryant *rose*—

Victoria Atkins: I know that the hon. Gentleman wants to intervene—very quickly.

Chris Bryant: The Minister knows perfectly well that I do not want to divide the House on my amendments, because I want the whole of the House to be supporting women who have suffered acquired brain injury. Will she simply guarantee that she will meet me and other Members of the group before this goes to the House of Lords so that we can clear up any misunderstandings there may have been?

Victoria Atkins: Yes. I am extremely grateful to the hon. Gentleman.

If I may, I am going to gallop to the finish. I thank all hon. Members for their contributions—whether remotely, or they are not even here at all—such as those of the right hon. and learned Member for Camberwell and Peckham (Ms Harman) and my hon. Friends the Members for Wyre

Forest (Mark Garnier) and for Newbury (Laura Farris), who talked so movingly and rightly about the consequences of the rough sex provisions.

May I sum up by saying that this Bill is not just for the victims that we have heard about in this Chamber? It is for the victims that we have not been able to help in the past and it is for preventing the harm to victims in the future, including children, that we bring this Bill forward. This is a Bill in which we can all take pride. We are doing some great work with this, and I thank each and every hon. Member for their help in getting us to this stage.

9 pm

Debate interrupted (Programme Order, 28 April).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E). That the clause be read a Second time.

Question put and agreed to.

New clause 15 accordingly read a Second time, and added to the Bill.

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 16

SPECIAL MEASURES IN FAMILY PROCEEDINGS: VICTIMS OF DOMESTIC ABUSE

(1) This section applies where rules of court provide that the court may make a special measures direction in relation to a person (“P”) who is a party or witness in family proceedings.

(2) Rules of court must provide that where P is, or is at risk of being, a victim of domestic abuse carried out by a person listed in subsection (3), it is to be assumed that the following matters are likely to be diminished by reason of vulnerability—

- (a) the quality of P's evidence;
- (b) where P is a party to the proceedings, P's participation in the proceedings.
- (3) The persons referred to in subsection (2) are—
 - (a) a party to the proceedings;
 - (b) a relative of a party to the proceedings (other than P);
 - (c) a witness in the proceedings.

(4) Rules of court may provide for an exception to the provision made by virtue of subsection (2) where P does not wish to be deemed to be eligible for the making of a special measures direction by virtue of that subsection.

(5) In this section—

“family proceedings” has the meaning given by section 75(3) of the Courts Act 2003;

“relative” has the meaning given by section 63(1) of the Family Law Act 1996;

“special measures” means such measures as may be specified by rules of court for the purpose of assisting a person to give evidence or participate in proceedings;

“special measures direction” means a direction by the court granting special measures.”.—(*Victoria Atkins.*)

This new clause would ensure that victims of domestic abuse are automatically eligible for access to special measures in family proceedings without the need for any determination of the victim's vulnerability

Brought up, and added to the Bill.

New Clause 17

SPECIAL MEASURES IN CIVIL PROCEEDINGS: VICTIMS OF SPECIFIED OFFENCES

(1) Rules of court must make provision enabling the court to make a special measures direction in relation to a person who is a party or witness in civil proceedings where that person is the victim, or alleged victim, of a specified offence.

(2) Rules made by virtue of subsection (1) must, in particular, provide for the court to consider—

(a) whether—

(i) the quality of the person's evidence, or

(ii) where the person is a party to the proceedings, the person's participation in the proceedings, is likely to be diminished by reason of vulnerability, and

(b) if so, whether it is necessary to make one or more special measures directions.

(3) For the purposes of this section—

(a) a person is the victim of a specified offence if another person has been convicted of, or given a caution for, the offence;

(b) a person is the alleged victim of a specified offence if another person has been charged with the offence.

(4) In this section—

“civil proceedings” means—

(a) proceedings in the county court,

(b) proceedings in the High Court, other than—

(i) proceedings in the Family Division of the High Court which are business assigned, by or under section 61 of (and Schedule 1 to) the Senior Courts Act 1981, to that Division of the High Court and no other, and

(ii) proceedings in the exercise of its jurisdiction under the Extradition Act 2003, and

(c) proceedings in the civil division of the Court of Appeal;

“special measures” means such measures as may be specified by rules of court for the purpose of assisting a person to give evidence or participate in proceedings;

“special measures direction” means a direction by the court granting special measures;

“specified offence” means an offence which is specified, or of a description specified, in regulations made by the Lord Chancellor.”—
(*Victoria Atkins.*)

This new clause would ensure that victims of certain offences have access to special measures in civil proceedings where their vulnerability is likely to diminish the quality of their evidence, or otherwise affect their ability to participate in the proceedings.

Brought up, and added to the Bill.

New Clause 18

PROHIBITION OF CROSS-EXAMINATION IN PERSON IN CIVIL PROCEEDINGS

In the Courts Act 2003, after Part 7 insert—

PART 7A

CIVIL PROCEEDINGS: PROHIBITION OF CROSS-EXAMINATION IN PERSON

85E Prohibition of cross-examination in person: introductory

In this Part—

“civil proceedings” means—

(a) proceedings in the county court,

(b) proceedings in the High Court, other than—

(c) proceedings in the civil division of the Court of Appeal arising out of civil proceedings within paragraph (a) or (b);

“witness”, in relation to any proceedings, includes a party to the proceedings.

85F Direction for prohibition of cross-examination in person

(1) In civil proceedings, the court may give a direction prohibiting a party to the proceedings from cross-examining (or continuing to cross-examine) a witness in person if it appears to the court that—

(a) the quality condition or the significant distress condition is met, and

(b) it would not be contrary to the interests of justice to give the direction.

(2) The “quality condition” is met if the quality of evidence given by the witness on cross-examination—

(a) is likely to be diminished if the cross-examination (or continued cross-examination) is conducted by the party in person, and

(b) would be likely to be improved if a direction were given under this section.

(3) The “significant distress condition” is met if—

(a) the cross-examination (or continued cross-examination) of the witness by the party in person would be likely to cause significant distress to the witness or the party, and

(b) that distress is likely to be more significant than would be the case if the witness were cross-examined other than by the party in person.

(4) A direction under this section may be made by the court—

(a) on an application made by a party to the proceedings, or

(b) of its own motion.

(5) In determining whether the quality condition or the significant distress condition is met in the case of a witness or party, the court must have regard to, among other things—

(a) any views expressed by the witness as to whether or not the witness is content to be cross-examined by the party in person;

(b) any views expressed by the party as to whether or not the party is content to cross-examine the witness in person;

(c) the nature of the questions likely to be asked, having regard to the issues in the proceedings;

(d) any conviction or caution of which the court is aware for an offence committed by the party in relation to the witness;

(e) any conviction or caution of which the court is aware for an offence committed by the witness in relation to the party;

(f) any behaviour by the party in relation to the witness in respect of which the court is aware that a finding of fact has been made in the proceedings or any other proceedings;

(g) any behaviour by the witness in relation to the party in respect of which the court is aware that a finding of fact has been made in the proceedings or any other proceedings;

(h) any behaviour by the party at any stage of the proceedings, both generally and in relation to the witness;

(i) any behaviour by the witness at any stage of the proceedings, both generally and in relation to the party;

(j) any relationship (of whatever nature) between the witness and the party.

(6) Any reference in this section to the quality of a witness's evidence is to its quality in terms of completeness, coherence and accuracy.

(7) For this purpose “coherence” refers to a witness's ability in giving evidence to give answers which—

(a) address the questions put to the witness, and

(b) can be understood, both individually and collectively.

85G Directions under section 85F: supplementary

(1) A direction under section 85F has binding effect from the time it is made until the witness in relation to whom it applies is discharged.

(2) But the court may revoke a direction under section 85F before the witness is discharged, if it appears to the court to be in the interests of justice to do so, either—

- (a) on an application made by a party to the proceedings, or
- (b) of its own motion.

(3) The court may revoke a direction under section 85F on an application made by a party to the proceedings only if there has been a material change of circumstances since—

- (a) the direction was given, or
- (b) if a previous application has been made by a party to the proceedings, the application (or the last application) was determined.

(4) The court must state its reasons for—

- (a) giving a direction under section 85F;
- (b) refusing an application for a direction under section 85F;
- (c) revoking a direction under section 85F;
- (d) refusing an application for the revocation of a direction under section 85F.

85H Alternatives to cross-examination in person

(1) This section applies where a party to civil proceedings is prevented from cross-examining a witness in person by virtue of a direction under section 85F.

(2) The court must consider whether (ignoring this section) there is a satisfactory alternative means—

- (a) for the witness to be cross-examined in the proceedings, or
- (b) of obtaining evidence that the witness might have given under cross-examination in the proceedings.

(3) If the court decides that there is not, the court must—

- (a) invite the party to the proceedings to arrange for a qualified legal representative to act for the party for the purpose of cross-examining the witness, and
- (b) require the party to the proceedings to notify the court, by the end of a period specified by the court, of whether a qualified legal representative is to act for the party for that purpose.

(4) Subsection (5) applies if, by the end of the period specified under subsection (3)(b), either—

- (a) the party has notified the court that no qualified legal representative is to act for the party for the purpose of cross-examining the witness, or
- (b) no notification has been received by the court and it appears to the court that no qualified legal representative is to act for the party for the purpose of cross-examining the witness.

(5) The court must consider whether it is necessary in the interests of justice for the witness to be cross-examined by a qualified legal representative appointed by the court to represent the interests of the party.

(6) If the court decides that it is, the court must appoint a qualified legal representative (chosen by the court) to cross-examine the witness in the interests of the party.

(7) A qualified legal representative appointed by the court under subsection (6) is not responsible to the party.

(8) For the purposes of this section—

- (a) a reference to cross-examination includes a reference to continuing to conduct cross-examination;
- (b) “qualified legal representative” means a person who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to an activity which constitutes the exercise of a right of audience (within the meaning of that Act) in civil proceedings.

85I Costs of legal representatives appointed under section 85H(6)

(1) The Lord Chancellor may by regulations make provision for the payment out of central funds of sums in respect of—

- (a) fees or costs properly incurred by a qualified legal representative appointed under section 85H(6), and
- (b) expenses properly incurred in providing such a person with evidence or other material in connection with the appointment.

(2) The regulations may provide for sums payable under subsection (1) to be determined by the Lord Chancellor or such other person as the regulations may specify.

(3) The regulations may provide for sums payable under subsection (1)—

- (a) to be such amounts as are specified in the regulations;
- (b) to be calculated in accordance with—
 - (i) a rate or scale specified in the regulations, or
 - (ii) other provision made by or under the regulations.

(4) Regulations under this section may make different provision for different purposes.

85J Guidance for legal representatives appointed under section 85H(6)

(1) The Lord Chancellor may issue guidance in connection with the role which a qualified legal representative appointed under section 85H(6) in connection with any civil proceedings is to play in the proceedings, including (among other things) guidance about the effect of section 85H(7).

(2) A qualified legal representative appointed under section 85H(6) must have regard to any guidance issued under this section.

(3) The Lord Chancellor may from time to time revise any guidance issued under this section.

(4) The Lord Chancellor must publish—

- (a) any guidance issued under this section, and
- (b) any revisions of that guidance.”—(*Victoria Atkins.*)

This new clause would enable a court in civil proceedings to give a direction prohibiting a party to the proceedings from cross-examining a witness in person, where either the quality of the witness's evidence would otherwise be diminished, or such cross-examination would be likely to cause significant distress to the witness or party. Where such a direction is given, the court will be able to appoint a legal representative to conduct the cross-examination.

Brought up, and added to the Bill.

New Clause 20

CONSENT TO SERIOUS HARM FOR SEXUAL GRATIFICATION NOT A DEFENCE

‘(1) This section applies for the purposes of determining whether a person (“D”) who inflicts serious harm on another person (“V”) is guilty of a relevant offence.

(2) It is not a defence that V consented to the infliction of the serious harm for the purposes of obtaining sexual gratification (but see subsection (4)).

(3) In this section—

“relevant offence” means an offence under section 18, 20 or 47 of the Offences Against the Person Act 1861 (“the 1861 Act”);

“serious harm” means—

- (a) grievous bodily harm, within the meaning of section 18 of the 1861 Act,
- (b) wounding, within the meaning of that section, or
- (c) actual bodily harm, within the meaning of section 47 of the 1861 Act.

(4) Subsection (2) does not apply in the case of an offence under section 20 or 47 of the 1861 Act where—

- (a) the serious harm consists of, or is a result of, the infection of V with a sexually transmitted infection in the course of sexual activity, and

(b) V consented to the sexual activity in the knowledge or belief that D had the sexually transmitted infection.

(5) For the purposes of this section it does not matter whether the harm was inflicted for the purposes of obtaining sexual gratification for D, V or some other person.

(6) Nothing in this section affects any enactment or rule of law relating to other circumstances in which a person's consent to the infliction of serious harm may, or may not, be a defence to a relevant offence.”—(*Victoria Atkins.*)

This new clause legislates for the principle (established in the case of R. v. Brown [1993] 2 W.L.R. 556) that, for the purposes of determining whether someone is guilty of an offence under section 18, 20 or 47 of the Offences Against the Person Act 1861, a person may not consent to the infliction of serious harm for the purposes of obtaining sexual gratification. The clause also reflects the exception for cases involving the transmission of sexually transmitted infections, established by the cases of R. v. Dica [2004] 3 All ER 593 and R. v. Konzani [2005] EWCA Crim 706).

Brought up, and added to the Bill.

New Clause 22

RECOURSE TO PUBLIC FUNDS FOR DOMESTIC ABUSE SURVIVORS

(1) The Immigration Acts are amended as follows.

(2) In section 115 of the Immigration and Asylum Act 1999 after subsection (10) insert—

“(11) This section does not apply to a person who is a victim of domestic abuse in the United Kingdom who provides evidence in one or more of the forms set out in section [Recourse to public funds for domestic abuse survivors] of the Domestic Abuse Act 2020.”

(3) In paragraph 2(1) of Schedule 3 to the Nationality, Immigration and Asylum Act 2002 after sub-paragraph (b) insert—

“(ba) to a person who is a victim of domestic abuse in the United Kingdom who provides evidence in one or more of the forms set out in section [Recourse to public funds for domestic abuse survivors] of the Domestic Abuse Act 2020, or”.

(4) In section 21 of the Immigration Act 2014 at the end of subsection (3) insert “or if P is a victim of domestic abuse”.

(5) In section 3 of the Immigration Act 1971 after subsection (1) insert—

“(1A) The Secretary of State may not make or maintain a condition under subsection (1)(c)(ii) on leave granted to a victim of domestic abuse in the United Kingdom who provides evidence in one or more of the forms set out in section [Recourse to public funds for domestic abuse survivors] of the Domestic Abuse Act 2020; and it is not a breach of the immigration laws or rules for such a victim to have recourse to public funds.”

(6) For the purposes of this section, evidence that a person is a victim of domestic abuse may consist of one or more of the following—

- (a) a relevant conviction, police caution or protection notice;
- (b) a relevant court order (including without notice, ex parte, interim or final orders), including a non-molestation undertaking or order, occupation order, domestic abuse protection order, forced marriage protection order or other protective injunction;
- (c) evidence of relevant criminal proceedings for an offence concerning domestic violence or a police report confirming attendance at an incident resulting from domestic abuse;
- (d) evidence that a victim has been referred to a multi-agency risk assessment conference;
- (e) a finding of fact in the family courts of domestic abuse;
- (f) a medical report from a doctor at a UK hospital confirming injuries or a condition consistent with being a victim of domestic abuse;

(g) a letter from a General Medical Council registered general practitioner confirming that he or she is satisfied on the basis of an examination that a person had injuries or a condition consistent with those of a victim of domestic abuse;

(h) an undertaking given to a court by the alleged perpetrator of domestic abuse that he or she will not approach the applicant who is the victim of the abuse;

(i) a letter from a social services department confirming its involvement in providing services to a person in respect of allegations of domestic abuse;

(j) a letter of support or a report from a domestic abuse support organisation; or

(k) other evidence of domestic abuse, including from a counsellor, midwife, school, witness or the victim.

(7) For the purposes of this section—

“domestic abuse” has the same meaning as in section 1 of the Domestic Abuse Act 2020;

“victim” includes the dependent child of a person who is a victim of domestic abuse.

(8) Within 12 months of this Act being passed, the Secretary of State must commission a review into the operation of the provisions in this section.

(9) The Secretary of State must lay before Parliament a report setting out the findings of the review.”—(*Jess Phillips.*)

This new clause seeks to ensure that certain provisions under the Immigration Acts – including exclusion from public funds, certain types of support and assistance and the right to rent – do not apply to survivors of domestic abuse. There will be a review into the operation of this provision.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 207, Noes 330.

Division No. 72]

[9.1 pm

AYES

Abbott, rh Ms Diane	Corbyn, rh Jeremy
Abrahams, Debbie	Coyle, Neil
Ali, Rushanara	Creasy, Stella
Ali, Tahir	Cruddas, Jon
Allin-Khan, Dr Rosena	Cryer, John
Amesbury, Mike	Cummins, Judith
Anderson, Fleur	Cunningham, Alex
Antoniazzi, Tonia	Daby, Janet
Ashworth, Jonathan	Davey, rh Sir Edward
Barker, Paula	David, Wayne
Beckett, rh Margaret	Davies, Geraint
Begum, Apsana	Davies-Jones, Alex
Benn, rh Hilary	De Cordova, Marsha
Betts, Mr Clive	Debbonaire, Thangam
Blake, Olivia	Dhesi, Mr Tanmanjeet Singh
Brabin, Tracy	Dodds, Anneliese
Brennan, Kevin	Donaldson, rh Sir Jeffrey M.
Brown, Ms Lyn	Doughty, Stephen
Brown, rh Mr Nicholas	Dromey, Jack
Bryant, Chris	Duffield, Rosie
Burgon, Richard	Eagle, Ms Angela
Byrne, Ian	Eagle, Maria
Cadbury, Ruth	Eastwood, Colum
Campbell, rh Sir Alan	Efford, Clive
Campbell, Mr Gregory	Elliott, Julie
Carden, Dan	Elmore, Chris
Carmichael, rh Mr Alistair	Eshalomi, Florence
Chamberlain, Wendy	Esterson, Bill
Champion, Sarah	Evans, Chris
Clark, Feryal	Farron, Tim
Cooper, Daisy	Farry, Stephen
Cooper, Rosie	Fletcher, Colleen
Cooper, rh Yvette	Fovargue, Yvonne

Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gill, Preet Kaur
 Girvan, Paul
 Glindon, Mary
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanna, Claire
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lavery, Ian
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lloyd, Tony
 Lockhart, Carla
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 Madders, Justin
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian

Mishra, Navendu
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, James
 Nichols, Charlotte
 Norris, Alex
 Olney, Sarah
 Oppong-Asare, Abena
 Osamor, Kate
 Owatemi, Taiwo
 Owen, Sarah
 Paisley, Ian
 Peacock, Stephanie
 Pennycook, Matthew
 Phillips, Jess
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Robinson, Gavin
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Shannon, Jim
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Cat
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thomas, Gareth
 Thomas-Symonds, Nick
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Western, Matt
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Wilson, rh Sammy
 Winter, Beth
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Jeff Smith and
Bambos Charalambous

NOES

Adams, Nigel
 Afolami, Bim
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 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
 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
 Brady, Sir Graham
 Braverman, rh Suella
 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
 Cairns, rh Alun
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinenege, 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
 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
 Frazer, Lucy
 Freeman, George
 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
 Goodwill, rh Mr Robert
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 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
 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
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 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, Cheryl
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa

Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McPartland, Stephen
 McVey, rh Esther
 Mercer, Johnny
 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
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Mary
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Shelbrooke, rh Alec
 Simmonds, David
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew

Stevenson, Jane
 Stewart, Bob
 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
 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
 Wallace, rh Mr Ben
 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:
Michael Tomlinson and
David Rutley

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 23

COMMISSIONING SPECIALIST DOMESTIC ABUSE SERVICES FOR VICTIMS AND PERPETRATORS OF DOMESTIC ABUSE

(1) It is the duty of relevant public authorities in England and non-devolved relevant public authorities in Wales in the exercise of their functions to commission sufficient specialist services for all persons affected by domestic abuse regardless of status.

(2) To ensure compliance with the duty under subsection (1) public authorities must—

- (a) regularly assess population and support needs changes in their area;
- (b) take account of any strategy to end violence against women and girls adopted by a Minister of the Crown; and
- (c) co-operate to discharge the duty.

(3) The Secretary of State may issue regulations making provision for the resolution of disputes between public authorities relating to the discharge of the duty under subsection (1).

(4) In relation to the provision of domestic abuse support as defined by section 54(2), each relevant local authority may discharge the duty under subsection (2)(a) through compliance with its obligations under section 54(1)(a).

(5) In performing the duty under subsection (1) a relevant public authority must secure sufficient specialist services for (among others) the following persons—

- (a) any victim of domestic abuse aged over 18;
- (b) any child aged under 18 who experiences or witnesses domestic abuse;
- (c) any person aged over 18 who exhibits abusive behaviour towards another person to whom they are personally connected;
- (d) any child aged under 18 who exhibits abusive behaviour towards another person to whom they are personally connected.

(6) In performing the duty under subsection (1), a relevant public authority must where necessary secure specialist services designed to meet the particular needs of a group that shares a status to ensure appropriate and effective service provision.

(7) In this section—

“abusive behaviour” is behaviour that is abusive within the definition in section 1(3).

“domestic abuse” has the meaning given by Part 1 of this Act.

“personally connected” has the meaning given in section 2 of this Act.

“relevant public authorities” are public authorities with statutory functions relevant to the provision of specialist services, including but not limited to—

- (a) Ministers of the Crown and Government departments;
- (b) local government in England;
- (c) NHS Trusts in England;
- (d) Police and Crime Commissioners;
- (e) prison, police and probation services.

“status” means a status for the purpose of Article 4(3) of the Council of Europe Convention on preventing and combating violence against women and domestic violence, and combined forms of any such status.

“specialist services” include but are not limited to the following when provided in connection with domestic abuse, whether provided by a public authority or any other person or body—

- (a) protective measures and action taken to protect persons against domestic abuse;
- (b) residential accommodation, including refuge services and other relevant accommodation and support as defined in section 54(2);
- (c) counselling and other support;
- (d) advocacy services;
- (e) access to welfare benefits;
- (f) perpetrator programmes;
- (g) financial support;
- (h) legal services;
- (i) helplines;
- (j) services designed to meet the particular needs of a group that shares a status to ensure appropriate and effective service provision, including separate or single-sex services within the meaning given in Part 7 of Schedule 3 the Equality Act, and “communal accommodation” within the meaning given in paragraph 3 of Schedule 23 to the Equality Act 2010.

“victims of domestic abuse” includes—

- (a) persons towards whom domestic abuse is directed and
- (b) persons who are reasonably believed to be at risk of domestic abuse.’—(*Jess Phillips*.)

This new clause would establish a statutory duty on relevant public authorities to commission specialist support and services to all persons affected by domestic abuse. This includes refuge and community-based services; specialist services for groups with protected characteristics; services for children and young people; services for perpetrators.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 200, Noes 338.

Division No. 73]

[9.17 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, Jonathan

Barker, Paula
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blake, Olivia
Brabin, Tracy
Brennan, Kevin
Brown, Ms Lyn

Brown, rh Mr Nicholas
Bryant, Chris
Burgon, Richard
Byrne, Ian
Cadbury, Ruth
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Clark, Feryal
Cooper, Daisy
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyle, Neil
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Davies-Jones, Alex
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
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
Fletcher, Colleen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gill, Preet Kaur
Glendon, Mary
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanna, Claire
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate

Hopkins, Rachel
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lavery, Ian
Lewell-Buck, Mrs Emma
Lewis, Clive
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
Madders, Justin
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Mishra, Navendu
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, James
Nichols, Charlotte
Norris, Alex
Olney, Sarah
Oppong-Asare, Abena
Osamor, Kate
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Phillips, Jess
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rayner, Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Jonathan
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
Siddiq, Tulip
Slaughter, Andy
Smith, Cat
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sultana, Zarah
Tami, rh Mark
Tarry, Sam
Thomas, Gareth

Thomas-Symonds, Nick
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Webbe, Claudia
West, Catherine
Western, Matt
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Jeff Smith and
Bambos Charalambous

NOES

Adams, Nigel
Afolami, Bim
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
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
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
Brady, Sir Graham
Braverman, rh Suella
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

Cairns, rh Alun
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishty, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
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
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
Frazer, Lucy
Freeman, George
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
Girvan, Paul
Goodwill, rh Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
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
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
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cheryllyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McPartland, Stephen
McVey, rh Esther
Mercer, Johnny
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
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Shelbrooke, rh Alec
 Simmonds, David
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew

Stevenson, Jane
 Stewart, Bob
 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
 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
 Wallace, rh Mr Ben
 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
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
Michael Tomlinson and
David Rutley

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 60

PROHIBITION OF CROSS-EXAMINATION IN PERSON IN
 FAMILY PROCEEDINGS

Amendments made: 27, page 38, line 22, at end insert
 “, and

(c) proceedings in the civil division of the Court of Appeal arising out of proceedings within paragraph (a) or (b);”.

This amendment amends the definition of “family proceedings” in new Part 4B of the Matrimonial and Family Proceedings Act 1984 to include proceedings in the Court of Appeal that relate to family proceedings.

Amendment 28, page 41, line 43, leave out “family”.

This amendment and amendment 29 would require a court, when deciding whether to make a direction prohibiting cross-examination in person in family proceedings under new section 31U of the

Matrimonial and Family Proceedings Act 1984, to have regard to findings of fact made in civil or criminal proceedings as well as family proceedings.

Amendment 29, page 41, line 46, leave out “family”.—
(Victoria Atkins.)

See the explanatory statement for Amendment 28.

Clause 68

POWER OF SECRETARY OF STATE TO ISSUE GUIDANCE
 ABOUT DOMESTIC ABUSE, ETC

Amendment made: 30, page 51, line 30, at end insert—
 “(excluding children treated as victims by virtue of section (*Children as victims of domestic abuse*))”.—(*Victoria Atkins.*)

This amendment is consequential on the new clause to be inserted by NC15.

Clause 69

POWER OF SECRETARY OF STATE TO MAKE
 CONSEQUENTIAL AMENDMENTS

Amendment made: 36, page 52, line 13, at end insert—

“(0) section (*Consent to serious harm for sexual gratification not a defence*);”.—(*Victoria Atkins.*)

This Amendment is consequential on NC20.

Clause 70

POWER TO MAKE TRANSITIONAL OR SAVING PROVISION
Amendment made: 37, page 52, line 24, at end insert—

“(0) section (*Consent to serious harm for sexual gratification not a defence*);”.—(*Victoria Atkins.*)

This Amendment is consequential on NC20.

Clause 71

REGULATIONS

Amendments made: 31, page 52, line 37, after “State” insert “or Lord Chancellor”.

This amendment is consequential on the new clause to be inserted by NC17.

Amendment 32, page 53, line 11, after “State” insert “or Lord Chancellor”.—(Victoria Atkins.)

This amendment is consequential on the new clause to be inserted by NC17.

Clause 74

COMMENCEMENT

Amendment made: 38, page 54, line 10, at end insert—

“(0) section (*Consent to serious harm for sexual gratification not a defence*);”.—(*Victoria Atkins.*)

This Amendment is consequential on NC20.

Title

TITLE

Amendments made: 33, line 2, after “Commissioner;” insert “to make provision for the granting of measures to assist individuals in certain circumstances to give evidence or otherwise participate in civil proceedings;”.

This amendment is consequential on the new clause to be inserted by NC17.

Amendment 34, line 3, after “family” insert “or civil”.

This amendment is consequential on the new clause to be inserted by NC18.

Amendment 39, line 4, after “circumstances;” insert “to make provision about circumstances in which consent to the infliction of harm is not a defence in proceedings for certain violent offences;”.—(*Victoria Atkins.*)

This Amendment is consequential on NC20.

Third Reading

9.31 pm

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

It is a real pleasure to have made it to the first Third Reading of this Bill. As the hon. Member for Birmingham, Yardley (Jess Phillips) and I were reminding ourselves, there were two Second Reading debates, and the fact that we have reached Third Reading is a significant milestone not just in the history of the Bill, but for the millions of people who have either suffered in silence or who have had their stories told, either here or to courts and other proceedings up and down our country.

The passing of this Bill by the House marks an important milestone in our shared endeavour to provide better support and protection for the victims of domestic abuse and their children. It is the culmination of over three years of work and I again pay tribute, in particular, to my right hon. Friend the Member for Maidenhead (Mrs May) for championing this Bill, as well as to all right hon. and hon. Members who have contributed. We know that this Bill went through a draft Bill procedure—one that I commend and support in particular in this instance, because the prelegislative scrutiny that was undertaken by my right hon. Friend the Member for Basingstoke (Mrs Miller) and her colleagues in that Joint Committee made it clear and ensured that this Bill, as it came to the House, was already in a strong state.

The Bill was improved during the course of debate. It was scrutinised properly in Committee. I am grateful to the Committee members of all parties, who not only did their duty but threw themselves into the process with enthusiasm, vigour and purpose. It shows that, contrary to how some of the commentariat often scoff at the Committee process in this House, the process is not only alive and well but working well. That is a vote of confidence in a vital part of line-by-line scrutiny

The Bill now expressly recognises the devastating impact of domestic abuse on the lives of children growing up in a household where one parent is being abused by another. Such children are also the victims, and it is right that the Bill recognises that, allowing them to gain better access to the protection and support they need.

During the passage of the Bill, we have also strengthened protection for victims in court. No victim of domestic abuse should be re-traumatised as a result of being subjected to cross-examination in court by their abuser. Such cross-examination in person is already prohibited in the criminal courts, and the Bill now extends that protection to the family and civil courts.

We must also do everything we can to enable the victims of domestic abuse to give their best evidence in court. That might mean, for example, giving evidence from behind a screen or via a video link. Again, that principle should apply in all court proceedings. As a result of an amendment, we now have automatic eligibility for special measures in criminal, family and civil proceedings.

We have also delivered on our commitment to make the law crystal clear in relation to the so-called rough sex defence. We now have it enshrined in statute that no one can consent to serious harm, or indeed their own death, for the purposes of sexual gratification. I join in commendation of the right hon. and learned Member for Camberwell and Peckham (Ms Harman) and my hon. Friend the Member for Wyre Forest (Mark Garnier), both of whom have met me on several occasions to discuss these matters and to whom I am grateful, and, most importantly, the family of Natalie Connolly, who have assiduously campaigned on this issue.

Fiona Bruce: I raised on Report the link between rough sex and pornography, with recent surveys indicating that there is indeed a link. Would the Secretary of State be good enough to give a little more information on the assurance I sought that the Government would take early action to address concerns about harms resulting from pornography?

Robert Buckland: I am grateful to my hon. Friend for the way in which she brought the issue to the debate via her amendment and the constructive approach she has consistently taken. Yes, I can give her that assurance, which will come in several forms. Research is being done by the Government Equalities Office on this sensitive and important issue. That will be published soon, and through legislation and the online harms policy, which my right hon. Friend the Secretary of State for Digital, Culture, Media and Sport is responsible for, we have again a vital opportunity for early action to deal with the issue she rightly raises.

The Bill has been a prime example of how the Government, parliamentarians and campaigners have come together to identify an area where the law falls short and done something about it, yet we recognise that, in relation to a number of other issues, there is still more to be done. The recent publication of the report by the expert panel on harm in the family courts and the Government’s implementation plan affords, I think, a unique opportunity for the family justice system to reform how it manages private family law cases involving children. I put on record my own personal commitment to the process. That report was uncompromising, it made for difficult reading and it was critical, but I felt strongly that it had to be published, warts and all, because if we are going to deal with this problem, we have to be honest about the failures of the past, and through that process of honest assessment come up with something better. We owe it to the families who look to the court as a place of resolution rather than a place of further abuse, strife, hurt and horror.

The panel received more than 1,200 submissions of evidence and the report provides significant insight into the experience of victims of domestic abuse in family courts. It is a launch pad for the actions that we are going to take to better protect and support children and domestic abuse victims throughout private family law proceedings. There is more work to be done, because I strongly believe that although the adversarial principle is an important one and serves to advance the interests of justice in many settings, in private family law proceedings in particular we have to look for a better way to resolve the issues and to achieve a higher degree of justice for everybody involved, not least the children whose voices must be heard and who, despite the best efforts of the

[Robert Buckland]

Children Act of 30 years ago, still do not necessarily get their voices heard in the way that we owe it to them to allow.

Sir John Hayes: While my right hon. and learned Friend is in the mood to concede and be generous, might I ask him to look again at the issue of maximum and minimum sentences? He is of course right that during legal proceedings victims should be treated with the respect and regard that they deserve, but once people are convicted, there needs to be exemplary sentences—there needs to be just deserts. Will he look at that issue through the prism of the new clause that I tabled, which I have no doubt inspired and impressed him?

Robert Buckland: My right hon. Friend tempts me into new territory. As the Government and I develop a White Paper on sentencing reform that will be published later in the year, we will have ample opportunity to engage properly on such issues. My right hon. Friend knows that I come to this role with, shall we say, a little bit of form on the issue of sentencing and a long experience in it, and I want to use that White Paper as the opportunity to set something clear, firm and understandable that will only increase public confidence in the sentencing system in England and Wales.

Before I move on to the question of migrant victims, I pause to pay warm tribute to the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), and, indeed, to the Under-Secretary of State for Justice, my hon. Friend the Member for Cheltenham (Alex Chalk), who is part of my ministerial team at the Ministry of Justice. Together, they did not just do their duty, but did it with zeal, passion and a deep commitment to the issues. I know that that commitment is shared by Opposition spokesmen, too, and pay tribute to them for their assiduous work on this issue. True cross-party co-operation can move mountains, and this Bill is an emblematic example of that important principle.

Let me return to the important issue of migrant victims of domestic abuse and the review that has been conducted. We acknowledge that more needs to be done to support migrant victims who do not qualify under the destitute domestic violence concession or other mechanisms—that is very clear—but we do need to assess precisely that need, as outlined by the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle. That is why the £1.5 million pilot scheme that is to be launched later in the year will provide support additional to the mechanisms that have already been discussed. It will also provide the evidence necessary to help to inform decisions about a long-term solution.

The provision of better protection and support for victims of domestic abuse and their children is at the very heart of the Bill. In the first Second Reading debate—on the previous version of the Bill—I told my own story about being a young barrister dealing with a domestic abuse case, one of many that were dealt with somewhat differently, shall we say, in those days from how they are dealt with now. That does not necessarily mean that we should be complacent about where we have come to with regards to how we deal with domestic

violence, but it is right to say that if the phrase “It’s only a domestic” has not previously been consigned to the history books, this Bill will make sure that it is. We owe it to the 2.4 million victims a year to ensure that the justice system and local support services work better for them.

Mrs May: I am grateful to my right hon. and learned Friend for the kind remarks he made earlier. He has just outlined the importance of this Bill. Will the Government do everything they can to ensure that, in timetabling it through the other place, it is given the priority it needs to ensure that we can get it on the statute book as soon as possible?

Robert Buckland: I am grateful to my right hon. Friend, and with alacrity I give her that undertaking. I know that my colleagues in the other place will share the same ambition that we have here, and I will work with them to make sure that the Bill makes its proper passage through that House so that we can give it the Royal Assent that we all want it to attain.

Ultimately, we all just want the abuse to stop, but in the meantime we must, and we will, do everything we can to protect vulnerable people, to protect victims and their children, and to offer them the safety and support they so desperately need and deserve. I commend this Bill to the House.

9.46 pm

Jess Phillips: It is a pleasure to follow the right hon. Gentleman the Lord Chancellor. After three years, I am delighted that I might get the last word on this Bill. I will echo some of the thanks that he has laid out.

When I was speaking to the Deputy Chief Whip earlier, he said, “You know on Third Reading, Jess”—which I have not prepared for at all, because I did not think we would actually get to it—“you’re not allowed to just go on about what you want in the Bill,” so I might just sit down, because my forte is going on about what I want in the Bill. As it passes Third Reading, I feel slightly bereft about not updating it anymore. It seems that, since I was elected to this House, it has been going through.

I pay huge tribute to the right hon. Member for Maidenhead (Mrs May) for her work in the Home Office and latterly as Prime Minister. I told a story in Committee about how, on one occasion when she was Home Secretary, I was a candidate in the election so when she visited the refuge where I worked, I was allowed to work from home that day for shame that I might show up the organisation with the Home Secretary there. She visited where I used to work on a number of occasions and has always been, I would say, mostly in the right place around domestic abuse. We would not be here today had it not been for her efforts.

I also pay tribute to the right hon. Member for Basingstoke (Mrs Miller) and the work done by the Joint Committee, which was very thorough and detailed and has definitely led to the Bill being in the position that it is.

Mrs Miller: That gives me the opportunity to thank the other members of the Committee in both Houses, the other place and here, for the assiduous way in which they attended the Committee and for the excellent

evidence that we were given by a large number of organisations. I also thank the Clerks of the House, who, when it comes to these sorts of Bills, go from a standing start to being ready for action almost overnight. They have our undying gratitude.

Jess Phillips: I could not agree with the right hon. Lady more about the Clerks of the House. I had not quite understood, until I was in my current position, exactly how much they do, but I feel as though Kevin from the Clerks' office is currently on my speed dial and I will definitely be buying a hat if he ever gets married. I feel very close to the Clerks of the House now.

I want to pay tribute to the Ministers on the Bill Committee. Everybody today has rightly paid tribute to Ministers from the Home Office and the Ministry of Justice for their efforts and their open hearts and minds throughout the Bill, and I certainly echo that. I also want to pay tribute to a former Member, Sarah Newton, who is no longer here. I was about to say that she was the first Minister I ever sat down with and talked to about the Bill, but actually I think that was the right hon. Member for Staffordshire Moorlands (Karen Bradley). I pay tribute to them both.

On my side of the House, I first wish to say a big thank you to my hon. Friend the Member for Torfaen (Nick Thomas-Symonds). Since he has taken up his position, he has really prioritised the issue of domestic abuse. In the context of the covid crisis we are currently facing, he is pushing every day for things to be better for victims in England, Wales and across the United Kingdom. My hon. Friend the Member for Hove (Peter Kyle) dealt with these issues very ably in Committee. I also want to make a special mention of my hon. Friend the Member for Canterbury (Rosie Duffield), who felt that she could not speak today. We owe her an enormous debt of gratitude for what she has done.

Inevitably, I am going to forget somebody. Never list a group of people, because you will inevitably forget some of them. I do it with my children, so we will have to see how I go. I wish to thank: Women's Aid, SafeLives, Southall Black Sisters, the Latin American Women's Rights Service, Nicole Jacobs, End Violence Against Women, Vera Baird, Hestia, Refuge and every single organisation working every day across the country to support people directly. They have worked on the Bill just as much as anybody in this House. They put a lot of effort into the policy work and we are better representatives for the work they have all done.

I welcome what the Lord Chancellor said with regard to timeliness, and the severity and importance that he puts on the issue around the family courts he mentioned today. I look forward to the details of the review, and the pilot scheme, of migrant women's support services.

I came to this House inspired by women and children who had been abused. It is an honour to stand in the Third Reading debate of the Domestic Abuse Bill. This place can seem completely otherworldly. The words written in the Bill will seem in many cases completely otherworldly to the vast majority of the people I have supported in my life as victims of domestic abuse. But the message it sends is that we can hear them, and that is a message we should send loud and clear from this place. Finally, in Third Reading part 1, I hope the Bill only ever has a part 1.

9.53 pm

Sir Robert Neill: Those were two very powerful speeches, which is right because this is a really important Bill. It is a major aspect of reform of family private law. The Lord Chancellor is entitled to great credit for what he has done. It is the second time in almost a fortnight that he has brought in major reforms and we should remember that. We have reformed divorce law and now how we deal with private family law.

I welcome the comments by the hon. Member for Birmingham, Yardley (Jess Phillips) from the Opposition Front Bench, because this is something we ought to deal with together. It is a difficult and complex area. As Chairman of the Justice Committee, I can say that we have wrestled with some of those issues from time to time. As a practitioner, as a constituency MP and as a human being, I have seen the consequences of some of the deficiencies in the law as it currently stands. This is a major reform and we should welcome it. There is more to do, I have no doubt, but it is a good step forward. In particular, the changes to the procedures in the family court, which have taken some time to get through, are really important. I hope we will now see that properly resourced. I hope also that we will follow that through in some of the understanding that is required, for example, with regards to acquired brain injury—a point made by the hon. Member for Rhondda (Chris Bryant) in a previous debate—and some of the pressures that are put on people through coercive control, which this Government have recognised and taken on board beyond most others. We need to ensure that we keep practice in line with the letter of the law.

I am particularly pleased that the Bill has dealt with the issue of non-fatal strangulation. As a legal practitioner, it always struck me that this was a real difficulty—when one could not prove the necessary intent under section 18 of the Offences Against the Person Act 1861. The irony was that if somebody died, we could prove manslaughter, but sadly we could not prove anything less. That is another gap that the Bills fills.

An awful lot of really important points have been covered by the Bill, but I suspect that the overall thrust is that we are determined to improve the situation of victims in the criminal courts and the family courts. Ironically, crime got in front of the family division in many ways, when it came to the protection of witnesses and the special care that should be given to people. Judges and practitioners have repeatedly sought this and it has been delivered. I hope that we can now move forward towards better reform of private family law generally. But may I just make a final prod to the Lord Chancellor in a nice way, and say that that requires resource? It requires resource for the judges, the ability for people to sit the requisite hours, and resource for those who undertake a number of onerous duties referred to in the Bill on behalf of the public to be properly recompensed. I suspect that he will do that.

We ought to welcome this legislation, and, above all, welcome the fact that we are moving away from what was rather a blame culture in the way in which we dealt with family law, and towards something that is much more constructive. Maybe we should move forward in such a way in a number of other matters too.

9.56 pm

Yvette Cooper: In the last few minutes remaining, I want to thank the Government for bringing forward this important Bill and for listening. I thank Ministers and the Labour shadow Front-Bench Members, who have been such passionate advocates for improvements to the Bill. I also thank Members across the House who have tabled important amendments, proposals and reforms, and have very much come together in the kind of cross-party spirit that we would expect in dealing with such a terrible crime—a crime that destroys lives and haunts children’s futures for very many years to come.

We have already come a long way since the Home Affairs Committee’s report on domestic abuse two years ago, and since I raised with the former Home Secretary, the right hon. Member for Maidenhead (Mrs May), questions about having a domestic abuse commissioner back in—I think—2012. We have seen great progress as a result of cross-party working and the decisions that the Government have taken to put these measures into practice. We all owe thanks to the many organisations that work so tirelessly every single day to support domestic abuse victims right across the country and to rescue families, put lives back together and give people a future.

I join the tributes to my hon. Friend the Member for Canterbury (Rosie Duffield). Her words and her bravery in speaking out have already provided great comfort and growing confidence to many other people across the country who have experienced something similar. Her reaching out and saying “You are not alone” has been extremely powerful.

We also need to think with some humility about what happens next. Although we may have come together and agreed legislation, legislation does not solve everything. This is not just about how legislation is used, but about how Government policies work, how partnerships work and how things happen right across the country. That

humility should be even greater at this moment, because we have come together to say how important this legislation is at the same time that domestic abuse has been rising during the coronavirus crisis. It is to all those who are still suffering that we owe an ever greater commitment to help them and to rebuild their lives.

Robert Buckland: On a point of order, Madam Deputy Speaker. I want to place on the record my thanks to all the officials who have laboured very hard in both the Home Office and the Ministry of Justice on this matter, and I seek your guidance on how to do so.

Madam Deputy Speaker (Dame Eleanor Laing): As the most brilliant lawyer in the Chamber—*[Interruption.]*—in the House, the Lord Chancellor has made his point perfectly. Rarely have I seen a Bill with such co-operation from everyone right across the House, wonderfully worked on by the Clerks, and rarely have I seen a Third Reading conclude with everybody so satisfied and pleased at the result.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Business without Debate

JOINT COMMITTEE ON CONSOLIDATION, &C, BILLS

Ordered,

That Chris Elmore, Imran Hussain, Conor McGinn and Grahame Morris be discharged from the Joint Committee on Consolidation, &c., Bills and Richard Burgon, Maria Eagle, Christina Rees, Andy Slaughter and Owen Thompson be added.—*(Bill Wiggin, on behalf of the Committee of Selection.)*

NORTHERN IRELAND AFFAIRS

Ordered,

That Conor McGinn be discharged from the Northern Ireland Affairs Committee and Stephanie Peacock be added.—*(Bill Wiggin, on behalf of the Committee of Selection.)*

Policing in Devon and Cornwall

Motion made, and Question proposed, That this House do now adjourn.—(David Duguid.)

10.1 pm

Steve Double (St Austell and Newquay) (Con): I am delighted to bring this debate to the House, to present and highlight the incredible work that Devon and Cornwall police do, and to raise a number of the very particular, in some cases unique, challenges that they face. I am delighted to be joined this evening by colleagues from Devon. It is one of the few occasions on which out-and-out co-operation and unity can be seen between Devon and Cornwall Members of Parliament.

I place on record very firmly my thanks to Devon and Cornwall police. Day in and day out, week in and week out, throughout the year they do an incredible job keeping the people of our two counties safe. As I am sure we are all aware, the covid-19 pandemic has brought a great number of new challenges to our police across the country. The pandemic has brought unprecedented challenges for our police, as they have had to adapt to new operational and resource pressures, and to a rapidly changing police environment.

Neil Parish (Tiverton and Honiton) (Con): I endorse the fact that it is great to be with Cornwall tonight—not always, but tonight. Seriously, the police are dealing with covid-19 and with lots of tourists coming into our area now. They have a greater challenge than ever, and I very much respect that they police by consent in this country, especially in Devon and Cornwall. Can we ensure that, as our tourists come, they please behave, because that will make the police's job so much easier?

Steve Double: I am very grateful to my hon. Friend. I suspect that not for the first time this evening another Member will make a point that I will go on to make, but I join him in acknowledging the very proactive but sensible way Devon and Cornwall police have approached the pandemic. They have indeed policed with consent, and even though they, I believe, have issued the fourth-highest number of fixed penalty notices in the country—I believe we are currently up to just under 1,000—it has been done in a very sensible way.

The police have continued, I believe, to enjoy the overwhelming support and respect of the people of Devon and Cornwall in the way they have gone about policing this pandemic. I want to say a big thank you to them, and I pay tribute to them. I also want to place on record my great thanks to both our police and crime commissioner, Alison Hernandez, and our chief constable, Shaun Sawyer, for the clear leadership they have provided during these past few months, as it has really helped the police on the ground to carry out their work so effectively. In my own constituency, I want to thank the inspectors in Newquay, Guy Blackford, and in St Austell, Ed Gard and the Cornwall commander, our very own IDS—Ian Drummond-Smith—for the way that they have provided the pragmatic and sensible approach that we have needed. I just want to say thank you to them all.

The image of Devon and Cornwall for most people is that of a picturesque, rural and coastal part of the world where people love to visit for their holidays. Policing in Devon and Cornwall is just as challenging as it is anywhere else in the country—in some ways, it is

more so because of its very unique situation. Let me give colleagues an idea: the Devon and Cornwall police force area is the largest in England, covering more than 4,000 square miles. Our emergency services deal with more than a million calls per year, and their work is cut out because we have more than 13,600 miles of road, the highest in the country, 85% of which are rural. As we all know, rural roads are, in fact, the most dangerous and often the most challenging to police. The force area also has the longest coastline in the country. Cornwall itself has 675 miles of beautiful cliffs, beaches and coves. Devon is not quite so great or quite so beautiful, but, equally, that in itself presents a number of incredible challenges to our police force.

Simon Jupp (East Devon) (Con): I cannot possibly let that stand. Does my hon. Friend agree that the state-of-the-art new police headquarters, based in my constituency of East Devon, is a prime example of the investment that our police need in Devon and Cornwall?

Steve Double: Absolutely. Those improvements are very welcome. They represent, I believe, some of the investment that is going into the area, but, as I will go on to say, it cannot end there. We do need continued investment.

Another factor that is often overlooked when we consider all our public services, but particularly with regard to policing, is the fact that we are a peninsula and therefore not able to share resources with nearby forces or other county areas. That often means that our police are isolated from other assets. I believe that one statistic is that only 10% are within seven miles of another police asset, which in itself presents a number of very great challenges to the way the police operate.

Selaine Saxby (North Devon) (Con): I would like to highlight, as my hon. Friend has done, the excellent work done by Devon and Cornwall police. The force really has managed huge influxes of visitors, so, despite what he says about Cornwall versus Devon, we have seen a huge influx of visitors to Devon in recent weeks, and we simply cannot borrow from our neighbouring forces given our geography and our extensive rural road network. We just need more local police. Unless visitors are going to start to bring their own, we need a more sustainable solution.

Steve Double: My hon. Friend makes the point very well. I will come on to talk about that in a bit more detail.

Before I go any further, it would be wrong of me not to mention the Isles of Scilly, largely because my wife hails from there. She was born and bred there and her family still live there. It is also another unique part of our force area. The five inhabited islands that are 25 miles off the mainland need to be policed by Devon and Cornwall police, and that adds further complexities to their work.

The Devon and Cornwall police area has a number of very particular challenges. When taken together, it is clear that no other police force in the country has to face this combined complexity. None the less, the Devon and Cornwall police do an incredible job. Devon and Cornwall is the second safest region in England and Wales and has the lowest rate of victim-based crime

[Steve Double]

nationally. But what is incredible is that, despite all those challenges, the force provides an excellent service in keeping us safe with lower than average national funding. The Devon and Cornwall force receives 52p per day per person in police funding, compared with the England and Wales average of 61p per person per day, while having to cope with the challenges that our rural peninsula presents.

In addition to all this, as colleagues have mentioned, we must include the impact of tourism and the summer surge that we see every year. The funding gap is even more significant when we consider that Devon and Cornwall experience the highest level of visitors in terms of overnight stays, second only to London. In fact, I learned during the lockdown that the constituency I have the pleasure of representing has the highest number of overnight stays, at 4.7 million a year, of any individual constituency in the whole of the UK. During the extended tourism season, we experienced a 14% increase in the number of incidents, including an 11.7% increase in recorded crime. This represents the highest seasonal increase in recorded crime across the whole country. The intensity of calls for service seen in the extended summer period places considerable pressure on our services for the rest of the year, as staff seek to catch up on training and annual leave and to address the toll that the summer season pressure takes on their workloads. So the pressure of tourism is not just felt during the peak tourist season; it has an impact on policing across the whole year.

Anthony Mangnall (Totnes) (Con): I thank my hon. Friend for his comments and for securing this Adjournment debate. If he would like to have a vote on whether Devon or Cornwall is better, I would take our odds as a good chance. He is talking about the geographical issues as well as the population influx that we have in the south-west. Would he support what has been done by our police and crime commissioner in the councillor advocate scheme, which gives new mechanisms for people across the area to support their police officers and help to eradicate crime?

Steve Double: I am grateful to my hon. Friend for that intervention, because he highlights a point I was going to make. The pressures and the below-average funding that our police face mean that the Devon and Cornwall force is often at the forefront of innovation and finding new ways in which to work and use its resources in the very best, most efficient way. The example he highlights shows a way of working within the community to ensure that effective policing takes place despite having lower than average funding. We should praise our police force for the work that it does but at the same time make the case that it deserves better funding.

I also want to take this opportunity to mention the excellent piece of analysis that the office of the police and crime commissioner for Devon and Cornwall has put together. It is entitled "Understanding the exceptional policing challenges in Devon and Cornwall from tourism, rurality and isolation". I am sure that the Minister is familiar with this piece of work. It shows in much greater detail the unique challenges that our police force faces.

I want to talk a bit more about funding. The current funding gap between rural and urban police forces needs to be addressed. This is something that I have raised continually since I was first elected five years ago, and I know I was not the first to do so. It is a long-standing issue that needs to be addressed. I would again draw the Minister's attention to the fact that funding for Devon and Cornwall police is 9p per day less than the England and Wales average, and that when we factor in the adjustment to the population for tourist numbers, it is 13p per day. That situation needs to be addressed, so I seek confirmation from the Minister that any future review of police funding will factor in these different elements and ensure that police funding better reflects the position on the ground and the challenges that the police force actually faces. We need a better funding formula that really reflects the complexities that policing in rural areas, particularly in Devon and Cornwall, faces. The current formula fails to reflect the very high volume of calls for services faced by the police, which cover a very broad nature of incidents. Last year, as much as 84% of Devon and Cornwall police force's total demand fell under the non-crime categories, many of which occur in rural and remote locations that are very time-consuming to get to, and so are an intensive use of resource. The role that our police officers play in rural areas, more than in urban parts of the country, is much broader than what is captured in the recorded crime figures.

I would like to make reference to the allocation of police numbers. I believe that all colleagues here will have welcomed the 141 new police officers that Devon and Cornwall was allocated out of the initial 6,000 tranche of the 20,000 new officers that we are going to put on to the frontline. However, we await the Government's decision regarding how the remaining 14,000 of this 20,000 uplift will be allocated. If we are truly to deliver on the Government's levelling-up agenda across the board, we need rural areas such as Devon and Cornwall to get a better share of new police officers in future. An allocation model based on population, for instance, would provide a truer reflection of the universal service demands placed on policing, given that the vast majority of all emergency calls do not in fact result in a recorded crime, particularly if such calculations include the increase we face through tourism. We do not want an approach that is largely based on recorded crime or levels of specific crimes such as serious violence, because that is urban-centric and favours inner cities over rural areas. When it comes to allocating the new police officers we are recruiting, I ask the Minister to consider these matters carefully to ensure that new officers are deployed in the best way to meet the challenges our police are facing.

I again pay tribute to our police officers across Devon and Cornwall for their hard work and dedication as they continue to work to keep us safe. I am grateful to the Minister for taking the time to listen to this case this evening. I hope he understands the unique challenges and circumstances that we face in our two counties. I look forward to working with him positively, going forward, to ensure that we get the results that we need in Devon and Cornwall.

10.17 pm

The Minister for Crime and Policing (Kit Malthouse): Can there be any greater pleasure than to gather together late at night to talk lyrically about such a wonderful

part of the country, second only in its beauty to the North Wessex downs, which I happen to represent? It is a remarkable part of our heritage and a part of the country that is very well policed and guarded by my hon. Friend the Member for St Austell and Newquay (Steve Double) and his colleagues, but also by the police officers who serve in that part of the country.

I want to join my hon. Friend by starting with a tribute to Shaun Sawyer and his team in Devon and Cornwall. I know Shaun of old. He was the head of counter-terrorism at the Metropolitan police when I was chair of the Metropolitan Police Authority and deputy Mayor for policing in London. He and his team have done a remarkable job over the past few years, but most particularly over the past few months, when, as my hon. Friend said, they have coped with extraordinary circumstances with aplomb. They have stayed resilient, with low absences and a commitment to keeping their fellow citizens safe in the face of all sorts of hazards—seen and, as we are learning from this pandemic, unseen. It has been a fantastic job all round.

Among the officers my hon. Friend thanked, I would also like to single out Deputy Chief Constable Paul Netherton, who has been leading the local resilience forum and has done fantastic work in pulling together all the organisations that have been engaged in dealing with the pandemic. We should also thank, as my hon. Friend rightly did, the police and crime commissioner, Alison Hernandez, who has been a voluble voice in the weekly calls I have held with PCCs from across the country, putting the case for her police force with vigour but also with reason and proportion. She serves both counties extremely well and has shown exactly the kind of leadership that one would expect from a police and crime commissioner.

That has been reflected in all sorts of areas. Obviously we have seen crime reduced very significantly, but personal protective equipment, which one might have expected to be an issue in such a large, rural part of the country, has actually been managed with aplomb. The force has been rated consistently green on the red, amber, green rating scale for PPE, which is very reassuring for everybody.

My hon. Friend, as usual, puts a powerful case for his force and his county colleagues. He shows a passion and commitment that one would expect from a true Cornishman. I have seen that in previous roles. When I was Housing Minister, I made a wonderful visit to his constituency and those of his colleagues. He dragged me down there, as no doubt he will again, to see the police in action. He rightly pointed out that alongside the new headquarters in East Devon, significant investment is going into Devon and Cornwall policing from central Government, alongside the flexibilities that the police and crime commissioner has used to raise the precept.

The budget for D and C is moving up to £338.4 million, which is £23.2 million large on last year. That is the biggest funding increase in a decade. As part of that, there will be an uplift in police officers of 141 across the force area, as he rightly pointed out, of whom I am pleased to say 61 have already been recruited to the end of March. Recruitment is going particularly well despite the pandemic, not least because Devon and Cornwall is one of the 22 forces in the country that have adopted the virtual assessment centre that the College of Policing put together in double-quick time so that applicants to

be police officers were able to go through the process online, rather than face to face. That recruitment will obviously continue.

I hear what my hon. Friend says about future allocations. No decisions have been made yet on the future allocation of police officers, but we are hoping the decision will come before the summer recess, because one thing that has become clear from forces across the country, including Devon and Cornwall, is that a number want to run ahead of the target. A number have already reached their annual allocation with nine or so months to go, and some wish to recruit beyond their allocation, but they need certainty on what they will get in years 2 and 3 so that they can commit to those bright, shiny, new police officers with confidence. We hope and believe that will help them to do that.

All that means that the relaxation of the lockdown, which ordinarily would bring significant challenges that are not to be underestimated, has been dealt with extremely well in Devon and Cornwall. The tourism industry is vital to that part of the world. I think I read in the paper that the estimates are that the two counties have lost something like £665 million in income over the two or three admittedly off-season months. That is still a huge amount of money for businesses to bear in losses, and it shows the urgency and the need to restore something of normality to that industry, on which my hon. Friend's constituents and others rely so heavily.

As my hon. Friend pointed out, the unique geography and beauty of that region attract people in numbers from across the world, and we want them to come. I know that the police in that area are standing up strongly to ensure they can enable those people to come safely and sensibly, rather than, sadly, what has happened in other parts of the country, where people have been greeted with hostility. They have been greeted with proportion, sense and good management in Devon and Cornwall, which is exactly what we want to see.

My hon. Friend laid down a number of challenges to me, first to appreciate the nature of rural crime in his part of the world. Given that I represent a constituency that is about 220 square miles in size—not far off his—and is largely rural, he will be pleased to know I am well aware of the problems that rural crime can create. He will have noticed that in our highly successful manifesto for the election last year, we had a commitment to allocate some of the extra resources to tackling rural crime. While the allocation of police officers in a particular force is obviously a matter of operational independence for the chief constable to decide, nevertheless at the Home Office we can influence some of the priorities across the country. We hope to turn to rural crime relatively soon.

The funding formula has been a persistent issue for all Members of Parliament, who I think universally claim that it is unfair to their force. That cannot mathematically be correct. Obviously, in any funding formula change there will be losers and winners, yet we seem to have a House of Commons where everybody believes they can be a winner. If there is a review of the funding formula—I cannot give a commitment on that—I would anticipate that there would be a large and vigorous consultation process, in which my hon. Friends here tonight would doubtless participate.

The current funding formula is old and has been around a long time. We have had one or two abortive attempts at reform, and no doubt we will turn to it in

[Kit Malthouse]

time, but before we do so there are important tasks to do—more important to the people we represent—such as fighting the uptick in crime that we have seen across the country in the past few years. Dealing with the county lines problem, which plagues all the constituencies in Devon and Cornwall, is high on our list of tasks to complete first. I am pleased that in the past few weeks, during lockdown, given the drop in volume crime—robbery, burglary and so on—police forces have been able to concentrate on targeting the villains out there who perpetrate this trade. We have seen some extraordinary results, not least with Operation Venetic, which Members will have seen details of in the newspapers. It broke into a huge international communications network used by the criminal fraternity at a very senior level, and this resulted in 700-odd arrests last week. The data that has been collected from that system in the past few weeks and months means that there will be arrests into the future as we piece together the picture of serious and organised crime, which is delivering drugs into my hon. Friend's constituency and mine, and damaging our neighbourhoods and, in particular, our young people.

We will see much more such work, including dealing with murder—we have set that as a National Policing Board priority. We will drive down murder and reach back into the crime types that often result in a murder, such as domestic violence, drugs, serious youth violence and gangs. We will be asking police forces to think about whether they can not just detect someone who commits a murder, but prevent them from committing it in the first place, by finding that route towards the crime.

We will see much more of that, too. On acquisitive crime, which I know is a problem in parts of Devon and Cornwall, we have launched our £25 million safer streets fund, which is targeted at particular geographical areas that show they have a problem with acquisitive crime, be it robbery or burglary, but where physical alterations can be made, such as through alley gating, CCTV or better street lighting, which we know can deter crime. The police are then able to concentrate on prolific offenders in both those areas.

There is a huge amount for us to do before we get there. Happily for my hon. Friend, his police force adopts new innovations with alacrity and works hard to try to innovate for itself. Nowhere is that clearer than in its leadership on modern slavery, which has, unfortunately, plagued both counties in the past few years but on which they have taken a lead across the country and shown the way for many other forces as to how the issue should be tackled.

On that note, I congratulate my hon. Friend for gathering us all today to talk about these two beautiful counties and my second favourite subject, which we know is close to the hearts of our constituents: the power and efficacy of their local police force. Although we see from time to time in the newspapers heavy criticism of our police force, we all know that if anything untoward happens to us, they will be our first call.

Question put and agreed to.

10.29 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
Tahir Ali (Birmingham, Hall Green)	Mark Tami
Dr Rosena Allin-Khan (Tooting)	Mark Tami
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)	Mark Tami
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
Mr Peter Bone (Wellingborough)	Stuart Andrew
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)	Mark Tami
Richard Burgon (Leeds East)	Zarah Sultana
Conor Burns (Bournemouth West)	Stuart Andrew
Ian Byrne (Liverpool, West Derby)	Mark Tami
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)	Mark Tami
Douglas Chapman (Dunfermline and West Fife)	Patrick Grady
Feryal Clark (Enfield North)	Mark Tami
Damian Collins (Folkestone and Hythe)	Stuart Andrew
Rosie Cooper (West Lancashire)	Mark Tami
Jeremy Corbyn (Islington North)	Bell Ribeiro-Addy
Ronnie Cowan (Inverclyde)	Patrick Grady
Mr Geoffrey Cox (Torrington and West Devon)	Alex Burghart
Neil Coyle (Bermondsey and Old Southwark)	Mark Tami
Angela Crawley (Lanark and Hamilton East)	Patrick Grady
Stella Creasy (Walthamstow)	Mark Tami
Tracey Crouch (Chatham and Aylesford)	Caroline Nokes
Janet Daby (Lewisham East)	Mark Tami
Geraint Davies (Swansea West)	Chris Evans
Mr David Davis (Haltemprice and Howden)	Stuart Andrew
Martyn Day (Linlithgow and East Falkirk)	Patrick Grady
Thangam Debbonaire (Bristol West)	Mark Tami
Marsha De Cordova (Battersea)	Rachel Hopkins

Member eligible for proxy vote	Nominated proxy
Caroline Dinenage (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)	Mark Tami
Philip Dunne (Ludlow)	Jeremy Hunt
Colum Eastwood (Foyle)	Conor McGinn
Chris Elmore (Ogmore)	Mark Tami
Florence Eshalomi (Vauxhall)	Mark Tami
Bill Esterson (Sefton Central)	Mark Tami
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)	Mark Tami
George Freeman (Mid Norfolk)	Theo Clarke
Gill Furniss (Sheffield, Brightside and Hillsborough)	Mark Tami
Marcus Fysh (Yeovil)	Stuart Andrew
Sir Roger Gale (North Thanet)	Caroline Nokes
Ms Nusrat Ghani (Wealden)	Tom Tugendhat
Preet Kaur Gill (Birmingham, Edgbaston)	Mark Tami
Dame Cheryl Gillan (Chesham and Amersham)	Stuart Andrew
Mary Glendon (North Tyneside)	Mark Tami
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)	Mark Tami
Andrew Griffith (Arundel and South Downs)	Stuart Andrew
Kate Griffiths (Burton)	Aaron Bell
Andrew Gwynne (Denton and Reddish)	Mark Tami
Robert Halfon (Harlow)	Julie Marson
Fabian Hamilton (Leeds North East)	Mark Tami
Claire Hanna (Belfast South)	Liz Saville Roberts
Ms Harriet Harman (Camberwell and Peckham)	Mark Tami
Sir Mark Hendrick (Preston)	Mark Tami
Drew Hendry (Inverness, Nairn, Badenoch and Strathspey)	Patrick Grady
Mike Hill (Hartlepool)	Mark Tami
Simon Hoare (North Dorset)	Fay Jones
Dame Margaret Hodge (Barking)	Wes Streeting
Mrs Sharon Hodgson (Washington and Sunderland West)	Mark Tami
Kate Hollern (Blackburn)	Mark Tami
Adam Holloway (Gravesham)	Maria Caulfield
Stewart Hosie (Dundee East)	Patrick Grady
Sir George Howarth (Knowsley)	Mark Tami
Dr Neil Hudson (Penrith and The Border)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Imran Hussain (Bradford East)	Judith Cummins	David Morris (Morecambe and Lunesdale)	Stuart Andrew
Dan Jarvis (Barnsley Central)	Mark Tami	Grahame Morris (Easington)	Mark Tami
Mr Ranil Jayawardena (North East Hampshire)	Stuart Andrew	James Murray (Ealing North)	Mark Tami
Andrea Jenkyns (Morley and Outwood)	Stuart Andrew	John Nicolson (Ochil and South Perthshire)	Patrick Grady
Dr Caroline Johnson (Sleaford and North Hykeham)	Stuart Andrew	Neil O'Brien (Harborough)	Stuart Andrew
Alicia Kearns (Rutland and Melton)	Ruth Edwards	Dr Matthew Offord (Hendon)	Rebecca Harris
Barbara Keeley (Worsley and Eccles South)	Mark Tami	Brendan O'Hara (Argyll and Bute)	Patrick Grady
Afzal Khan (Manchester, Gorton)	Mark Tami	Guy Opperman (Hexham)	Stuart Andrew
Sir Greg Knight (East Yorkshire)	Stuart Andrew	Kate Osamor (Edmonton)	Nadia Whittome
Mrs Pauline Latham (Mid Derbyshire)	Mr William Wragg	Kirsten Oswald (East Renfrewshire)	Patrick Grady
Ian Lavery (Wansbeck)	Mary Kelly	Sarah Owen (Luton North)	Alex Norris
Chris Law (Dundee West)	Foy	Dr Dan Poulter (Central Suffolk and North Ipswich)	Peter Aldous
Clive Lewis (Norwich South)	Patrick Grady	Lucy Powell (Manchester Central)	Mark Tami
Mr Ian Liddell-Grainger (Bridgwater and West Somerset)	Rosie Duffield	Yasmin Qureshi (Bolton South East)	Mark Tami
Tony Lloyd (Rochdale)	Stuart Andrew	Christina Rees (Neath)	Mark Tami
Mark Logan (Bolton North East)	Mark Tami	Ellie Reeves (Lewisham West and Penge)	Mark Tami
Rebecca Long Bailey (Salford and Eccles)	Stuart Andrew	Ms Marie Rimmer (St Helens South and Whiston)	Mark Tami
Julia Lopez (Hornchurch and Upminster)	Cat Smith	Rob Roberts (Delyn)	Stuart Andrew
Jack Lopresti (Filton and Bradley Stoke)	Lee Rowley	Bob Seely (Isle of Wight)	Stuart Andrew
Mr Jonathan Lord (Woking)	Stuart Andrew	Naz Shah (Bradford West)	Mark Tami
Kenny MacAskill (East Lothian)	Stuart Andrew	Mr Virendra Sharma (Ealing, Southall)	Mark Tami
Craig Mackinlay (South Thanet)	Patrick Grady	Mr Barry Sheerman (Huddersfield)	Mark Tami
Cherilyn Mackrory (Truro and Falmouth)	Robert Courts	Tommy Sheppard (Edinburgh East)	Patrick Grady
Shabana Mahmood (Birmingham, Ladywood)	Stuart Andrew	Tulip Siddiq (Hampstead and Kilburn)	Mark Tami
Alan Mak (Havant)	Mark Tami	Alyn Smith (Stirling)	Patrick Grady
Seema Malhotra (Feltham and Heston)	Stuart Andrew	Greg Smith (Buckingham)	Stuart Andrew
Rachael Maskell (York Central)	Mark Tami	Royston Smith (Southampton, Itchen)	Robert Courts
Andy McDonald (Middlesbrough)	Mark Tami	Jo Stevens (Cardiff Glasgow Central)	Mark Tami
John McDonnell (Hayes and Harlington)	Mark Tami	Sir Gary Streeter (South West Devon)	Stuart Andrew
Anne McLaughlin (Glasgow North East)	Mark Tami	Mel Stride (Central Devon)	Stuart Andrew
John Mc Nally (Falkirk)	Cat Smith	Sam Tarry (Ilford South)	Mark Tami
Stephen McPartland (Stevenage)	Patrick Grady	Gareth Thomas (Harrow West)	Mark Tami
Ian Mearns (Gateshead)	Patrick Grady	Owen Thompson (Midlothian)	Patrick Grady
Mark Menzies (Fylde)	Stuart Andrew	Jon Trickett (Hemsworth)	Olivia Blake
Johnny Mercer (Plymouth, Moor View)	Mark Tami	Karl Turner (Kingston upon Hull East)	Mark Tami
Stephen Metcalfe (South Basildon and East Thurrock)	Sir David Amess	Dr Jamie Wallis (Bridgend)	Stuart Andrew
Nigel Mills (Amber Valley)	Stuart Andrew	David Warburton (Somerton and Frome)	Stuart Andrew
Mr Andrew Mitchell (Sutton Coldfield)	Stuart Andrew	Helen Whately (Faversham and Mid Kent)	Stuart Andrew
Carol Monaghan (Glasgow North West)	Giles Watling	Mrs Heather Wheeler (South Derbyshire)	Stuart Andrew
Jessica Morden (Newport East)	Stuart Andrew	Dr Philippa Whitford (Central Ayrshire)	Patrick Grady
Anne Marie Morris (Newton Abbot)	Stuart Andrew	Hywel Williams (Arfon)	Ben Lake
		Beth Winter (Cynon Valley)	Rachel Hopkins
		Mohammad Yasin (Bedford)	Mark Tami

Written Statements

Monday 6 July 2020

CABINET OFFICE

Historic Records Transfer

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove): The Constitutional Reform and Governance Act 2010 amended the Public Records Act 1958 and introduced a 20-year rule for the transfer of historic government records to the National Archives. This replaced the 30-year rule in force since 1967. The Act made provision to phase in this change over 10 years, beginning in 2013. The transitional arrangements require the Cabinet Office to transfer records of 1997 and 1998 by the end of this year. The Cabinet Office's historic records include those of the Prime Minister's Office. This statement provides an update on the impact of covid-19 on our work in this area.

Since 2015, the Cabinet Office has made two transfers a year, in July and December. The July opening is discretionary and reflects the Cabinet Office's commitment to opening as much as possible as early as possible.

Measures to contain covid-19 have inevitably had an impact on work in this area. It will not, therefore, be possible to transfer records in July this year. Whilst work has continued as normal in many areas across the Department, archival work requires physical access to hard copy files to complete the review and preparation of documents for transfer.

In addition, the National Archives building in Kew closed to the public and staff on 17 March 2020 and at present is unable to facilitate the transfer of new records.

I remain fully committed to meeting our obligations under public records legislation. The Department is undertaking an assessment of the wider impact of the covid-19 restrictions on work in this area. We will work with the National Archives and the advisory council on national records and archives and will provide a further update to the House in due course.

[HCWS335]

EDUCATION

Higher Education Student Finance

The Minister for Universities (Michelle Donelan): I am announcing details of student finance arrangements for higher education students undertaking a course of study in the 2021-22 academic year starting on 1 August 2021.

Maximum tuition fees for the 2021-22 academic year in England will be maintained at the levels that apply in the 2020-21 academic year, the fourth year in succession that fees have been frozen. This means that the maximum level of tuition fees for a standard full-time undergraduate course will remain at £9,250 for the 2021-22 academic year.

Maximum undergraduate loans for living costs will be increased by forecast inflation (3.1%) in 2021-22. And the same increase will apply to maximum grants for students with child or adult dependants who are attending full-time undergraduate courses in 2021-22.

We are also increasing support for students undertaking postgraduate courses in 2021-22. Maximum loans for students starting master's degree and doctoral degree courses from 1 August 2021 onwards will be increased by forecast inflation (3.1%) in 2021-22.

I am also announcing today changes to disabled students' allowance (DSA) that will increase flexibility for students to access the support that they need. The undergraduate DSA, which is currently structured as four separate sub-allowances, will be simplified into one allowance in line with the postgraduate DSA.

The same maximum allowance (£25,000) will apply to both full-time and part-time undergraduate and postgraduate DSA recipients in 2021-22. This will apply for both new and continuing students. An exception for travel costs will be made to this maximum cap, which means that travel costs will in effect continue to be uncapped.

I am announcing today that individuals who have been granted indefinite leave to remain as a bereaved partner, and resident in the United Kingdom and islands since the grant of such leave, will not be required to demonstrate three years' ordinary residence in the United Kingdom and islands before the start of a course to qualify for student support and home fee status in relation to new higher education courses from 1 August 2021 onwards.

I am also announcing today that individuals in protection based categories (those with humanitarian protection leave, Calais leave, section 67 leave and stateless leave) starting or continuing higher education courses in 2021-22 will no longer be required to demonstrate three years' ordinary residence in the United Kingdom and islands before the start of a course to qualify for student support and home fee status.

Further details of the student support package for 2021-22 are set out in the attached document.

I expect to lay regulations implementing changes to student finance for undergraduates and postgraduates for 2021-22 later in 2020. These regulations will be subject to parliamentary scrutiny.

The attachment can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-07-06/HCWS336/>.

[HCWS336]

FOREIGN AND COMMONWEALTH OFFICE

Global Human Rights Sanctions Regime

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): I have today laid before Parliament, under the powers of the Sanctions and Anti-Money Laundering Act 2018, the Global Human Rights Sanctions Regulations 2020.

These regulations enable sanctions to be imposed on those who are involved in serious violations or abuses of human rights. This sanctions regime is not about punishing countries or peoples. It is a smart tool allowing the Government to impose both asset freezes and travel bans on specific individuals or entities in order to provide accountability for and deter serious violations

of human rights around the world and prevent those responsible from coming to the UK or laundering their assets here. These sanctions will help to ensure that the UK is not a safe haven for those involved in serious human rights violations, including those who profit from such activities.

The regulations allow Ministers to impose sanctions on persons who are involved in activities that would amount to a serious violation of the right to life; the right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment; and the right to be free from slavery, not to be held in servitude or required to perform forced or compulsory labour. The global human rights sanctions regime can be used to target different forms of involvement in such violations of human rights, including those who profit from them. The regulations allow for non-state actors as well as state actors to be designated.

The introduction of this autonomous human rights sanctions regime will give the UK an additional, powerful tool to support human rights across the world, and underpin global Britain's role as a force for good in the world.

Today, I will also publish the first persons to be designated under this new sanctions regime.

[HCWS337]

HOME DEPARTMENT

M15 Compliance Improvement Review

The Secretary of State for the Home Department (Priti Patel):

On 15 July 2019, my predecessor made a written ministerial statement regarding the MI5 compliance improvement review conducted by Sir Martin Donnelly. Sir Martin made 14 recommendations focused on achieving lasting improvements in the areas of compliance, openness and legal assurance.

The director general of MI5 and I remain fully committed to the implementation of the recommendations.

As Sir Martin recommended, it is my intention to independently verify the implementation of his recommendations. However, it has become apparent that, due to the impacts of Covid-19, the start of this verification, which was originally due to be completed by the end of June 2020, will have to be postponed.

MI5 expect to complete the implementation of Sir Martin's recommendations by the end of 2020. The independent verification will therefore commence at the beginning of 2021.

I have full confidence in the integrity of MI5 officers and their commitment to complying with legal obligations. They do a vital job in keeping our country safe, a task that, at this time of uncertainty, is more important than ever.

[HCWS334]

TRANSPORT

Travel Corridors

The Secretary of State for Transport (Grant Shapps): It is vitally important that we manage the risk of a second wave of coronavirus and keep the number of cases of covid-19 in the UK as low as possible. Health protection Regulations concerning international travel came into force in all parts of the UK on 8 June. These require people who arrive in the UK from outside the common travel area to self-isolate for 14 days and to complete a passenger locator form. The regulations have helped to reduce the risk of importing cases into the UK.

For arrivals from some countries and territories into England, where the risk of importing Covid-19 is sufficiently low, the Government consider that it can now end the self-isolation requirement. Therefore, passengers will not be required to self-isolate when they are returning from travel abroad or arriving as visitors to England from a number of exempt countries and territories. Contact information will still need to be provided on arrival except by people on a small list of exemptions.

The process to date

We have been guided by the science and worked closely with health and policy experts from across Government to ensure the steps we are taking will minimise the risk of importing covid-19 cases, while helping to open our travel and tourism sector.

The joint biosecurity centre, in close consultation with Public Health England and the chief medical officer, has developed an approach to assessing the public health risk associated with inbound travel from specific countries and territories. The categorisation has been informed by an estimate of the proportion of the population that is currently infectious in each country, virus incidence rates, trends in incidence and deaths, transmission status and international epidemic intelligence as well as information on a country's testing capacity and an assessment of the quality of the data available. Data has been used from official sources in each country and modelling by the London School of Hygiene and Tropical Medicine, as well as from Public Health England and the national travel health network and centre. Other data sources may be used in the future.

This categorisation has informed the Government decisions about relaxation of border measures and has allowed us to establish travel corridors through which passengers arriving in England from certain countries and territories will be exempted from the requirement to self-isolate. Those who have visited or transited through any non-exempt country or territory within the 14 days preceding their arrival will be required to self-isolate for the remainder of the 14-day period since they last left such a country or territory. The decision on these exemptions forms part of the first review of the health protection regulations concerning international travel which apply in England. FCO travel advice should always be consulted before booking any travel.

The Government are continuing to discuss this approach with the devolved Administrations who will set out their own approach in time. Passengers travelling from overseas to Scotland, Wales and Northern Ireland from outside the common travel area should ensure they follow the laws and guidance which apply there.

Countries and territories exemption list

From 10 July, unless they have visited or transited through any non-exempt country or territory in the preceding 14 days, passengers arriving from the following countries and territories will not be required to self-isolate on arrival in England:

Andorra, Antigua and Barbuda, Aruba, Australia, Austria, The Bahamas, Barbados, Belgium, Bonaire St Eustatius and Saba, Croatia, Curacao, Cyprus, Czech Republic, Denmark, Dominica, Faroe Islands, Fiji, Finland, France, French Polynesia, Germany, Greece, Greenland, Grenada, Guadeloupe, Hong Kong, Hungary, Iceland, Italy, Jamaica, Japan, Reunion, Liechtenstein, Lithuania, Luxembourg, Macau, Malta, Mauritius, Monaco, New Caledonia, The Netherlands, New Zealand, Norway, Poland, Seychelles, St Barthelemy, St Kitts & Nevis, St Lucia, St Pierre and Miquelon, San Marino, Serbia, South Korea, Spain, Switzerland, Taiwan, Trinidad & Tobago, Turkey, Vatican City State, Vietnam.

Ireland is already exempt as part of the common travel area, as are the Channel Islands and the Isle of Man. In addition, we will be exempting the 14 British overseas territories. We will keep the conditions in these countries and territories under review. If they worsen we will not hesitate to reintroduce self-isolation requirements.

In addition, the UK Government will be making a small number of sector-specific exemptions to the border health measures as a result of the first review. From 7 July, certain transport workers who do not come into contact with passengers in the course of their journey to England will no longer be required to complete the

passenger locator form. This will help pilots, seafarers, and Eurostar and Eurotunnel drivers who make regular crossings without coming into contact with passengers. There will also be additional exemptions for certain groups, including elite sportspersons and essential support staff returning to England or participating in certain elite sports events, and individuals coming to England to work on British film and television productions.

Next steps

My Right hon. Friend, the Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State has announced exemptions to the global advisory against all but essential travel. Travellers should review this advice before making travel plans, and purchase travel insurance.

The Government will keep the requirements and exemptions set out in the regulations under review. The next review of the regulations will be by 27 July 2020. For further information, please visit <https://www.gov.uk/uk-border-control>.

I hope this announcement provides good news to the many of us who want to enjoy a holiday abroad this year, visit family and friends overseas or travel to do business and will help protect jobs in the international transport and tourism sectors. The Government continue to work closely with international partners around the world to discuss arrangements for travellers arriving from the UK and will continue this engagement ahead of the changes coming into force.

[HCWS338]

Petition

Monday 6 July 2020

OBSERVATIONS

TRANSPORT

Future of the aviation and aerospace industry

The petition of the residents of the constituency of Paisley and Renfrewshire North,

Declares that job losses at British Airways, Rolls-Royce and across the aviation and aerospace industry will be a devastating blow to employees of these firms and will cause major economic damage to the whole of the UK; further that this will particularly affect constituencies like Paisley and Renfrewshire North, which have large aviation sectors; supports the early intervention by the Scottish Government in removing the business rates liability for one year and urges the UK Government to follow suit; and welcomes the 1,167 signatories to the related petition from Gavin Newlands on the aviation industry.

The petitioners therefore request that the House of Commons urges the Government to secure a sustainable future for the aviation industry, to ensure that urgent discussions take place between relevant ministers and these firms to protect the maximum number of jobs, and to ensure that workers play a full role in the decisions being taken about this industry.

And the petitioners remain, etc.—[Presented by Gavin Newlands, *Official Report*, 3 June 2020, Vol. 676, c. 974.]

[P002568]

Observations from The Parliamentary Under-Secretary of State for Transport (Kelly Tolhurst):

The Government recognise the challenging times facing the aviation sector as a result of covid-19. Aviation plays a critical role to our future as a global trading nation

and for local economies such as the constituency of Paisley and Renfrewshire North. Additionally, we recognise that this will be a very distressing time for employees of British Airways, Rolls-Royce and across the aviation and aerospace industry, as well as for their families and for local communities that are supported by the industry.

The aviation sector is able to draw upon the unprecedented package of measures announced by the Chancellor, including a Bank of England scheme for firms to raise capital, time to pay flexibilities with tax bills, financial support for employees and VAT deferrals. These measures have been designed to ensure that companies of any size receive the help they need to get through this difficult time, airports, airlines and the wider supply chain.

Our absolute focus in Government has been combating coronavirus, with a view to the safe return to aviation, when the science allows. We have kept an open dialogue with the aviation and aerospace sectors with regular structured engagement from the start of the pandemic with unions and industry bodies such as ADS, AoA and Airlines UK as well as with individual airlines, airports, ground handlers and manufactures.

More recently, the Department for Transport has established a restart and recovery unit to work directly with the sector, focusing on the immediate practicalities of restarting the sector and to set a clear vision and objectives looking forward to the longer-term recovery phase. This work has already started in earnest with the international aviation taskforce's industry expert steering group, a collaborative working group with representation from across industry and Government, including the devolved Administrations. Through this group we have recently developed safer travel guidance for operators and passengers, published on the 11 June 2020. This group will also consider how the industry can restart flying and ensure that it can grow sustainably in the future.

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Monday 6 July 2020

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**not later than
Monday 13 July 2020**

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