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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 21 July 2020

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

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

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

Oral Answers to Questions

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

The Secretary of State was asked—

Covid-19: Support for Business

Dr Neil Hudson (Penrith and The Border) (Con): What steps his Department is taking to support businesses during the covid-19 outbreak. [905049]

Ben Everitt (Milton Keynes North) (Con): What support his Department is providing to businesses to help them recover from the covid-19 outbreak. [905053]

Andy Carter (Warrington South) (Con): What steps his Department is taking to support businesses during the covid-19 outbreak. [905072]

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): Since the start of the covid-19 outbreak, the Government have provided £160 billion of support through a range of schemes to protect jobs and help businesses keep going. We have also provided support to businesses through measures in the Corporate Insolvency and Governance Act 2020 and the Business and Planning Bill. Working with business and trade unions, my Department has published detailed guidance to help businesses reopen safely.

Dr Hudson [V]: The Government's support for people and businesses during the covid crisis has been fantastic and has helped countless constituents in Penrith and The Border and across the UK. Unfortunately, many have still not been able to access support, such as the newly self-employed, limited company directors, freelancers, new starters and those who fall on the wrong side of the eligibility criteria. Will my right hon. Friend work with the Treasury to see whether those hard-working people can be helped with some emergency financial support?

Alok Sharma: My hon. Friend will know that we have supported over 9 million jobs through the job retention scheme, 2.7 million people have benefited from the self-employment support scheme and around 870,000 small businesses have benefited from grants. The Chancellor set out his plan for jobs a few days ago. The key now is to get the economy up and running, so that businesses can trade.¹

Ben Everitt: That is absolutely right, but it is not just about bouncing back; it is also about levelling up. Will the Secretary of State join my hon. Friend the Universities Minister in giving his backing in the spending review to the shovel-ready MK:U—a much needed technical university in Milton Keynes which will deliver cutting-edge science, technology and engineering jobs and skills for local employers?

Alok Sharma: As my hon. Friend would expect, the MK:U proposal will be judged objectively on its merits. More generally, I can confirm that the Government recognise the significant potential of the Oxford-Cambridge arc and the important role of Milton Keynes in achieving that potential.

Andy Carter: Airline pilots working for easyJet took an unprecedented decision on Friday to declare no confidence in their senior management. I have heard from many constituents who work at the airline in Liverpool and Manchester who are worried about the company's approach of "fire and rehire on different terms". Does my right hon. Friend agree that safety in the airline industry must always be paramount and that negotiations about future job losses should be respectful and in good faith?

Alok Sharma: My hon. Friend highlights an important point. Throughout the covid-19 period, the Government have provided unprecedented support for employment and worked in close partnership with the business community. I understand that it continues to be a difficult time for many businesses, but as he highlights, in that spirit of partnership, we expect all employers to treat their employees fairly and follow the rules.

Edward Miliband (Doncaster North) (Lab): I want to return the Secretary of State to the question asked by the hon. Member for Penrith and The Border (Dr Hudson) about the many businesses that are part of the 3 million ExcludedUK group. They include over 2 million people who are essentially self-employed but have been disqualified from help under the self-employment scheme for various—often arbitrary—reasons. In many cases, this is not simply rough justice but deep unfairness. Many of these individuals are not high earners. Will the Secretary of State give an indication that he recognises that this is an injustice, and can he tell us how he plans to address it?

Alok Sharma: The right hon. Gentleman will also acknowledge that the Government have provided unprecedented support to businesses across the whole economy. As I said, the key right now is to support businesses to open, to get the economy up and running. That is the best way that we can support businesses across the United Kingdom.

Edward Miliband: This issue of 3 million people being excluded is not going away. Let me ask him about the winding down of the furlough scheme. Yesterday, Make UK, the manufacturers' organisation, said that a furlough extension was vital to prevent a "jobs bloodbath" in aerospace and automotive. We see the looming threat too in sectors that have not yet reopened, such as events and exhibitions, and those operating well below capacity, such as hospitality. Yet from next week, the Government

1. [Official Report, 1 September 2020, Vol. 679, c. 2MC.]

are insisting that every single employer, whatever their industry, will have to start contributing to the furlough. Does the Secretary of State not recognise that this decision to phase out the furlough, irrespective of circumstances, risks handing a P45 to hundreds of thousands of workers?

Alok Sharma: The furlough scheme will have been up and running for a full eight months, providing a huge amount of support for more than 9 million jobs. It is becoming more flexible and allowing people to return to work part time. The right hon. Gentleman will know that the Chancellor has also set out the job retention bonus which, if it is taken up by all employers, will represent a £9 billion boost for the economy. I say to him again that the key is to get the economy up and running and to get businesses trading.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): As we have heard, many businesses, sole traders, freelancers and others have been left without support throughout this health emergency. They are on their knees and they are still getting no support. How can they rebuild their trade when the Secretary of State's Government will not help them? If his Government will not help them, why have they refused to allow simple adjustments to Scotland's borrowing rules so that the Scottish Government can step in?

Alok Sharma: The hon. Gentleman talks about support in Scotland; like many colleagues in the House, I believe in the Union, and we must work together to support workers across the United Kingdom. More than 730,000 jobs have been protected in Scotland through the furlough scheme. The hon. Gentleman will know that, as a result of the additional moneys that the Chancellor announced at the summer statement, the total additional Barnett funding to Scotland since March is £4.6 billion.

Drew Hendry: Oh how the broad shoulders of the Union slump when asked a difficult question. The Institute for Fiscal Studies has exposed how the promised £800 million of consequential for Scotland from the Chancellor's job package is in fact only £21 million. Will the Secretary of State now do the right thing by Scotland's businesses and urge the Chancellor to replace the missing £779 million—or has he also bought into the Prime Minister's stated view that a pound spent in Croydon is of more value than a pound spent in Scotland?

Alok Sharma: The hon. Gentleman talks about supporting businesses in Scotland; perhaps he will come forward and give his support to the UK internal market White Paper that we have published.

Horizon Post Office Scheme

Kate Osborne (Jarrow) (Lab): What steps he is taking to support sub-postmasters affected by the Horizon post office scandal. [905050]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): The independent review of Horizon will provide a public summary of the failings that occurred at Post Office

Ltd, which I hope will give postmasters the answers that they have been seeking all these years. It will also ensure that lessons are learned for the future.

Kate Osborne: Last month, the Government announced an independent review of the Post Office's Horizon IT system scandal that led to hundreds of postmasters being fired, many going bankrupt and others even being imprisoned. The Post Office Horizon scandal will go down as one of the biggest civil injustices ever. To restore public confidence and bring justice to the many lives ruined, it is vital that each individual case is assessed and that rightful compensation is paid to all those affected. A judge-led public inquiry is the only answer; will the Minister commit to that now?

Paul Scully: I am grateful to the hon. Lady for her question and her continued highlighting of the sub-postmasters' situation. I hope to announce the chair of the review very soon so that we can start on it at pace in September.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): The Post Office Horizon scandal is one of the biggest miscarriages of justice of our times: 20 years of reputations ruined, families torn apart and lives lost. Sub-postmasters were betrayed by a Post Office that so persecuted them that what compensation they have won has largely gone on legal fees, and they have now turned to the parliamentary ombudsman to investigate the full costs of a Government that failed

“to undertake its statutory duty of oversight”.

As we break for our summer holidays, will the Minister finally do the right thing and commit to a full, judge-led inquiry that will get to the bottom of the wrongs suffered and deliver both justice and compensation?

Paul Scully: The chairman or woman of the review will be announced in due course so that we can start the review of this injustice in September at pace. It is important that we speak to the Post Office, the Government, the sub-postmasters and other people, including at Fujitsu, to get to the bottom of this matter so that we can learn the lessons and move forward for the sub-postmasters of the future.

Aerospace Sector

Gavin Robinson (Belfast East) (DUP): What support he plans to provide to the aerospace sector. [905052]

Jane Stevenson (Wolverhampton North East) (Con): What support his Department is providing to the aerospace sector during the covid-19 outbreak. [905058]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Nadhim Zahawi): This is the last Department for Business, Energy and Industrial Strategy questions before recess and I want to place on record my thanks to you, Mr Speaker, and your staff for the incredible way that they have managed proceedings in the House.

It is Farnborough week and the Government are providing the aerospace industry and its aviation customers with more than £8.5 billion of support, including through

UK Export Finance, the covid corporate financing facility, research grants and the job retention scheme. We are discussing further help with the sector.

Gavin Robinson: May I start by thanking the Minister for his personal engagement given some of the difficulties that we have had with the aerospace sector in Northern Ireland, and particularly with Bombardier in my constituency? Given that it is Farnborough week, let me say that I read with interest the Minister's comments yesterday on FlightGlobal in the question and answer session, and one of the missing components is the retention of key skills within this high-end engineering sector. Does the Minister accept that, without a clear, bespoke solution to support and sustain jobs beyond the cliff edge of October with the job retention scheme, the aerospace industry is facing a clear and present danger?

Nadhim Zahawi: I am grateful to the hon. Member for his question and for his comments about our engagement with the sector. We are supporting the aviation and aerospace sector with £8.5 billion and rising. If he looks at support from other countries, which we do, he will see that we will also consider further support as we progress, as the Chancellor has said, through the recovery.

Jane Stevenson: Wolverhampton North East is home to aerospace companies that have seen an unprecedented and sudden collapse of demand. Collins Aerospace is now sadly considering mass redundancies. What further support can the Government offer to limit job losses in Wolverhampton?

Nadhim Zahawi: We work with the whole aerospace industry. I am the co-chair of the Aerospace Growth Partnership. As well as access to the furlough scheme and the corporate finance scheme, the Secretary of State announced yesterday £400 million in further funding for research and development support for the sector to get to that Jet Zero flight. The Future Flight Challenge is already investing £300 million. We continue to work with the sector to make sure that those skill sets, that ecosystem that has been so brilliant at delivering an incredible industry in the UK, are maintained for the next three to five years, which is the timeline by which the sector looks to recover.

Mr Speaker: I thank the Minister, on behalf of my office, for his kind words.

Lucy Powell (Manchester Central) (Lab/Co-op) [V] Thank you, Mr Speaker, for facilitating these virtual questions for the past few weeks, and long may they continue.

Although yesterday's announcement was welcome, the Minister and I both know that nearly all the projects have been a long time in coming—from well before the current coronavirus crisis—so, in that sense, the funds announced yesterday were already priced in by the sector. In order to protect the aerospace jobs of today, as others have asked, which are highly skilled and in areas of the country that can ill afford to lose them, we really do need further urgent action today. Will the Minister say more than he has so far, which has been warm words but not much real action, to reassure those working in aerospace that their jobs will be protected in the coming months and years?

Nadhim Zahawi: I take issue with “warm words and no action” as £8.5 billion has been put to work to protect jobs and to protect the sector. It is great to see that, this week, Airbus has shown confidence in the UK with confirmation that the wings for its latest aircraft, the A321XLR, will be built in the UK at Broughton. That demonstrates our engagement not just with Airbus, but with Bombardier and with other major players in the market and, of course, the supply chain as well. We continue to put the support in place and to look at further support as we progress through the economic recovery.

Social Distancing: Beauty Sector

Catherine West (Hornsey and Wood Green) (Lab): What support his Department is providing to (a) the beauty sector and (b) other sectors that remain fully or partially locked down as a result of social distancing measures. [905054]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): Further to the Prime Minister's announcement on 17 July, I am delighted that all close contact services will be able to resume from 1 August. We have taken a phased, cautious approach to reopening our economy, guided by the scientific and medical advice.

Catherine West: The close contact sector of the theatre is the one that I want to ask about, Minister. What action can the Government take to support local theatres such as Jacksons Lane, Upstairs at the Gatehouse and the Park Theatre? My constituents work in those theatres and, sadly, redundancy notices are going out. What can be done to save these jobs and protect another highly skilled sector?

Paul Scully: I totally understand, as Minister for London, that many theatres in the middle of London also require that support, but for provincial theatres around the country, we really do need to make sure that we can attract audiences back. That is why we are looking forward to working with theatre groups to have pilots for events so that when they are able to open, people can come safely and enjoy the performances that they have to offer.

Covid-19: Retail and Hospitality Sectors

Suzanne Webb (Stourbridge) (Con): What support his Department is providing to the retail and hospitality sectors as covid-19 lockdown restrictions are eased. [905055]

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): Through the Business and Planning Bill, we are simplifying reliefs and the costs to cafés, pubs and restaurants of obtaining a licence to allow for outdoor dining. The Chancellor has also announced a six-month temporary VAT rate reduction from 20% to 5% for the hospitality, accommodation and attraction sectors. Both these measures should help to provide a welcome boost for business.

Suzanne Webb: My constituency is known for its culinary delights such as the fantastic Butterfingers Deli, and Balti Bazaar in Lye, not forgetting its equally fantastic independent local pubs. Does my right hon. Friend agree that it is crucial that we encourage customers

to get back to our pubs and restaurants to support our local economies and get our economic engines firing again?

Alok Sharma: My hon. Friend is absolutely right. We need to get out there supporting our pubs and restaurants. The Eat Out to Help Out scheme operating during August is another great incentive to support participating restaurants, cafés, pubs and other food establishments. Al fresco dining midweek in balmy August weather should be a must for all of us.

Mr Speaker: I call the Chair of the Select Committee, Darren Jones.

Darren Jones (Bristol North West) (Lab): Hospitality workers who, in normal times, rely on tips as a significant part of their income have been especially hit, not just because their workplaces have been shut but because furlough payments have not recognised tip-based income. The Government have committed to bringing forward legislation to ensure that hospitality staff can keep their tips; indeed, it was a Conservative party manifesto commitment. When will that legislation be brought to the House?

Alok Sharma: The Chairman of the Select Committee raises a very important point. As he knows, we have had to bring forward a number of emergency Bills. However, I recognise the point he is making, and we will look to see the earliest point at which we might be able to bring that forward.

Covid-19: Green Economic Recovery

Tom Randall (Gedling) (Con): What steps his Department is taking to ensure a (a) green and (b) resilient economic recovery from the covid-19 outbreak. [905056]

Janet Daby (Lewisham East) (Lab): What plans he has to promote a green economic recovery after the covid-19 outbreak. [905066]

Rachael Maskell (York Central) (Lab/Co-op): What plans he has to promote a green recovery from the covid-19 outbreak. [905067]

Tonia Antoniazzi (Gower) (Lab): What plans he has to promote a green recovery from the covid-19 outbreak. [905075]

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): The Prime Minister has made clear our intention to build back greener. We are taking action to deliver on that commitment, including through a commitment of over £3 billion to reduce emissions from our buildings across the UK, £800 million to promote carbon capture from power stations and industry, and a further £100 million being invested in R&D in direct air capture technologies.

Tom Randall: I am delighted that the Chancellor focused on creating green jobs in his summer economic update. Does my right hon. Friend agree that launching a multi-billion pound drive to improve the energy efficiency of homes will not only be good for creating jobs and driving us towards our net zero target but will save people money on their energy bills?

Kwasi Kwarteng: My hon. Friend is exactly right. Our £3 billion investment in energy efficiency could support up to 140,000 green jobs. The £2 billion green homes grant will upgrade over 600,000 homes, saving households up to £600 a year on their energy bills.

Janet Daby [V]: I agree that it is great to have jobs created. Insulating homes creates jobs across all regions of the UK, yet right now it is having the opposite effect. Labour has been contacted by insulation businesses who are experiencing cancelled work as clients now want to wait until September, when green homes grant money is available. Will the Minister fix this problem, and fix it now, by stating that jobs done in July and August can claim green homes grant funding in September?

Kwasi Kwarteng: The hon. Lady asks a very pertinent question. The Chancellor set out a £3 billion programme, and of course it will take time before that money is fully deployed. As well as the green homes upgrade, we have committed £320 million to the heat networks investment project, which is very relevant to the kind of work that she has described.

Rachael Maskell [V]: With the Government having committed to invest in the bioscience sector in York, making it the heart of the green new deal, they are now trying to make that conditional on a local government reorganisation that is not only deeply unpopular but is also, frankly, unworkable. In the light of comments that York's economy will be the second-worst hit in the country, with unemployment rising to as high as 28%, will the Minister instead now bring forward that investment, to prevent mass unemployment in my city, to prevent unnecessary economic pain and to kick-start investment in green-collar jobs?

Kwasi Kwarteng: As the hon. Lady knows, we are absolutely committed to creating green-collar jobs. Today, we have 460,000 of those jobs across the UK; by 2030, we have stated our commitment to have 2 million such jobs. No one can deny our commitment to creating green jobs. I would further add that we are also committed to making the UK a science superpower, and we will make innovation central to our green recovery. That is absolutely front and centre of what the Government are trying to do.

Tonia Antoniazzi: Commenting on his own report back in 2017, Charles Hendry said,

“the evidence is clear that tidal lagoons can play a cost effective role in the UK's energy mix”.

This Government still have not managed to back the oven-ready pathfinder tidal energy project in Swansea bay. When will they recognise the opportunities, the new green jobs and the inward investment support that tidal power can bring to Swansea, Wales and the rest of the UK?

Kwasi Kwarteng: We are absolutely committed, as the hon. Lady knows, to tidal power and all forms of marine power. There was a specific issue with the Swansea bay tidal lagoon project, which was that it was felt not to be economical. That was a specific, project-based, single incidence where we did not feel that it was value for taxpayers' money.

Dr Alan Whitehead (Southampton, Test) (Lab): All we have right now, as far as energy efficiency for homes is concerned, is an announcement of a one-year scheme to provide vouchers for energy efficiency improvements in mostly lower priority properties, with no detail yet as to how that will work. The Minister simply did not answer the question from my hon. Friend the Member for Lewisham East (Janet Daby) about businesses in the field who are telling us that jobs are being lost now, because people are cancelling work in anticipation of those details, if and when they come out.

What we need for green recovery is a long-term programme that develops jobs and skills and really contributes towards low carbon energy efficiency improvements across all homes in England and Wales. When does the Minister intend to provide details of how the short-term plan will work and what is he doing to establish a proper long-term home energy efficiency programme on the back of that plan?

Kwasi Kwarteng: Obviously, the hon. Gentleman and I will have slightly different views of what the Government are doing. I was surprised to hear him dismiss the £3 billion commitment. I remind him that green homes grants will deliver improvements to more than 650,000 homes, supporting 140,000 jobs in 2020-21. These are significant strides and a huge amount of money has been committed to that programme.

Covid-19: Indoor Air Quality

Geraint Davies (Swansea West) (Lab/Co-op): What steps he has taken to ensure that the indoor air quality of offices, shops, restaurants and bars is adequate to help prevent the spread of covid-19 among workers and customers. [905057]

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): The Government have provided clear advice on ventilation in our safer workplaces guide. We are led by the science in that work and, as the scientific and medical advice changes, the guidance will be updated to reflect that.

Geraint Davies [V]: The Minister should know that the science now shows that indoor air pollution dramatically increases coronavirus infection and death rates, and that masks inhibit the transmission of the virus. Will he today press to follow France's lead to make compulsory mask-wearing the law in all indoor environments accessible by the public, and include indoor air pollution in the terms of the Environment Bill in September, in order to save lives and protect our NHS?

Kwasi Kwarteng: As I said in my earlier answer, we are guided all the time by science and evidence and, as the science and evidence changes, we will calibrate our policy responses to that effect.

Home Working

Michael Fabricant (Lichfield) (Con): What steps his Department is taking to encourage home working; and if he will make a statement. [905059]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Amanda Solloway): Around 90% of employees already have a statutory right to request homeworking as well as other forms of flexible

working. We are now encouraging employers and employees to discuss how work can be done safely at home or in a covid-secure workplace.

Michael Fabricant: Well, a recent survey has shown that two thirds of people would prefer to work from home either full time or part time, rather than work all the time at the places they worked from pre-covid. With this change in attitudes, which means we will end up with less pollution and probably a better standard of living, what can the Government do, and what can the Minister do, to encourage this type of working for those who want it?

Amanda Solloway: We are aware of the wider benefits of flexible working. Nearly half of employees have worked from home during covid-19. Most employees already have the right to request flexible working, which employers can reject only for really sound business reasons. In our manifesto, we committed to take it further, and we will be looking at it in the light of covid.

Support for Businesses: Scotland

Gavin Newlands (Paisley and Renfrewshire North) (SNP): What recent discussions he has had with the Chancellor of the Exchequer on increasing support for businesses in Scotland. [905060]

Allan Dorans (Ayr, Carrick and Cumnock) (SNP): What discussions he has had with the Chancellor of the Exchequer on increasing support for businesses in Scotland. [905070]

Stephen Flynn (Aberdeen South) (SNP): What discussions he has had with the Chancellor of the Exchequer on increasing support for businesses in Scotland. [905073]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Nadhim Zahawi): The Secretary of State and I hold regular discussions with the Chancellor of the Exchequer on the issue of business support, including on the schemes available to support Scottish businesses affected by the covid-19 pandemic.

Gavin Newlands: We are still waiting on the promised aviation sectoral support. Indeed, far from support, in my Adjournment debate the Minister essentially said that workers should be grateful that Rolls-Royce offered voluntary redundancy. Moreover, the Government have not acted to stop companies such as Menzies Aviation and Centrica following the deplorable fire-and-rehire tactics employed by British Airways, which are now being enforced. Will he tell the House whether he thinks it fair that an employer can force an employer on to reduced terms and conditions or face redundancy? Why is that illegal in so many European countries?

Nadhim Zahawi: We are in constant conversation with Rolls-Royce and other employers, quite rightly. The sector will be impacted for between three and five years. It is right that companies should be able to right-size their businesses and, as the Secretary of State referred to, have a constructive dialogue with their

employees about how they arrive at that right size. The Government's position is to support the industry with more than £8.5 billion of support through the covid pandemic.

Allan Dorans: Businesses in Scotland have thrived under devolution with the support of the Scottish Government, who are better able to provide tailored policies specifically for Scotland. An independent economics research organisation based at the University of Warwick published figures just yesterday that show that Brexit had already cost Scotland an estimated £736 a head last year alone. With uncertainty over future funding streams such as the so-called prosperity fund, which we were promised details of two years ago, how does he think that the greatest threat to devolution in its history—the current power-grab by Westminster—presents continued membership of the United Kingdom for business and the people of Scotland as a good option?

Nadhim Zahawi: I have weekly calls with my counterparts in the devolved Administrations, including the Minister for economy and fair work in Scotland. The most successful market is the UK internal market—that is without doubt. That is what the Scottish Government should support. It is a shame that my officials, working with officials from Northern Ireland and, of course, Wales, can move forward, yet the Scottish Government chose to withdraw their officials back in March. I urge my colleague from the SNP to ask the Scottish Government to reintroduce those officials to the system. We would thrive as a United Kingdom.

Stephen Flynn: To protect and rebuild the local economy of Aberdeen and the north-east of Scotland, we need huge investment from the UK Government in the hydrogen economy, carbon capture and underground storage, and an energy transition zone all through an oil and gas sector deal. Will the Minister confirm that his Government intend to sign off an oil and gas sector deal this calendar year—yes or no?

Nadhim Zahawi: It is a manifesto commitment of this Government to deliver an oil and gas sector deal, and we are working with the sector. My brilliant colleague, the Minister with responsibility for energy, has been engaging constantly with the sector to ensure it can take the opportunities that are before it in offshore wind generation and all sorts of other areas. Of course, hydrogen will be incredibly important to the energy White Paper, which we will publish in the autumn, as the Secretary of State set out.

Research and Development

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): What steps he is taking to increase the level of investment in research and development throughout the UK. [905061]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Amanda Solloway): The Government are committed to making the UK a world-leading science superpower, and are increasing Government spending on R&D to £22 billion by 2024-25. We have announced seven successful projects from all four nations

of the UK, which will receive £400 million of funding through our strength in places fund. Our ambitious R&D roadmap commits us to publishing a place strategy in the autumn that goes even further.

Mr Sheerman [V]: Thank you, Mr Speaker, for all the work you have done to keep people like me engaged in the parliamentary process.

The Minister has a business background, so does she not realise that if she could persuade the Chancellor of the Exchequer to follow Mrs Thatcher's example and introduce a windfall profit tax on people who have made a lot of money—the gambling industry and companies such as Amazon—that could be ploughed into research and development? Universities will go through a tough time in the coming months and years, so let us put real resources into research and development as never before.

Amanda Solloway: I add my thanks to your team, Mr Speaker.

The hon. Gentleman will be aware that we have a taskforce that has been looking into how to support universities. It has enabled us to set up a stability fund, which will enable R&D to continue in our institutions. In addition, in the roadmap, which contains the place strategy, we are talking about lots of levelling up. We are making sure we have the opportunity to take this forward and become the science superpower that we all want to be.

Covid-19: Events Sector

Andy Slaughter (Hammersmith) (Lab): What steps he is taking to help the events sector recover from the covid-19 pandemic. [905062]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): As the Prime Minister announced last week, from 1 October the Government intend to allow audiences to return to stadiums around the country. Conferences and other business events can also recommence in a covid-19 secure way, subject to the outcome of pilots.

Andy Slaughter: The Government are really missing the point on this. The thing about events, meetings, conferences, exhibitions and wedding receptions is that they are organised and regulated, and yet they are more constrained at the moment than pubs and restaurants. Rather than talk about pilots and permitted venues that are not defined in the guidance, will the Government look at a faster and fuller opening of the sector before October?

Paul Scully: We took evidence from a number of areas, including the wedding industry, and we have the "Safer Events: A Framework for Action" White Paper. All those people will feed into that discussion. Weddings are essentially parties, and we need to ensure that they can be regulated in a covid-19-secure way. I will meet the wedding industry associations again tomorrow to continue discussions in this area.

Research and Development

Daniel Zeichner (Cambridge) (Lab): What steps he is taking to secure the future of UK research and development. [905063]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Amanda Solloway): The Government are now implementing their ambitious R&D roadmap, published earlier this month, reaffirming our commitment to increasing public R&D spending to £22 billion by 2024-25 and ensuring the UK is the best place for scientists, researchers and entrepreneurs to live and work.

Daniel Zeichner: I appreciate the recent announcements, but can the Minister reassure us that all universities will be able to access those loans, with freedom to invest in line with local priorities? Will she take a look at the proposals from the new Whittle laboratory in Cambridge, which needs to match the already secure £23.5 million in private sector funding to develop the first long-haul zero-carbon passenger aircraft?

Amanda Solloway: I give my assurance that one of the things we are addressing in the roadmap is ensuring that we become a science superpower. Within that, we are levelling up across the whole of the country. I am committed to making the workplace diverse and ensuring that we have a culture that embraces that throughout the whole of country. We will ensure that UK scientists are appreciated and rewarded.

Employment Levels

Rushanara Ali (Bethnal Green and Bow) (Lab): What assessment he has made of the effect of winding down the coronavirus job retention scheme on employment levels. [905064]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Amanda Solloway): The Government have provided unprecedented support to businesses and individuals. We are doubling the number of jobcentre work coaches, spending £32 million to recruit National Careers Service careers advisers and creating hundreds of thousands of new subsidised jobs for young people throughout the UK.

Rushanara Ali: I thank the Minister for her answer, but my question is about the job retention scheme and employment levels. Given that some employers will be paid to retain workers who are never going to be made redundant, some of the job retention bonus scheme will be a dead loss. Would it not be a more effective use of public money to use some of these funds to continue to pay the wages of workers hardest hit and to provide some support to some of the 3 million households that have been excluded throughout this crisis from any help from this Government?

Amanda Solloway: We are giving a whole range of support to everybody, as the hon. Member will know, through a lot of schemes. In fact, 9.4 million jobs have been supported through the coronavirus job retention scheme. As the scheme winds down, we will be making it more flexible so that people can return to work part

time. We are also offering £1,000 to employers for each furloughed employee who is kept on until the end of January 2021.

Life Sciences and Vaccines

Simon Fell (Barrow and Furness) (Con): What steps his Department is taking to support (a) vaccine manufacturing and (b) UK life sciences. [905065]

Mary Robinson (Cheadle) (Con): What steps his Department is taking to support (a) vaccine manufacturing and (b) UK life sciences. [905071]

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): The Government are investing £93 million to set up the UK's first dedicated Vaccines Manufacturing and Innovation Centre in Harwell. We are also investing £38 million in a rapid deployment facility, which will allow vaccine manufacturing at scale to commence from later this year.

Simon Fell: The Government have stated that they are interested in creating a sovereign manufacturing capability in the north. An opportunity exists in Ulverston in my constituency to build a bioscience cluster, with deep collaboration with local universities. Using this site for therapeutic vaccine manufacturing would enable partnership with GlaxoSmithKline, which is already based in Furness, and it would preserve and create local jobs and skills, and be a great result for the north and the UK as a whole. Would my right hon. Friend meet the key partners to this project to see whether we might be able to take it forward?

Alok Sharma: I want to confirm that the Government of course continue to consider the options to ensure that we have sufficient vaccine manufacturing capacity in the UK. I will ask the vaccine taskforce to follow up on that issue with my hon. Friend.

Mary Robinson: For many of my constituents who work in Greater Manchester life sciences and in the Cheshire life sciences corridor, the Government's drive to increase research and development into vaccines is really important. Recognising the importance of this to our local economy, what are the Government doing to increase and develop the strengths of life sciences in the Greater Manchester area?

Alok Sharma: I can confirm to my hon. Friend that, of course, the Government strongly support the growth of the life sciences sector in the north-west, which employs about 26,000 people. We have made a significant strategic investment in the Medicines Discovery Catapult at Alderley Edge to boost R&D.

Covid-19: Support for Business

Sir David Evennett (Bexleyheath and Crayford) (Con): What support his Department is providing to businesses to help them operate in a covid-secure way. [905068]

Harriett Baldwin (West Worcestershire) (Con): What steps he is taking to help all businesses reopen in a covid-secure way. [905069]

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): In consultation with businesses, business representative groups, trade unions, Public Health England and the Health and Safety Executive, my Department has published comprehensive workplace guidance to ensure businesses can operate in a covid-secure manner, keeping both their workers and customers as safe as possible.

Sir David Evennett [V]: I thank my right hon. Friend for his reply, and welcome the work that he and his Department are doing to help businesses during this challenging time. However, what support is being given to the self-employed across the country?

Alok Sharma: As my right hon. Friend will know, 2.7 million self-employed people have accessed over £7.8 billion of grants from the self-employed income support scheme. The scheme has been extended, and individuals will be able to claim a second and final grant when the scheme reopens for applications on 17 August.

Harriett Baldwin: I thank the Secretary of State for finding a way to reopen the beauty sector, which employs so many women across the country. When I paid a visit to the Malvern Spa to celebrate its reopening last weekend, I was told that it has capacity now for only 15 spa days, rather than 40, because of the square footage rules that his Department has set out. Will he look urgently at reviewing those, because it is a very spacious premises?

Alok Sharma: I thank my hon. Friend for her acknowledgement of the work we have been doing. The key has been to open businesses safely and securely in a cautious and phased manner, and we will continue to do that.

Topical Questions

[905115] **John Spellar (Warley) (Lab):** If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): The coronavirus vaccine taskforce set up in my Department under the excellent leadership of its chair, Kate Bingham, has been making good progress. The Government have supported the vaccines being developed at Oxford University and Imperial College and have now secured access to three different vaccine classes, as well as a treatment containing covid-19 neutralising antibodies. We are also investing, as I said earlier, in vaccine manufacturing capacity in the UK, and the taskforce is doing all it can to ensure that the United Kingdom gets access to a safe and effective vaccine as soon as possible.

John Spellar: Well, that is a very welcome announcement, but I draw the Secretary of State's attention to the tsunami of job losses now facing us. What industry needs right now is orders to get the lines running. That is not just for the big companies, but the whole supply chain. Does he accept the role of Government, not just as regulator and funder, but also as customer? Too often, the public sector, the civil service, local government and the police, fire and ambulance have, frankly, let British industry and British workers down, claiming they are bound by so-called EU rules. Now we are

coming out of the EU, will he get going, shake up the civil service, put British industry first, get the orders out there and get the production lines moving?

Alok Sharma: I do not think there is much more to say. The right hon. Gentleman has made a powerful point.

[905116] **Paul Howell (Sedgefield) (Con):** I have received a letter from James Ritchie, the chief executive of Tekmar, based in my Newton Aycliffe industrial estate. He is also the chairman of Energi Coast, the UK's leading energy cluster, whose members employ more than 3,000 people. He believes that the offshore wind hub would be perfectly placed in Teesside. The region includes a number of left-behind communities, in vital need of levelling up in jobs. That opportunity would support them and benefit my Sedgefield constituency. Can the Secretary of State assure me of his vital support in helping me and the Tees Valley Mayor Ben Houchen to bring the hub to Teesside and honour our pledge to the blue wall voters?

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): I am delighted to assure my hon. Friend that the Government are, as he knows, determined to ensure the rapid expansion of the offshore wind manufacturing supply chain. We have committed to 40 GW of offshore wind by 2030, and I fully agree with him that the north-east region is critical to that development. I know the project to which he is referring, and officials and myself are looking closely at its viability.

Andy McDonald (Middlesbrough) (Lab): The non-payment of the national minimum wage in Leicester garment factories was shocking, but unfortunately unsurprising. Exploitation in the garment industry has been extensively reported for years, including in a 2019 Environmental Audit Committee report. The cases we know about are likely to be the tip of the iceberg. Given that these abusive working practices are not only criminal, but a threat to public health, will the Secretary of State tell the House what steps he has taken to escalate enforcement in light of the covid-19 pandemic?

Alok Sharma: The hon. Gentleman raises an incredibly important point, and I think we have all been appalled by what we have read and heard. He will know that the National Crime Agency is leading investigations right now into the current set of allegations. He will also know that a pilot operation was run in autumn 2018, bringing together a whole range of agencies. In the past 18 months, there have been more than 200 investigations. I confirm to him that the enforcement of the minimum wage is something that HMRC investigates, and in 2019-20 it has issued across the country 1,000 penalty notices.

[905119] **Chris Green (Bolton West) (Con):** I thank my right hon. Friend the Secretary of State for championing the life sciences sector and my hon. Friend the Minister for Business, Energy and Clean Growth for championing the cause of universities and researchers, but we also have a superb charitable medical research sector in the United Kingdom. With the loss of funding due to covid-19, will my right Friend commit to working with the medical research charities to ensure that they can continue to work on creating the next generation of medical treatments for patients?

Kwasi Kwarteng: As my hon. Friend will know, in June 2020 we announced a support package to enable universities to continue their vital research. Universities will be required to use some of that funding for research normally funded by medical research charities. We are continuing to look at this situation and we hope to engage closely with charities to develop an even more robust package.

[905117] **Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP) [V]: My constituents are particularly concerned about Marks and Spencer's announcement that it will indefinitely close its East Kilbride store due to covid-19, undermining our town centre. Will the Secretary of State support a "fit to trade" licensing scheme proposed by the all-party parliamentary group for textiles and fashion—which I chair—alongside the British Retail Consortium, which will not only offer protection for garment workers across the UK, but provide an incentive for retailers to invest in UK manufacturing, creating thousands of skilled jobs and aiding the economic recovery plan?

Kwasi Kwarteng: The hon. Lady raises an interesting point, and I or one of my fellow Ministers would be happy to meet her to discuss it further.

[905121] **Dame Cheryl Gillan** (Chesham and Amersham) (Con) [V]: Air pollution has a direct impact on children's health. My 13-year-old constituent Tom Hunt is perhaps the first person to measure air pollution at ground level, by collaborating with his labrador dog Baggy, who has been wearing a pollution monitor on his collar. His father Matt owns an alternative energy company, Bio Global Industries, in my constituency, and supported him. The data showed that air pollution is two-thirds higher, closer to the ground. Will the Secretary of State join me in commending Tom and Baggy for that really enterprising research, and look at recommending to manufacturers a greater emphasis on producing higher buggies, strollers and pushchairs, which will keep young children further away from the concentrated air pollution that he found closer to the ground?

Kwasi Kwarteng: I am delighted to join my right hon. Friend the Secretary of State in commending Tom Hunt and Baggy for their pioneering work. She knows that tackling carbon emissions and improving air quality go hand in hand. We are taking action to address both, particularly with the 300,000 ultra low emission vehicles registered in the UK, and we are also providing new funding for vehicle charging infrastructure.

[905122] **Chris Bryant** (Rhondda) (Lab): Further to the question by the hon. Member for Bolton West (Chris Green), may I push the Government on clinical trials and medical research? Medical research has saved hundreds of thousands of lives in this country in recent years. I have known people this year who started on a clinical trial that was their only hope of life. It was suspended because of coronavirus and now they have died. We need to make sure that the money is getting into the medical research charities. Last week, Cancer Research UK said that it would lose 500 members of staff and cut its research to £150 million. We need the Government to act fast to get these clinical trials up and going again—and the medical research, too.

Kwasi Kwarteng: The hon. Gentleman is absolutely right to highlight this issue and I share a lot of his concerns, but it is wrong to suggest that we are not doing anything. From autumn this year, we are providing a package of low-interest loans with long payback periods, supplemented by a small element of grant, to cover up to 80% of the universities' income losses from international students. The money that is being pumped into our further education deals precisely with the point that he raised, and we are continuing to do that.

[905128] **Sir Desmond Swayne** (New Forest West) (Con): Because the exhibitions industry generates so much additional economic activity we should reopen it fully immediately, shouldn't we?

Kwasi Kwarteng: My right hon. Friend raises an important point. Of course we recognise the valiant contribution that the sector makes to the UK economy. We are working closely with the sector to pilot the reopening of conference centres, with a view to full socially distanced reopening from 1 October, subject of course to continuing to make progress.

[905127] **Jessica Morden** (Newport East) (Lab): Constituents are still reporting a catalogue of problems with bounce back loans, including long waits to be approved and being turned down for business bank accounts because of credit ratings. When will Ministers get to grips with that, to ensure that all eligible businesses apply and receive the loans quickly?

Alok Sharma: Bounce back loans have been a big success; more than 1 million have been approved for businesses. If the hon. Lady has specific issues that she wishes to raise about businesses in her constituency, she should write to me.

[905130] **Scott Benton** (Blackpool South) (Con): The economic impact of covid-19 is likely to be particularly acute in coastal resorts such as Blackpool, which are heavily reliant on seasonal tourism. What steps is my right hon. Friend taking to diversify the local economy in such resorts and to support businesses to create well-paid, skilled jobs in emerging industries in these areas?

Kwasi Kwarteng: I thank my hon. Friend for that question, because it goes to the heart of what we are doing as a Government. We already have more than 460,000 UK jobs in low-carbon businesses and their supply chains. Those are green-collar jobs and our research and development is totally committed to expanding those opportunities, whereby we want to reach 2 million green jobs by 2030. It is my conviction that coastal communities such as the one he represents will fully benefit and be in a place where they can reap the rewards of our investment in the green economy.

[905133] **Christian Matheson** (City of Chester) (Lab): Money for the aerospace technology industry is welcome, but it is money for a future that may not exist if we do not save the aerospace industry today. Will the Secretary of State and his Ministers agree to sit down with industry leaders, trade unions and hon. Members in this House to form a recovery plan and a sector deal specifically for the aerospace sector, which of course generates five jobs for every job in the sector itself?

Kwasi Kwarteng: The hon. Gentleman is right to highlight the key importance of the aviation sector, and the Government are supporting aerospace and its aviation customers with more than £8.5 billion, as part of our measures to support the overall economy. I understand that Airbus has drawn down £500 million on the corporate finance facility, and of course the Secretary of State and the ministerial team are happy to engage with him and his constituents on this important matter.

[905135] **Selaine Saxby** (North Devon) (Con): I know that my right hon. Friend does not underestimate how difficult this year has been for hospitality businesses in North Devon. I warmly welcome the action the Government have taken to get people safely back into our pubs, restaurants and cafés. Will he join me in visiting The Bell Inn, in Chittlehampton, to look at the fantastic hard work that has been done there to ensure that all the appropriate measures are in place to reopen?

Alok Sharma: I already have one week of holiday plans and not in her constituency, sadly, but we all need to get out there to visit pubs and restaurants and cafés, which are the heart of our communities. From what I have seen, they are very much adhering to the covid-secure guidance, and that is how we will all enjoy summer safely.

Mr Speaker: Well, if you would add the Speaker, he'll come along.

[905146] **Chris Elmore** (Ogmore) (Lab): Last year, it was announced that the Ford engine plant was to be closed in September of this year. Ineos was brought in, with both UK Government and Welsh Government funding, but it has now suspended its development at the plant. BA has announced potential job losses at three sites across south Wales, and GE has put staff

under a statutory notice period at its plant in Nantgarw. What support is the Secretary of State going to start putting into the south Wales economy so that we can save, protect and create new highly skilled and well-paid jobs?

Alok Sharma: As the hon. Gentleman will know, we have been supporting the economy across the United Kingdom, to the tune of £160 billion of additional funding announced by the Chancellor. If the hon. Gentleman would like to engage with my ministerial team on particular issues, I would be very happy about that.

[905147] **James Sunderland** (Bracknell) (Con): Nothing is more important right now than protecting public health and supporting our recovery. Does the Minister agree that his UK Internal Market White Paper last week will ensure that all four nations in our Union can overcome covid-19 together?

Alok Sharma: Like my hon. Friend, I am a firm believer in the Union—in one United Kingdom. The proposals we set out in the UK Internal Market White Paper are all about supporting jobs, protecting businesses and livelihoods, and encouraging investment across the whole UK. I hope that all colleagues across the House will write in support of that as part of the consultation.

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

12.30 pm

Sitting suspended.

BBC

12.33 pm

Daisy Cooper (St Albans) (LD) (*Urgent Question*): To ask the Secretary of State for Digital, Culture, Media and Sport if he will make a statement on changes to the licence fee exemptions, programming and job losses at the BBC.

The Minister for Media and Data (Mr John Whittingdale): First, I congratulate the hon. Member for St Albans (Daisy Cooper) on obtaining this urgent question and demonstrating that persistence pays off.

The BBC has for decades played a vital role in this country's cultural and civic life, and that has never been more true than during the last few months. During an unprecedented global crisis, it has helped to counter disinformation and share factual information about the coronavirus pandemic, while reinforcing important public health messaging. It has been a constant source of entertainment. It has helped to fundraise for charities through "The Big Night In", which the Government match funded pound for pound, and it has helped countless families across the UK to educate their children from home through services such as BBC Bitesize.

The BBC has also been a source of comfort to many during this pandemic, and none more so, perhaps, than those elderly citizens who have been forced to shield and stay at home and who are sadly most at risk of experiencing loneliness and isolation as they do so. That is why we welcomed the BBC's initial decision at the beginning of the lockdown to continue to grant the licence fee concession to the over-75s, and it is why we were deeply disappointed when the BBC board announced earlier this month that it would be ending that concession from 1 August. As a result, four out of five of those previously eligible for a free TV licence will now need to pay. That is a decision for the BBC, but the Government regret the approach that it has taken.

In the 2015 funding settlement—a settlement that was widely considered to be a generous one and which the director-general said was a strong deal for the BBC—we agreed with the BBC that responsibility for the over-75s concession would transfer to it in June 2020. The BBC agreed to have both the policy decision and the funding responsibility. That reform was subject to public discussion and debated extensively during the passage of the Digital Economy Act 2017. During those discussions and the passage of that legislation, Parliament agreed that the future of the over-75 concession and how and when it would be implemented was entirely a matter for the BBC.

The Government's view is that the BBC should be doing more, given the generous settlement that it received. During the 2015 settlement, we gave the BBC a number of things in return for taking on this responsibility. We closed the iPlayer loophole. We committed to increasing the licence fee in line with inflation, and we reduced a number of other BBC spending commitments. To help with financial planning, we agreed to provide phased transitional funding over two years to gradually introduce the cost to the BBC.

It is now essential that the BBC, having taken the decision to end the concession, gets the implementation of the change right and is not heavy-handed in its

approach. While lockdown may be easing, older people across the country still face many challenges and still rely on their TV as much as they did a few weeks ago. The BBC can and should therefore do more to support older people, and it should look urgently at how it can use its substantial licence fee income to support older people and deliver for UK audiences of all ages.

As the national broadcaster, the BBC has a duty to represent all of the nation—both its youngest and oldest citizens, no matter where they live—and I am aware that many people have expressed concerns about cuts to regional programming as well as the BBC's recent announcement of staffing reductions. Let me be clear that both operational and editorial decisions are a matter for the BBC. It is an independent body and the Government rightly have no say over the day-to-day decisions that it makes on programming, staffing or the administration of the licence fee, but as I have said, including during a recent Adjournment debate, the Government believe that the BBC must represent all of Britain. We set clear targets for news and current affairs and the need to represent all parts of the UK and the charter as part of the BBC's mission and public purposes. It is for the BBC to meet these and Ofcom to hold it to account on doing so. That means engaging and reporting on local issues across our diverse communities, not just reflecting the views of the metropolitan bubbles of London and Manchester.

While the BBC remains operationally and editorially independent from the Government, we will continue to push it on these issues so that we can ensure that the BBC remains closer to the communities that it serves.

Mr Speaker: I just say to the Minister that that should have been three minutes, and he has taken five.

Daisy Cooper: The BBC licence fee exists to give the BBC protection from political interference. The BBC should not be making decisions on welfare. That is the role of the Government. Last year, the BBC chairman said that

"the licence fee is at the heart of what we do. It establishes a direct relationship between us and the public and makes absolutely clear that our job is to serve them"—

and yet here we are.

From 1 August, the BBC will fund free licences only for people over 75 who receive pension credit, but two-fifths of people who are entitled to the benefit—about 1.2 million pensioners—are not receiving it. Some do not know how to claim, many struggle to apply and others feel embarrassed about requiring help. Is the BBC really to become a de facto arm of the Department for Work and Pensions?

Let us be absolutely clear about how we have ended up here. It was the Conservative Government who took the decision in 2015 to stop funding for free licences, and it was the Conservative Government who forced responsibility on to the BBC board to make the decision on the future of the concession. The Government should never have asked the BBC to take that on, and the BBC should never have accepted it. Continuing with the licence fee scheme for the over-75s would have cost £745 million—a fifth of the BBC's budget. To meet that cost without Government funding, the BBC would have had to close all of the following: BBC 2, BBC 4, the BBC News channel, BBC Scotland, Radio 5 live and local radio stations, as well as many other cuts and

[Daisy Cooper]

reductions. As it happens, the means-tested scheme will still cost the BBC about £250 million, and to help meet that cost it has recently announced hundreds of job losses and programming cuts.

The BBC has proved invaluable to the British public during the covid lockdown through its trusted news, entertainment and home schooling resources. Does the Minister agree? Age UK says that it firmly believes it is the Government's responsibility to look after vulnerable older people, not the BBC's. Age UK also thinks the Government should take back responsibility for a benefit that was introduced to tackle pensioner poverty. Will he do that? The Conservative Government have been responsible for these secret deals with the BBC that have significantly diminished its ability to serve the British public, so when the licence fee negotiations start in earnest next year, will he commit to a wholly transparent process involving Ofcom?

Mr Whittingdale: The decisions taken at the time of the licence fee settlement in 2015 were the result of lengthy negotiations with the BBC, in which it received a number of concessions that it strongly asked for. In return for those, it agreed that it would take on responsibility for the maintenance of the over-75s free TV licence concession. It was up to the BBC how it decided to take that forward. A number of options were suggested and consulted on by the BBC. The Government were disappointed, as I say, that it decided to remove the concession completely. There were a number of other ways it could have addressed it that would have saved the BBC money but would have at least maintained some help for those aged over 75. But, as I said, that was a matter for the BBC. Obviously, we will continue to discuss it with the BBC. In particular, we will be having discussions over the next licence fee settlement in 2022. We will ensure that there is an opportunity for Ofcom, and others, to have an input into that, but that is still some way off. In the meantime, as somebody who was responsible for those negotiations, I believed the licence fee settlement was a good outcome. The BBC made public the fact that it thought it was a good outcome, too.

Damian Hinds (East Hampshire) (Con): This crisis has shown that local programming is more important than ever, both for essential information and for closeness of community. Is it not now vital that quality TV and radio at a local level remains at the heart of BBC output, including through programmes such as the 6.30 regional news, "Politics South" and "Inside Out", in all regions?

Mr Whittingdale: I agree with my right hon. Friend. The charter of the BBC makes it plain, as one of the five public purposes, that it is the responsibility of the BBC to reflect, represent and serve the diverse community of the UK's nations and regions. Ofcom, as he knows, lays down a number of requirements on the BBC and, indeed, on other public service broadcasters, as to how it does that. It is up to the BBC. I have made it clear before, and I do so again today, that I regard the BBC's news and current affairs reporting of events taking place outside London and in the regions as an absolutely central part of the BBC's purpose. I very much hope that it will continue to bear that in mind.

Christian Matheson (City of Chester) (Lab): I congratulate the hon. Member for St Albans (Daisy Cooper) on securing this urgent question, which goes to the heart of Members' concerns about cuts to BBC funding, and the breaking of a promise to millions of pensioners and their families. This issue goes back to the charter and licence fee settlement that was made with the Conservative Government in 2015, when the Government made the BBC an offer it could not refuse: "Take on responsibility for paying the licence for the over-75s, or we will slash funding even further and consider removing the licence fee altogether."

Since then, in this licence period alone, the BBC has lost £800 million in funding, even before bearing the cost of licences for the over-75s. Members may ask why the BBC accepted the settlement. Is it merely a coincidence that the then chair of the BBC Trust, Rona Fairhead, was later elevated to a peerage as the noble Baroness Fairhead, and took the Conservative Whip a short time later?

The Conservatives made a manifesto promise to maintain the licence for the over-75s. They broke it. Instead, they passed responsibility to the BBC, knowing that it would never be able to afford that responsibility. Since then, they have tried to blame the BBC at every turn, for every cut of every service, and for every redundancy. No doubt they will try to blame the BBC when bills start landing on pensioners' doorsteps in August and September.

The Conservative Government themselves were party to this deal, so does the Minister not accept that the Government should own some of the blame? Can the Minister tell the House, as the hon. Lady asked, why the BBC should be responsible for implementing the Government's social policy?

Cuts to the BBC, as everyone in this Chamber knows, are not merely about spending; they are about undermining the corporation's independence. The Conservative Government are, at best, relaxed about reducing the BBC's budget, because it is the only lever they have to control the BBC's capacity to ask tough questions on behalf of the British people.

Ministers knew that making the BBC shoulder that responsibility in full would lead to cuts equivalent to the closures of BBC2, BBC4, the news channel, the Scotland channel, Radio 5 live and Sports Extra, and a number of local stations. Indeed, the cuts to BBC news reporting and all the redundancies in local and national news, at a time of national crisis, when the BBC is more valued and essential than ever, are a direct result of the Government's failure to maintain their election promises.

The Minister will have seen evidence from Age UK, detailing how millions of pensioners have relied on their televisions for company, especially during the pandemic. What advice would he give to a pensioner who will face the heart-breaking choice in the coming months between turning off their TV for good, or forgoing other basics such as food or heating? That is the reality of the Government's broken promise to 4 million pensioner households.

Mr Whittingdale: I remind the hon. Gentleman that at the time of the licence fee settlement in 2015, the Government were still having to put right the mess that they had inherited, due to the financial profligacy of the previous Labour Government. Everybody had to play a part in that, and the BBC was included. It was a

tough negotiation. I call tell the hon. Gentleman—I was part of the negotiations—that Baroness Fairhead strongly argued the case for the BBC, and the outcome was satisfactory to the BBC and the Government, as was made clear by the BBC at that time. The manifesto commitment to maintaining the licence fee during the 2015 Parliament was maintained, which is why the exemption is only now being removed in 2020.

Any pensioner on a low income will continue to get a free TV licence if they are in receipt of pension credit. Age UK has rightly drawn attention to the fact that quite a number of pensioners do not receive pension credit, even though they are entitled to do so, and one of the consequences of this move, which the Government would welcome, might be an increase in the take-up of pension credit.

Huw Merriman (Bexhill and Battle) (Con): I welcome the Minister to the Dispatch Box. He has always spoken sensitively about this subject and has great experience. He will be aware that the BBC received a generous settlement of about £200 million, whereas the concession for pension credits will cost £250 million, and to keep things as they are would cost £750 million, so we are well aware that the BBC was not fully funded. Returning to regional news, the concerns that I and many Members have is that many of our constituents rely on regional news to deliver locally for them, and 450 out of 3,000 jobs are at risk of being lost. Does the Minister agree that if the BBC wants to win friends in this place, it should look after the regions?

Mr Whittingdale: I thank my hon. Friend. He is right about the cost of maintaining free TV licences for all over-75s, which is already approaching £750 million and would go on rising. Any Government—and, indeed, the corporation—were going to have to consider that. On his point about regional programming, as we made clear in the recent debate held by my hon. Friend the Member for Tiverton and Honiton (Neil Parish), it is a matter for the BBC, but regional programming is essential. I am pleased that some of the fears expressed about cuts to regional political and current affairs coverage did not materialise, but I am still concerned at the level of cuts that are taking place, and we will be watching carefully to ensure that the BBC continues to fulfil its obligations on regional coverage.

John Nicolson (Ochil and South Perthshire) (SNP) [V]: Tory Ministers' feigned shock at BBC job cuts and at old people being pursued for TV licence payments is nothing but humbug. Everyone knew that this would be the result of the last charter deal, cooked up by the Government and BBC director-general Tony Hall. The Government demanded that free TV licences for the over-75s—which should be a social provision—be funded by the BBC, and the BBC was unwise enough to knuckle under and accept. The BBC could not afford it, and I warned at the time that it would lead to swingeing BBC job losses and pensioners being pursued through the courts for licence payments—a double whammy of cruelty, especially during covid. Lord Hall is off to another lavishly paid job, but pensioners across the country will have to find the cash to pay for licences they cannot afford, while hundreds of staff at the BBC now face redundancy as a direct result of this dreadful Tory deal. The Government need to take back control of pensioner licence provision. Will they do so?

Mr Whittingdale: First, there were a number of options available to the BBC for how to reduce the costs of the over-75s exemption. The BBC chose to abolish it in its entirety, but there were options, including providing it at a later age, reducing it to a proportion of the licence fee or restricting it to households that only contained over-75-year-olds. It has always seemed to me extraordinary that a banker at Goldman Sachs who happens to have his grandmother living in his home can claim a free TV licence. There were a number of options, and I personally regret that the BBC chose to go ahead with the total abolition. The hon. Gentleman talked about hard-up pensioners. Pensioners on low incomes will continue to receive a free TV licence if they are in receipt of pension credit, so those who are most likely to be unable to afford it will not be required to pay.

Tom Hunt (Ipswich) (Con): Last month, senior executives at the BBC took it upon themselves to remove episodes of “Little Britain” and other comedies from its iPlayer platform because of concerns that some characters might now be considered to be offensive. Does my right hon. Friend understand the anger of fans of these programmes that executives at their state broadcaster whose salaries they pay have made this censorious decision and effectively made a value judgment about them for continuing to enjoy those programmes?

Mr Whittingdale: That is a matter for the BBC, obviously, but I share my hon. Friend's surprise that the BBC decided that “Little Britain” was so unacceptable. Certain programmes that were extremely popular in the '60s, for instance, would now be regarded as wholly unacceptable, which not just the BBC but all of us need to remain sensitive to, but there is a risk that removing certain programming that is still widely enjoyed—it was even suggested to me at one stage that “Fawlty Towers” might be removed because it gave offence to people—is taking political correctness too far.

Florence Eshalomi (Vauxhall) (Lab/Co-op) [V]: The announcement of further job cuts at the BBC is yet another blow for public service broadcasting. There are many BBC freelance workers in Vauxhall with jobs on important TV and radio shows. Some of them have had long-term contracts with the BBC for many years, and they are taxpayers and licence fee payers, but they have not benefited from the same support that other taxpayers have rightly received from the Government, simply because of the type of contract they are on. As a result, many are contemplating leaving the media industry altogether, which in my view is a tragic loss of talent and experience. Given the immense challenges these freelancers face, will the Minister make representations to the Chancellor and persuade him to fill the gaps and end the one-size-fits-all approach to withdrawing these schemes?

Mr Whittingdale: In the case of the BBC, the majority of its staff are of course paid with public money and therefore were not eligible for furlough, but there are some BBC employees who work for the commercial arm, some of whom were furloughed, and, as the hon. Lady says, there are a number of freelancers. The Government have sought to provide support to freelancers through the self-employment income support scheme, and of course for those who fall outside that there is the availability of universal credit. Nevertheless, I am aware

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that there are a number of freelance workers, not just for the BBC but across the media, who are finding it difficult, and of course we continue to look to see what help can be given to them.

Felicity Buchan (Kensington) (Con): Does my right hon. Friend agree that the BBC needs to look urgently at how it can use its substantial licence fee income to support older people and to deliver for audiences of all age groups?

Mr Whittingdale: I very much agree with my hon. Friend. It is important to bear in mind that although the BBC is under financial pressure like many other organisations, it benefits from the licence fee and other income to the tune of around £5 billion. It is certainly the case that there are ways of achieving efficiencies and savings in the spending of that budget, which would perhaps have meant that some of the more difficult decisions, such as the removal of free licences for the over-75s, could at least have been mitigated.

Navendu Mishra (Stockport) (Lab): Research by the Library has revealed that more than 3,000 households in my constituency may lose access to their free TV licence as a result of the Government's deal with the BBC. The charity Age UK described axing the free TV licence as

“a kick in the teeth for millions of over 75s who have had a torrid time during this crisis.”

What message does the Minister have for pensioners forced to take difficult decisions between their television and other essentials such as food and heating?

Mr Whittingdale: I would say to anybody facing that kind of choice that they will almost certainly be entitled to pension credit, and if they are not currently in receipt of it, they should perhaps look to see whether they are eligible to receive it. It is the case that a number of pensioners on low incomes do not currently receive it. One of the consequences of this is that the BBC will write to every single one of the over-75s to inform them that they are potentially still eligible for a free TV licence if they are on pension credit, so this will perhaps be the best marketing tool for pension credit that we have ever seen.

Gareth Davies (Grantham and Stamford) (Con): Many of my constituents and people across Lincolnshire are dismayed at the BBC's decision to scrap free licences for the over-75s. Can my right hon. Friend assure me and my constituents that he has engaged with the BBC and made those concerns very clear on behalf of many of our constituents?

Mr Whittingdale: I do not think the BBC will have been in any doubt about the Government's view. I and the Secretary of State have regular discussions with the chairman and the director-general. I fully recognise that this was a very difficult choice for the BBC—it represented a massive amount of money to maintain free TV licences in their entirety—but, as I said earlier, I think there were other options available that would have made this at least a little less painful for those who now are going to be required to pay the full cost of the TV licence, having previously not had to pay anything at all.

Jeff Smith (Manchester, Withington) (Lab): The Government have been completely disingenuous about this issue all along. Let us be honest: the BBC was given no choice but to take on responsibility for TV licences. My hon. Friend the Member for City of Chester (Christian Matheson) is absolutely right: the Government should not be outsourcing their welfare policy or, indeed, their manifesto promises to the BBC. Funding for the BBC's UK public services is now around 24% less in real terms than if the cost of the licence fee had risen with inflation from 2010, and the BBC is facing £800 million of cuts. Given all that, does the Minister seriously expect that the BBC would be able to keep funding free TV licences for all over-75s? Can he tell us that with a straight face?

Mr Whittingdale: I can say to the hon. Gentleman that the BBC asked for a number of concessions—the unfreezing of the licence fee, to which he referred, the closing of the iPlayer loophole and other saving reductions—that resulted in its income increasing. The cost of giving free TV licences to those aged over 75, which was introduced only in 2008, was rising inexorably and would soon be approaching £1 billion. I have to ask all Opposition Members whether, if they believe that the free TV licences should continue, they are committing that a future Labour Government, or even a future Liberal Democrat Government, might one day pay to restore them, at a cost, by then, of well over £1 billion.

Simon Fell (Barrow and Furness) (Con): May I compliment you on your choice of tie, Mr Speaker? Barrow Raiders will be delighted.

Mr Speaker: You're welcome.

Simon Fell: I associate myself with the comments of my colleagues who have raised the prospect of job cuts at regional news services. At a time when local media are struggling, we need trusted local news services, which keep places such as Cumbria informed, provide companionship and hold those in power to account. In a place like Cumbria, any cuts will fall disproportionately on the excellent local teams, because there are so few people there already. Does my right hon. Friend the Minister agree that salami-slicing such organisations will help no one, including the BBC if it wants to meet its public service remit?

Mr Whittingdale: I agree with my hon. Friend. I have discussed the proposed reductions with the director for England and the director of nations and regions for the BBC. It is obviously a matter for them, but in my view although the BBC may have to find savings across its budget, that does not mean that every area of expenditure should be reduced. There are areas in which the BBC could save more and there are areas where any cuts would have a damaging effect. I fear that regional coverage is in that latter category, so the BBC should prioritise it. We will continue to make that clear to the BBC.

Chris Law (Dundee West) (SNP) [V]: Almost 3,500 pensioner households in my constituency of Dundee West will be dramatically affected by the loss of TV licences. These are pensioners who receive one of the worst pensions in Europe, are likely to suffer from loneliness and disabilities, and are shielding as a result of covid-19. Surely this pandemic has shown us that

television is not a luxury and the UK Government must recognise their public health responsibility to ensure that everyone receives vital information. Will the Minister assure my constituents that the UK Government will reverse the decision and provide the financial support to allow the concession to continue for those who can least afford it?

Mr Whittingdale: As I say, the matter was extensively debated during the passage of the Digital Economy Act 2017, and it was Parliament that agreed that the responsibility should be transferred to the BBC, so that is not likely to be reversed. It is a matter for the BBC as to how it goes about this. The Government are disappointed and believe that alternative options were available. I encourage the pensioners in the hon. Gentleman's constituency to check whether they are entitled to receive pension credit and therefore to maintain a free TV licence. The exemption was introduced only 12 years ago, at an age that was relatively arbitrary at the time; it did not need to be set at that age and that is something else that the BBC might have considered.

Robert Courts (Witney) (Con): My constituents are dismayed at the BBC's decisions in respect of licences for over-75s and the proposed cuts to local coverage. Does the Minister agree that after having so recently received that "strong deal" in the renegotiation, the BBC ought to have raised this issue before it was three years into the period if it was not intending to continue with the obligations it has set out?

Mr Whittingdale: To give the BBC some credit, it did hold quite a lengthy consultation in which it put forward a number of options as to the future of the exemption. In my view, some of those other options were greatly preferable to the one that the BBC finally chose, which was the decision to abolish it in its entirety. I think the BBC could have done more. I am at least assured that the BBC has now said that every person over 75 who currently has a free TV licence will receive a letter: first, to point out that they can still receive one if they are on pension credit, and secondly, to say that no action will be taken in pursuit of the BBC's requiring a licence until after those letters have been dispatched and received.

Ruth Jones (Newport West) (Lab): Thank you for granting this urgent question today, Mr Speaker. The TV licence and the services provided by the BBC have been a lifeline to many in my constituency of Newport West in recent months. Can the Minister tell me what discussions have taken place with the Welsh Government in recent weeks to ensure that Welsh regional programmes are maintained and my constituents are not penalised by the shabby approach to public broadcasting from this Government?

Mr Whittingdale: It is not a devolved matter. However, I did have an extremely good conversation this morning with Rhodri Williams, the new chair of S4C, which of course also benefits from the licence fee.

Anthony Mangnall (Totnes) (Con): I know you are a man who likes to Netflix and chill, Mr Speaker, but with the rise of on-demand services such as Amazon Prime and Netflix, is it still right that we are criminalising non-payment of the fee for the BBC?

Mr Whittingdale: As my hon. Friend is aware, the issue of decriminalisation has been subject to a lengthy consultation. The Government are now considering the very large number of responses to that consultation and we will bring forward our proposals once we have completed that consideration.

Lilian Greenwood (Nottingham South) (Lab): The Minister called on the BBC to do more to support older people, but perhaps he should start by putting his own house in order. More than 1 million of the poorest pensioners missed out on £2.5 billion of pension credit in 2017-18 and now they will not get a free TV licence either. Instead of his crocodile tears about the cuts that the Government have forced on the BBC, will the Minister be asking the BBC to run regular public information announcements at peak times, encouraging people to apply for pension credit?

Mr Whittingdale: The hon. Lady raises a good point, in that some of the communications that the BBC had promised to carry out are now going to be impossible due to social distancing, so we will be looking to the BBC to run public information campaigns of that kind. As I said, the BBC is also sending a letter to every single person over 75, telling them what their options are.

Damian Green (Ashford) (Con): I sympathise with my right hon. Friend the Minister, who is being asked to simultaneously ensure that the BBC spends more money on free licences and more money on programmes. Not only is that mathematically incompatible, it is not within his power at all. Does he agree that the real welfare issue is to ensure that poorer pensioners continue to receive the benefits of the BBC, which are important to many of them, and that therefore the practical way to help poorer pensioners is for both the BBC and Members of Parliament to ensure that as many as possible of those who are entitled to pension credit actually claim pension credit?

Mr Whittingdale: My right hon. Friend will know from the many times that he has stood here that being asked to do impossible, contradictory things is quite frequent. The point he makes is absolutely right. It is very important that all those people entitled to pension credit should take it up and I believe that one of the consequences of this matter is that that will be achieved.

Debbie Abrahams (Oldham East and Saddleworth) (Lab) [V]: More than 4,000 households in my constituency of Oldham East and Saddleworth no longer qualify for a free TV licence. That is nearly three out of four over-75-year-olds. There is a theme in the questions. We have already heard that more than 1 million pensioners eligible for pension credit do not claim it. Instead of hand-wringing and saying it is other people's jobs to do it, what will the Minister do to ensure that those people who are eligible for pension credit receive it?

Mr Whittingdale: The Government seek to publicise pension credit availability as widely as possible, but the BBC has now said that it will write a letter to every single pensioner over 75 and I think that will have a greater effect in driving up pension credit than any other measure.

Mr Richard Holden (North West Durham) (Con): The coronavirus pandemic has meant that many of my constituents in North West Durham, particularly those shielding, many of whom are elderly, have been increasingly reliant on the television over the last few months. This weekend, I joined with my hon. Friend the Member for Stoke-on-Trent North (Jonathan Gullis) in calling on the BBC to look again at this cancellation for the over-75s. Will the Minister join us in that call today?

Mr Whittingdale: As I have said, the Government deeply regret the decision that was taken. I hope that the BBC will continue to consider it as we move into the next licence fee settlement. Obviously, discussions will take place around that, and we will look at what other options might be available to try to extend help not just to those aged over 75, but to other people as well, but that ultimately will be a matter for negotiation with the BBC.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): The award-winning BBC programme “Inside Out” highlighted the devastating impact of mesh implants, without which this scandal could have gone on undiscovered for much longer. Now “Inside Out” is under threat. Does the Minister understand the link between the BBC’s rising costs and income cuts and the loss of high-quality local BBC journalists?

Mr Whittingdale: I share the hon. Lady’s admiration for “Inside Out”, which, as she said, did some extremely hard-hitting investigative programmes, which led to real change. I am encouraged that the BBC is maintaining “Inside Out” and is moving from, I think, three stories per episode to one story per episode over a longer time, so it will be a 30-minute programme. It is good that “Inside Out” will continue, but obviously any reduction in investigative journalism by the BBC is a matter of regret.

Alun Cairns (Vale of Glamorgan) (Con): Does my right hon. Friend agree that the BBC could have the capacity to make significant savings to its £5 billion of spend a year, and does he agree that greater transparency would go a long way to help identify those savings? A Government Department or a local authority needs to publish every invoice in excess of £500. Is it not wholly unfair and iniquitous that the BBC has simply refused to do that?

Mr Whittingdale: I agree with my right hon. Friend. Undoubtedly, there is scope for efficiencies and savings. One thing that the Government have done is fully open up the BBC to scrutiny by the National Audit Office, and I think that that has led to some efficiencies. I am encouraged by the conversation that I had very recently with the incoming new director-general, Tim Davie, who recognises that there is scope to seek efficiency savings and is committed to looking across the whole range of BBC activities to see how that can be achieved.

Munira Wilson (Twickenham) (LD): The Minister rightly recognises the BBC’s amazing covid service. I just want to put on record how invaluable BBC Bitesize has been to my six-year-old daughter and my long-suffering husband who has been home schooling her through the lockdown. Does the Minister recognise that the BBC is

part of a much wider ecosystem in which it commissions a lot of independent production companies? We know that the creative sector is really suffering and that many jobs are in jeopardy, and does he recognise, therefore, that this continued pressure on BBC funding will put that wider revival of the creative arts sector, in terms of the independent sector, at risk?

Mr Whittingdale: I join the hon. Lady in thanking the BBC for all that it did to maintain educational programming during lockdown. As for the contribution that it makes to the independent production sector, she is also absolutely right. One thing that I have been concentrating on is trying to help the production sector get back into operation, and we have had frequent meetings with representatives to see how that can be achieved. I am delighted that most productions are now getting going again, but obviously maintaining and sustaining our production sector right across the country will remain a very important additional role for the BBC.

Martin Vickers (Cleethorpes) (Con): Over recent years, I would describe myself as having moved from being a friend of the BBC to being an extremely critical friend of the BBC, and I tend to think that, to some extent, it has lost its way. The director-general has today replied to a letter sent by the Blue Collar Conservatives group, in which he says that

“we will continue to deliver new programmes that represent and reflect modern Britain and the voices of the whole of the UK.”

I suggest to the director-general that the view from Cleethorpes is very different to that. Does the Minister agree that, instead of pandering to these groups and trying to seek new audiences, who perhaps will never remain with the BBC, it should actually provide a better service to its core audience and, again, review the over-75 issue?

Mr Whittingdale: I agree with my hon. Friend. In the service that the BBC provides across the UK, in all the different communities, it is absolutely essential that it tries to sustain support for the licence fee and does not just serve the metropolitan elite in London and Manchester. I am very much aware that communities like those in Cleethorpes are beginning to feel that the BBC is not providing sufficiently for them, and I hope the BBC will take that into account.

Mick Whitley (Birkenhead) (Lab): At the general election in 2019, the Conservative party manifesto stated:

“We recognise the value of free TV licences for over-75s and believe they should be funded by the BBC.”

Only months later, over 4.5 million elderly people learned that they are to lose their free TV licence. The question—many people want to know the answer—is: what did the Government do to try to save the free TV licence scheme? Is it now time to recognise that the free TV licence for over-75s is a public good and should be funded by the Government?

Mr Whittingdale: I absolutely stand by the wording of the 2019 manifesto. It remains the case that the Government recognise the value of these licences and believe that the BBC should have maintained them. We made that amply clear to the BBC. Ultimately, however, Parliament agreed that the decision should rest with the BBC.

Fay Jones (Brecon and Radnorshire) (Con): I represent a heavily rural constituency, and I have been deeply concerned by recent BBC programming that portrays farming and the agriculture sector as either twee and backward or environment-wrecking vandalism. This is deeply wrong and misleading. With over 9,000 people over 75 years old in Brecon and Radnorshire, many feel deeply let down by the BBC at the moment. Does my right hon. Friend agree that the BBC needs to take a look at itself and ensure that it is giving every taxpayer value for money?

Mr Whittingdale: I am aware of some of the concerns that my hon. Friend refers to. Obviously it is not a matter for the Government to pass judgment on BBC programming, but it is possible for viewers to make their feelings known by complaining to the BBC and, if they remain unsatisfied, to take the matter to Ofcom.

Owen Thompson (Midlothian) (SNP): Age UK has said that many older people on low incomes have told it that if they are to find £150 or more a year to pay for a licence fee, they will have to forgo other essentials or try to survive without a TV at all. Given that TV news is the only source of information for some older people, particularly during the current pandemic, what would the Minister propose as an alternative way of getting this vital information to those who will no longer be able to afford to watch telly?

Mr Whittingdale: I very much hope that those on low incomes will take up pension credit and so continue to be able to watch television, but of course there are other means. If people are anxious to obtain information, they can listen to any number of BBC radio channels and do not require to have a TV licence.

Jack Brereton (Stoke-on-Trent South) (Con): While the BBC is a valuable national institution, many in Stoke-on-Trent South are concerned about its archaic funding mechanism. In a world where subscription is becoming the norm, does my right hon. Friend agree that reform and identifying better ways to fund the BBC is well overdue?

Mr Whittingdale: I have considerable sympathy with the points that my hon. Friend makes. We are not yet at the point where we could consider moving to a subscription service, because a lot of people still rely on Freeview, which does not allow it. However, the way in which people consume television is changing so fast that it will increasingly lead to questions about the sustainability of the licence fee, and that will certainly be under consideration when we come to the next charter review.

Sammy Wilson (East Antrim) (DUP): Does the Minister understand that many of my constituents are fed up with the begging-bowl behaviour of the BBC, which seems to think that its pocket has no bottom to it, and increasingly frustrated by the political bias and the reckless spending of this organisation, with its £1 million-and-more contracts for presenters and the fact that it pays over 100 directors more than the Prime Minister? Will he undertake, first, to ensure that no pensioner who cannot afford the compulsory levy will be criminalised as a result of non-payment? In the longer run, will he look at how the BBC is funded so that we do not have this compulsory tax on people who increasingly get their entertainment elsewhere anyway?

Mr Whittingdale: I sympathise with the right hon. Gentleman. It was of course as a result of the most recent charter renewal that we now know how many people in the BBC are paid over £150,000 per year and who they are. But there will always be scope for change. If his constituents have complaints about political bias or any other content, I would encourage them to proceed those with the BBC and ultimately Ofcom. I can assure him that when we consider the long-term future, the licence fee will very much be a part of that consideration.

Damian Collins (Folkestone and Hythe) (Con) [V]: Many of my older constituents will be facing the double blow of being asked to pay more for the BBC while seeing the programmes they value the most and regional news cut back. Is it not time, and should it not be part of the charter review, to ask what licence fee payers want to see? Is it right that regional news programmes should face such a disproportionate burden of cost savings at the BBC?

Mr Whittingdale: As I indicated earlier, I am concerned at the extent of the reductions taking place in the regional programming budget. I do not think that savings should be spread equally, and there are other areas where greater savings could have been found. That is something we will continue to discuss with the BBC. I hope that the incoming director-general will also have a look right across the board to see what savings can be made and what areas to prioritise.

Rachel Hopkins (Luton South) (Lab): During the covid crisis, many people have relied on their local councils for information and support. Local news plays a vital role in both helping share that information and, rightly, holding local councils to account. The cuts of 450 jobs in regional news in England amount to a loss of one in six jobs. What consultation have the Government had with the BBC about the threat to the democratic process arising from these job losses?

Mr Whittingdale: I have discussed the implications of reductions with the director for England and the director for nations and regions at the BBC. However, I would draw attention to the BBC's local democracy reporting service, which it put in place and funds 150 journalists precisely to address the hon. Member's concern about how local councils in particular should be properly held to account and reported. The BBC has pledged to maintain that, and I hope it will continue to do so.

Gareth Bacon (Orpington) (Con): The licence fee was first introduced in 1946 largely to help fund television after the second world war. At that time, there was one channel and one broadcaster. The world has changed a great deal since then and we see new digital streaming services emerging on an almost daily basis. Following the Minister's answer to my hon. Friend the Member for Stoke-on-Trent South (Jack Brereton), will he assure the House that there will be a fundamental review of how the BBC is funded in time for its new charter in 2027?

Mr Whittingdale: I share my hon. Friend's view that the landscape is changing so fast and there is a much more choice now available to viewers, and that should

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cause the BBC to look again at what it provides and consider those areas where public service content is still important and where, perhaps, in other areas it is no longer so necessary. That fundamental issue will be under consideration as part of our forthcoming public service broadcasting review. At the same time, we will also be talking to the BBC in detail, as part of the licence fee negotiations, about the funding it will require in the future.

Dr Rupa Huq (Ealing Central and Acton) (Lab): Many of the assumptions around these negotiations—audiences are shrinking and the young are tempted away by Netflix—are contradicted by coronavirus. On the week that lockdown started, 94% of all Britons used it, as well as 86% of young adults. There have been a billion hits on iPlayer, and there were three million people on Bitesize the day it launched. In all, that makes up 24% of all online time, compared to 3% for Netflix. Does the Minister therefore share my dismay that the current round of cuts is hitting only band B and C journalists—the people producing the output that is keeping us all going—and that none of the management or higher bands are affected? Does he not agree that they should bear some of the burden, too?

Mr Whittingdale: Of course, one of the consequences of the lockdown was that viewing figures right across the board for both linear and online programming dramatically increased. However, I absolutely agree with the point the hon. Member makes. It is entirely a matter for the BBC as to where it finds savings, but I do believe that the journalists and reporters are providing an invaluable service in the regions. I certainly hope that the BBC will listen to the point she has made, because I have considerable sympathy with it.

Jason McCartney (Colne Valley) (Con): All 61 games in next year's rugby league world cup will be shown on the BBC—I just hope that rugby league fans from my patch who are over 75 will be able to afford their TV licence. Does my right hon. Friend agree that the BBC should look to continue doing what it does best and stop trying to do everything?

Mr Whittingdale: I do agree with my hon. Friend. As I said earlier, with the huge increase in choice, it may well be that there are areas in which it is no longer as important that the BBC provides programming content as it was before that choice extended to the extent that it has. I hope that is something the BBC will consider carefully, and I believe that the director-general, who will shortly be taking up his post, is intending to do that.

Matt Western (Warwick and Leamington) (Lab): In 1968, long before the Minister's apparent predilection for Netflix, he may well recall that the BBC comprised two TV channels, four radio stations and just a small handful of local radio stations. Fifty years on, the BBC licence fee is at the same level in real terms, despite the great local and national services it provides, which have helped young and old through the recent crisis. As a public and social service at 43p a day, does this not already represent excellent value for money?

Mr Whittingdale: It is very difficult to judge whether something is value for money when it is a legal requirement to pay it; people do not have a choice. We generally judge whether something is value for money by whether or not people choose to buy it, but of course that is not possible in the case of the licence fee.

Jonathan Gullis (Stoke-on-Trent North) (Con): In 2015, the BBC made a commitment to solely fund free TV licences for the over-75s in a deal that Lord Hall described as a “strong” one. The people of Stoke-on-Trent North, Kidsgrove and Talke are rightly angered by its decision not to honour this commitment. Will my right hon. Friend act in haste to decriminalise non-payment of the licence fee and, at the next charter review, commit to scrapping the licence fee altogether?

Mr Whittingdale: I do understand the feeling of my hon. Friend's constituents. On the point he makes about decriminalisation, that is something we are seriously considering. We are currently going through the responses to our consultation on that matter, and we will be announcing the outcome very soon.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP) [V]: Alongside free television licences for the over-75s, which I will keep campaigning on, may I raise how, during lockdown, a number of elderly and vulnerable members of the East Kilbride West church have been tuning in to the BBC's “Reflections at the Quay”—enabling them to join the service on a Sunday morning, when they would normally have been attending church—which, appallingly, has now been taken off air, leaving them absolutely devastated? Many are still shielding, lonely and now more isolated than ever, and my constituents want this important programme back. I urge the Minister to have a discussion with the BBC about the importance of religious broadcasting in supporting the most vulnerable at this time.

Mr Whittingdale: As the hon. Lady knows, religious broadcasting is part of the public service obligations. How the BBC goes about fulfilling those obligations is a matter for it. However, I can fully understand the concerns of her constituents, and I would urge her to take up that matter with the BBC.

Aaron Bell (Newcastle-under-Lyme) (Con): I thank the Minister for his statement. I agree with him that the BBC still does a number of things well, particularly with regard to coronavirus. However, with this decision on the over-75s, the cutbacks to regional news and regional current affairs, and the news that £12 million has been paid out of licence fee payers' money to settle the tax bills of former BBC presenters, does he agree with me and my constituents in Newcastle-under-Lyme that it is far too metropolitan and out of touch with towns across the country such as Newcastle?

Mr Whittingdale: I think my hon. Friend will be aware that the auditor was very critical of the decision about the settlement of the tax bills of those employees who operated through public service companies. That is a matter for the BBC, but the National Audit Office is there to audit it. It is a responsibility of the BBC to look

at the way in which it spends public money. The licence fee is a privilege and, going with that, it has the responsibility to spend it properly

Chris Elmore (Ogmore) (Lab): Before the general election last year, I led a debate in Westminster Hall calling on the Department for Work and Pensions to introduce a new campaign to increase the uptake of pension credit. Work and Pensions Ministers have refused to do that, and in answer to written questions I have tabled, they have refused to increase the campaign to get take-up above 60%. The Minister knows that it is not for the BBC to implement Government welfare plans, so rather than just relying on the BBC writing letters to all over-75s, will the Minister commit to getting the DWP to start such a campaign, including writing to those pensioners who are entitled to the £2.5 billion that remains unclaimed by some of the poorest pensioners across the UK?

Mr Whittingdale: I would have thought the hon. Gentleman would have welcomed the fact that the BBC has now said it will write to every pensioner over 75 to say they might still be entitled to receive a free TV licence if they are eligible for pension credit. That seems to fulfil exactly what he has asked for.

Dr Kieran Mullan (Crewe and Nantwich) (Con): I know that “Eastenders” has a place in the hearts of many of our constituents, but not one so well embedded that they were not disappointed to learn that the cost of rebuilding the set went from just under £60 million to almost £90 million—£30 million of licence fee money on one project. Would it not be better for the BBC to focus on saving money and selling worldwide what we pay it to make, rather than on cutting free TV licences for pensioners?

Mr Whittingdale: My hon. Friend raises an interesting point about BBC expenditure. One reason the NAO was given total access to the BBC’s books was to identify areas of extravagance or waste, and it did a very good job. He is also right that the BBC makes a considerable income from selling its programmes abroad, and that, too, is something where I hope the BBC will continue to look for opportunities to raise additional income.

Dame Diana Johnson (Kingston upon Hull North) (Lab) [V]: In Hull, our local BBC TV and radio is central to our community, as a public service broadcaster at times of crisis such as the flooding in 2007 and covid-19 this year, and by playing an important democratic role in scrutinising those in power locally. Taken with the parallel cutbacks in local newspapers and commercial TV and radio, local and regional BBC cuts are a growing crisis in local news, not least in the places furthest from London. The Minister has already said that this could lead to a more London-centric media. What will he do about that to protect news in places such as Hull?

Mr Whittingdale: I sympathise with the hon. Lady, particularly, of course, because commercial media have been under tremendous pressure as a result of the covid crisis and the consequent almost collapse of advertising, which has made the BBC’s contribution all the more important. I welcome the fact that the BBC is maintaining its local radio network and is not going through with

some of the reductions in local coverage that were feared, but it needs to do more. I am extremely pleased that it is continuing to support the local democracy reporting service, which ensures that there are still reporters in local council chambers.

Bob Stewart (Beckenham) (Con): It has been some years since many BBC operations moved out of London to Salford Quays. What is my right hon. Friend’s assessment of the value for money of that move and how effective it has been in taking the BBC out into the provinces?

Mr Whittingdale: It was absolutely right that the BBC opened up a major production facility in Salford, because there was a perception that it was far too London-centric. There is a risk that it is now seen as far too London and Manchester-centric, so it needs to do more. It is not just a question of value for money; the BBC has a responsibility to make sure it is properly represented in and covers all the regions and nations of the UK.

Steve McCabe (Birmingham, Selly Oak) (Lab): In terms of public money, how come it is okay for people in the midlands to contribute £1 billion in licence fees and only get back 15% in jobs and production opportunities? Surely the Minister thinks that is completely unacceptable.

Mr Whittingdale: In a sense, I simply repeat what I said to my hon. Friend the Member for Beckenham (Bob Stewart): the BBC has a responsibility to be represented in, and to employ its own staff and commission programming from, right across the UK. In that respect, I agree with the hon. Gentleman.

Scott Benton (Blackpool South) (Con): Many of my constituents question why they are forced to pay for an outdated and regressive tax to fund an organisation whose values are becoming increasingly detached from their own. The BBC’s decision to renege on its agreement to fund the licence fee for those aged 75 and over has only served to harden these views. Does my right hon. Friend agree that the time has come to review the very existence of the licence fee?

Mr Whittingdale: I share a lot of the criticisms that my hon. Friend makes of the licence fee. It is highly regressive, and there is no means testing or benefit available to anybody under 75. However, in the past it was always felt that, for all its faults, there was no better way of funding the BBC. That may become increasingly questioned, particularly as more and more people obtain their programming online. Undoubtedly, that debate will form part of the next charter review.

Mr Tanmanjeet Singh Dhese (Slough) (Lab): Because of huge Government cuts, the BBC has reluctantly had to axe the free TV licence for the over-75s, and make substantial reductions to national news and its much-treasured regional news output. During the heat of the election, the Conservatives extolled the virtues of local news and promised to protect our elderly from isolation by retaining their free TV licences. Will the Minister take this opportunity to apologise to those millions of pensioners and the BBC staff who will lose their jobs as a result of the Government’s broken manifesto pledge?

Mr Whittingdale: The Government have always believed very strongly in the independence of the BBC. It is for the BBC to take decisions about its programming content, its employment practices and, indeed, the licence fee. It was not for us to instruct it. However, as I and the Government have repeatedly made clear, we regret the decisions it has taken about over-75s and regional programming.

Harriett Baldwin (West Worcestershire) (Con): I share everyone's disappointment that the BBC has chosen to break the agreement that it came to in 2015, but what worries me above all about this change is that we are talking about people who are very old and frail—people who may be suffering from developing dementia, or may be going into care homes or hospitals. They will be criminalised if they do not pay the licence fee. The Minister has the power to change that, and I urge him to do so.

Mr Whittingdale: As my hon. Friend is aware, there are strong feelings about the current criminal enforcement of the licence fee. The Government recognise that, which is why we are holding a consultation. We hope to say more about that soon.

Kirsten Oswald (East Renfrewshire) (SNP) [V]: The TV has been a vital lifeline to pensioners during the pandemic, but because of some very cynical Conservative party buck-passing, more than 5,200 households in East Renfrewshire—more than 80% of homes in which someone is over 75—face paying the licence fee. Those pensioners rely on their televisions. The Government clearly have an influence, so will the Minister use it and work with the BBC to reverse this unfortunate and very damaging decision?

Mr Whittingdale: There were a number of options available to the BBC, as I said, and it chose to proceed with the complete removal of the concession for over-75s. That is a matter of regret, and of course we will continue to talk to it. As Parliament made clear, the responsibility lies with the BBC.

Andy Carter (Warrington South) (Con): The BBC's role in delivering regional and local news is more critical today than ever, particularly given the pressure faced by advertising-funded media organisations, some of which have seen their income fall by more than 80%. That is in sharp contrast with the BBC's guaranteed funding of more than £5 billion of licence fee. Does my right hon. Friend agree that Ofcom, as the UK's media regulator, should review the proposed changes to the BBC's regional current affairs content to ensure that the public service broadcaster is delivering its licence obligations?

Mr Whittingdale: My hon. Friend has done a lot of work in this area through the all-party parliamentary media group, and he and I have already discussed the huge pressure on commercial media as a result of the covid crisis. He is absolutely right that the BBC's obligation to provide programming in the regions is laid down by Ofcom, which will assess whether it is properly carrying that out.

Wendy Chamberlain (North East Fife) (LD): Will the Minister confirm that real-terms public funding for the BBC has dropped by 30% since 2010, as the Voice of the Listener & Viewer, the UK's leading audience charity, found?

Mr Whittingdale: It was the case that licence fee was frozen for a period of time, but the licence fee settlement, which was agreed in 2015, allowed it to rise again in line with inflation. Since then, the BBC's income has been maintained in real terms. As with every other institution, in 2010 very difficult decisions had to be taken because of the mess that the economy was in.

Suzanne Webb (Stourbridge) (Con): Does my right hon. Friend agree that BBC reporting should be completely impartial, independent and free of bias, so that it can remain a trusted news source?

Mr Whittingdale: I very much agree with my hon. Friend on that. The BBC's obligation to be objective and impartial is absolutely at the core of its public purpose—it is written into its public purposes. There are doubts on this, and I draw her attention to a good article in *The Sunday Times* by Roger Mosey, the former head of BBC news gathering, in which he echoed a lot of the concerns she is expressing.

Sir Peter Bottomley (Worthing West) (Con) [V]: May I remind the Minister that the BBC has chosen the option that he put forward as a Back Bencher on 11 June 2019, at columns 552-53 of *Hansard*, when he pointed out that the cost of the concession was rising to £1 billion and that the BBC would probably have to do what it is now proposing?

The House has discussed the best way of dealing with the problem. My version of the way forward is to say that the value of the licence fee should be taken into account in the tax allowance so that pensioners who do not pay tax get the full benefit, those on the standard rate get some benefit and those on the higher rate get much less benefit. I hope he will agree on that, but will he please look at it?

Mr Whittingdale: I do remember my comments, and I never suggested that the BBC would not be faced with a very difficult decision, because the cost of maintaining the exemption is huge and would go on rising. My hon. Friend makes an interesting suggestion. We are coming up to a licence fee settlement in which we will be looking at all these questions, and I am certainly happy to consider the point he has made.

Julian Knight (Solihull) (Con): Locking up the over-75s is a remote but still shocking possibility of the BBC move, as Lord Hall told the Select Committee on Digital, Culture, Media and Sport recently. Ahead of any potential decriminalisation, will the Minister assure the House that he will speak to the BBC in the strongest possible terms to ensure that there is no possibility of its aggressively prosecuting non-payment in a way that could lead to pensioners finding themselves in prison, where, ironically, they would receive a free TV licence? Will he take the opportunity of the mid-point of the charter to undertake a root and branch review of the future of funding and what we require from public service broadcasting?

Mr Whittingdale: As my hon. Friend knows well, the number of people going to prison has fallen to a tiny number, but it is still debatable whether that should happen at all. I hope the BBC will be very flexible in its implementation of its new policy and will take account of the needs of pensioners when it comes to enforcement.

On the future of public service broadcasting and the licence fee, I absolutely can give him the assurance he seeks.

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.

1.42 pm

Sitting suspended.

Windrush Lessons Learned Review

1.45 pm

The Secretary of State for the Home Department (Priti Patel): With permission, Madam Deputy Speaker, I will make a statement on the progress on the Windrush lessons learned review. As I have said in this House on a number of occasions, the Windrush scandal is an ugly stain on the face of our country and on the Home Office. Wendy Williams' independent report laid bare institutional failings over several decades that let down so many who had given so much to Britain. It was damning about the conduct of the Home Office and unequivocal about the institutional ignorance and thoughtlessness towards the issues of race and the history of the Windrush generation. As I have told the House previously, that was simply unacceptable, and my response has been swift, strong and uncompromising.

I apologised unreservedly for the injustice, hardship and suffering of members of the Windrush generation at the hands of successive Governments. I promised to listen and act to reform the culture of the Home Office to better represent all the communities we serve. Last month, I announced that I accepted the review's important findings, and said that I would come back to the House to update all Members on the progress in implementing the recommendations.

After years of injustice and countless warm words, the Windrush generation deserve to know that action is urgently under way. Over £1.5 million has now been offered by the Windrush compensation scheme. Bishop Webley and I launched and hosted the first meeting of a new cross-government Windrush working group to address the wider inequalities affecting the Windrush generation and their families.

Three sub-groups have now been established to look at how we implement the recommendations, how to design the new community fund and how best to work with the new Commission on Race and Ethnic Disparities. That group is also advising on our new communications campaign to encourage more people who were affected to come forward. I put on record my thanks to Bishop Webley and to everyone involved for their ongoing support not only as we implement the findings from the lessons learned review but as we come together to improve our engagement, our communication and our outreach to the communities affected. This is just the beginning.

Urgent and extensive work is taking place across the Home Office and beyond on all the recommendations. Together, the permanent secretary and I are reviewing every aspect of how the Department operates, its leadership, the culture, policies and practices, and the way it views and treats all parts of the communities it serves. My ambition is for a fair, humane, compassionate and outward-looking Home Office that represents people from every corner of our diverse society, which makes our country great. That means confronting Wendy Williams' findings head-on to deliver lasting change.

To deliver that change, we have divided the recommendations into five parts. Our approach, which Wendy Williams has welcomed, will ensure sweeping reforms to our culture, policies, systems and working practices, reaching across the entire Department. We are consulting external experts, community organisations

[Priti Patel]

and the very people the Home Office has failed in the past in an extensive programme of engagement to ensure that officials understand the change that is needed and that the organisation at every level learns the lessons of what went wrong. I have been clear to my officials that it is not a box-ticking exercise. A delivery plan has been drawn up to ensure meaningful and rapid action. We are embracing the need to change our culture across the board, and in many cases we are going further than the recommendations that Wendy has made.

I will now set out just some of the work under way on the recommendations under each of the five themes. The first is righting the wrongs and learning from the past. I have apologised unreservedly to the Windrush generation, but sadly, we know that their faith and trust in those who sit on both sides of the House has been badly damaged over many years. A series of reconciliation events will be held to rebuild the relationship between the Home Office and those who were affected. That is an essential step to enable people whose lives were shattered by Windrush to articulate directly the impact that this scandal has had on their lives.

We must learn from the past. Mandatory training is being introduced for new and existing members of Home Office staff to ensure that everyone working in the Department understands and appreciates the history of migration and race in this country. Every single existing or new member of Home Office staff will be required to undertake that learning. We are going further by introducing a new process to ensure that all new policies are developed in an inclusive way, factoring in the cultural and historical context, and with effective mechanisms to monitor and, where necessary, resolve any concerns.

Secondly, we will create an inclusive workforce in the Home Office. The Home Office must reflect the diverse communities that it serves at every single level. There are simply not enough black, Asian or minority ethnic staff working at the top in senior roles, and there are far too many times when I am the only non-white face in the room. Action must happen now, so I am introducing more diverse shortlists for senior jobs, specialist mentoring and sponsorship programmes to help develop a wider pool of talent and drive cultural change. While it is reassuring that the Home Office is on track to meet its aim of 12% black, Asian and minority ethnic representation in senior roles by 2025, my ambition is to go further, because the Department cannot truly reflect the communities it serves unless it represents the people within them. Protecting, supporting and listening to every single part of the community that the Department serves is a vital lesson to be learned.

Thirdly, I am changing the Home Office's openness to scrutiny. Policy and decision making must be rigorously examined to ensure that any adverse impact on any corner of our society is identified and acted on quickly. To ensure that we better understand the groups and communities that our policies affect, we are overhauling the way in which we build up our evidence base and engage with stakeholders across the board. I expect my officials to engage with community organisations, civil society and the public, and I will be looking for evidence of that in every piece of advice that Ministers receive.

Wendy Williams was clear that a lack of insight into the community's experience meant that the Home Office missed opportunities to anticipate the Windrush scandal. She stated that

“Officials could and should have done more”.

She effectively said that we must all do better at walking in other people's shoes. I will overhaul the Department's risk management framework so that we can identify problems sooner, understand the unintended consequences of decisions for people and communities and keep protection of the public at the heart of what we do. That will give officials the knowledge, understanding and responsibility to raise risks and concerns, rather than hide them, and ensure that they are listened to and acted on.

Fourthly, there will be inclusive and robust policy making. It is key that we build institutional memory and reflect past learnings and experiences when setting out new approaches. Mandatory training on the public sector equality duty and the impact assessment process is being rolled out across the Department, including for the most senior staff. As well as considering the equalities impact, all impact assessments and submissions to Ministers must address the risks to vulnerable individuals and groups.

The final and most critical theme is a more compassionate approach—people not cases. This is at the heart of ensuring that nothing like the injustices faced by the Windrush generation can ever happen again. The injustices of Windrush happened not because Home Office staff were bad people but because staff themselves were caught up in a system in which they did not feel that they had the permission to bring personal judgment to bear. I have heard from victims directly when they have spoken of decision making as a process—a process that ground people down and lacked compassion towards the very people who should have been supported. I have heard people speak of being dismissed as if they just did not matter and their voices were irrelevant.

Putting people first will be built into the reforms that we make. Everyone making decisions must see a face behind the case. We must feel empowered to use our own discretion and pragmatism in decision making. The overwhelming majority of the British public agree that it is right that those with no legal right to be in this country must not be allowed to exploit the system, but we must protect the law-abiding majority. To build and maintain public confidence in the immigration system, it should not be easy for those here to illegally flout the rules, but we must make sure that we have the right protections in place for those whose status should have been assured. We need a system that is fair.

What happened to the Windrush generation is unspeakable, and no one with a legal right to be here should ever have been penalised. I have tasked my officials to undertake a full evaluation of the compliant environment policy and measures, individually and cumulatively, to make sure that the crucial balance is right. I have asked them to evaluate the changes that were made to immigration and nationality laws over successive Governments to ensure that they are fit for purpose for today's world. If those changes were not communicated effectively enough, we will act to make them so. Have no doubt that where we find problems,

I will seek to fix them, but equally, be under no illusion that if people are here wrongly or illegally, then naturally we will act.

We are determined to get this right. We owe it to the Windrush generation and, of course, their descendants. Wendy Williams has asked that we carefully consider our next steps to deliver both meaningful and lasting change. I will deliver on that commitment and continue to update the House. In September 2021, Wendy Williams will return to the Home Office to review our progress. I am confident that she will find the start of a genuine cultural shift within the Department—a Home Office that is working hard to be more diverse, more compassionate and worthy of the trust of the communities it serves. I commend this statement to the House.

1.57 pm

Nick Thomas-Symonds (Torfaen) (Lab): I thank the Home Secretary for her statement and for advance sight of it. I pay tribute to Wendy Williams and her team for their work and I welcome the further details set out today on changes at the Home Office, but the Windrush scandal must lead to real and lasting change.

The review powerfully exposed some of the terrible situations that people were forced into. Gloria, who had been in this country since she was 10, lost her job as a care worker as she was unable to renew her passport and prove her identity. Pauline, who came to the UK at 12 and qualified as a social worker, went on a two-week holiday to Jamaica that became an 18-month nightmare; she was detained and refused UK re-entry, losing her home and her livelihood. These are just two examples of the lives devastated by this scandal, and it is all the more shocking that just 60 people received compensation from the Windrush compensation scheme in its first year of operation.

Ministers must get a grip of the scheme. The review is clear that the Home Office should be more proactive in identifying people affected and putting right any detriment detected, with a focus on identifying people from elsewhere in the Commonwealth who may have been affected. Will the Home Secretary confirm today how many people the Home Office estimates are eligible for the Windrush compensation scheme? As of today, how many have applied? Of those, how many are from Commonwealth countries or related to them, and how many are from other countries—the category that arrived before 31 December 1988—and are now settled here? Will she explain why the published number of applicants seems so low, given the scale of the injustice? What does she expect the average turnaround time of a claim to be?

The Home Secretary mentioned in her statement that more than £1.5 million had been paid out. It is also the case that some people who were deemed eligible for the scheme early last year still have not received their compensation; for them, every day without that money continues to be a struggle. Will the Home Secretary also tell us which Minister is in charge of the scheme?

I turn to the other recommendations, of which there are 30 in total. Wendy Williams said:

“The department should publish a comprehensive improvement plan within six months of this report”.

The Home Secretary mentioned a delivery plan in her statement, but can she now confirm that, in line with the recommendations, she will publish it immediately? Another recommendation was that the Home Secretary should

“undertake a full review and evaluation of the hostile...environment policy...individually and cumulatively.”

The Home Secretary did mention that review, but can she tell us when she expects it to be completed? Wendy Williams’s review also recommended the creation of a migrants commissioner. What powers will the commissioner have, what budget will they control and when will the recruitment process for that vital post begin?

Nobody disagrees that the Home Office should be fair, humane and outward-looking, but the Home Secretary said at a recent meeting of the Home Affairs Committee that Wendy Williams was only a

“fraction away from calling the Home Office institutionally racist.”

Can I ask the Home Secretary how she felt about that? In view of that, what are her reflections on the decade for which the Conservative party has been in charge of the Home Office? The truth is that the Government are so little trusted in this area that it is vital that we maintain maximum scrutiny. The Black Lives Matter movement highlighted the need not just to recognise the discrimination and racism that black people continue to face, but to demand action.

Given their failure to act on so many previous reviews, the Government are falling woefully short on action. That is why we will be holding them to account for delivering the vital changes outlined in the report with the urgency that is required. Is not the truth that the Windrush generation, who gave so much to rebuilding the country after world war two, deserve nothing less, and future generations deserve so much more?

Priti Patel: I would like not only to restate my commitment to delivering the compensation for those who became victims of the Windrush scandal itself, but to say that it is absolutely right, and it is my focus, my determination and my resolve, to ensure that the individuals whose lives were blighted and shattered as a result of a series of measures that, to quote Wendy Williams,

“evolved under the Labour, Coalition and Conservative Governments” receive the compensation that they deserve.

It is a fact that the injustices will not be resolved or fixed overnight, and I have levelled with the House on that point on a number of occasions. The mistreatment that the affected individuals endured was simply unacceptable. I will continue to do everything within my power to lead the Home Office in delivering on compensation, and to ensure that through the lessons learned review and Wendy Williams’s work, we right the wrongs and properly compensate those who were affected. That will not happen overnight.

I have already expanded the compensation scheme so that people will be able to apply to it until at least April 2023, but we have to go beyond that, and I would be more than willing to do so. We have made the criteria more generous so that people can receive the maximum compensation that they rightly deserve. I have said that £1.5 million of compensation has been offered to individuals, but of course I want compensation payments to be sped up. The scheme has already received 1,342 applications. Final offers have been made to more than 154 individuals. Urgent and exceptional payments have been made to hundreds of individuals—in fact, more than 1,400 individuals have been supported by the vulnerable persons team—and a significant number of cases have been closed.

[Priti Patel]

As I think I said at the Select Committee just last week, a vast number of cases—I will say it now: 1,000 cases—are not just led by the Home Office, but split across other Departments, including Her Majesty’s Revenue and Customs and the Department for Work and Pensions, in terms of ascertaining information and data. As I have said on previous occasions, outreach and engagement with people across a wide range of communities, including other Commonwealth countries, is vital. We simply, partly due to covid, have not been able to continue direct face-to-face engagement with community organisations and representatives in the way we had planned, but only by doing that can we identify others who have not even applied to the compensation scheme. More work needs to be done—I am very honest and open about that. The hon. Member for Torfaen (Nick Thomas-Symonds) speaks about scrutiny. He is more than welcome to continue asking questions and we will provide answers where we can. At the same time, we are subject to not full data and not full information and I would be more than happy to continue working with colleagues across the House, and all political parties, as I have done, to ensure that more people do come forward. That is something we should all collectively step up to and encourage.

Jerome Mayhew (Broadland) (Con): The cross-Government working group has a key role in considering the changes needed to support the Windrush generation, as well as a wider scope to address the challenges faced by black and ethnic minority people across the country and society, in education, work and health. Can my right hon. Friend update the House on how she sees that group developing? Does she consider quarterly meetings sufficient to make good progress?

Priti Patel: My hon. Friend asks an important question. Not just through my time at the Home Office, but even now, every time I look at Windrush cases and read the details and backgrounds of the hardship and suffering, I fundamentally believe that there is much more we need to do as political leaders, individually and collectively, to ensure that we celebrate our differences, but remember that we are one nation and one community. The outreach and stakeholder groups that we have established are critical to ensuring that we drive change in our practices and policies, and that we communicate in a compassionate and humane way and reach out to individuals in the right way.

My hon. Friend asked whether quarterly meetings are enough, but we do not just have quarterly meetings. I am in regular contact with representatives and chairs of stakeholder groups, and that will continue. I intend to leave no stone unturned, and although I appreciate that individuals in the House might focus more on the number of cases, I believe that we need to fulfil cases and deliver on compensation. We must also look at people, not just cases, which means that we can consider the wider policies that we need to explore—my right hon. Friend the Prime Minister is doing that through his new race and equality group, too—to get the right policies in place so that we can address many of the injustices that people constantly speak about.

Joanna Cherry (Edinburgh South West) (SNP): I welcome this full statement, which contains some substantial commitments and aims, and I thank the Home Secretary

for advance sight of it. First, when Wendy Williams gave evidence to the Joint Committee on Human Rights earlier this month, she said that the Windrush scandal had highlighted

“fundamental cultural, political and institutional factors”

relevant to how the Home Office carries out its duties across the board. She said that those issues needed to be fixed and it seems that the Home Secretary has recognised that in her statement. But Wendy Williams also said that she had considered the Home Office responses to previous reviews and reports, and found that those responses tended to be characterised by a quick acknowledgement of the result and a focus on process, rather than on the fundamental issues identified in the respective reviews. She said that, in the past, the remedial actions taken by the Home Office were superficial to the extent that there was action at all, and that they did not have a lasting effect. She also said that many of the issues that were identified kept coming up successively, time and again, but in different contexts. So can the Home Secretary reassure me that the steps she intends to take will avoid the pitfalls that Wendy Williams has identified with previous reviews?

Secondly, the Home Secretary has committed to changing the Home Office’s openness to scrutiny, policy and decision making, and she talks about engagement. Will that include engagement with the devolved Government in Edinburgh? Thirdly and finally, the Home Secretary and I do not always see eye to eye, but I want to thank her for doing what she was unable to do last time, which is to confirm that she will carry out the root and branch review of the hostile environment policy that Wendy Williams stipulated in recommendation 7. In relation to that, I have a specific question for the Home Secretary. Will she tell us whether measures such as the right-to-rent scheme will be paused pending the outcome of the review of the hostile environment policy?

Priti Patel: The hon. and learned Lady raises some very important points, quite frankly, about how the Home Office not just undertakes reviews but picks up on recommendations and enacts recommendations around reviews themselves.

It is fair to say that Wendy Williams’s Windrush lessons learned review is a review like no other. Thankfully, it is a one-off review of an absolutely shocking scandal that took place. As I said in my statement, it identifies and marks a stain on the history of our country, but it also scars my Department significantly. As a result, the measures that I have outlined today—just the five steps alone, which are very focused on the Home Office itself, including encompassing policy aspects—are very detailed. They are detailed for a reason. They are not a tick-box response, and they are not a “quick, let’s fix this and pay lip service” response either. A great deal of work is required. This speaks to the hon. and learned Lady’s third point, about reviewing the compliant environment and the work that will need to be undertaken there, which will take time. Obviously, I will report back, and as a Department we will report back, on exactly how policies are effected specifically on that.

It is fair to say that my commitment on this issue, and more fundamentally with regard to the Home Office, is absolutely solid and firm. I have seen all sorts of practices, I have experienced all sorts of practices in the Home Office, and I have been on the receiving end of certain

practices in the Home Office as well, which quite frankly speak to some of the points that came out of Wendy Williams's review. Therefore, our commitment is solid, and it is firm.

The hon. and learned Lady also asks about engagement with the devolved Administrations. She should take that as a given. There is always more work that needs to be done on that front, and that is something that I am committed to doing.

Dr Ben Spencer (Runnymede and Weybridge) (Con): I welcome my right hon. Friend's statement. Having compensation available that people are aware of is very important, but trust in the system also needs to be rebuilt so that people feel confident in claiming. What is she doing to ensure that people are not just aware of the funds that are available but confident to claim?

Priti Patel: My hon. Friend raises a very important point. He will have heard my comment in my statement about rebuilding trust. For people to come forward, they have to have not just confidence but trust in the organisation that they are engaging with. That is fundamental to the work that the Home Office is now undertaking.

On a practical level—I have spoken before at the Dispatch Box about the practical steps that need to be undertaken—we need to do better in terms of our outreach. We have not undertaken engagement opportunities because of covid and, obviously, the problems with getting out and around the country. That will change. I have set up new stakeholder groups, we have a new communications campaign and officials will be going back into communities. I think I said when I came to the House the day after the publication of Wendy's report, on 19 March, that I want to work with colleagues across the House to ensure that we are working in their communities to rebuild the bonds and bridges of trust—importantly, both to build those links and to reach out to individuals who have been affected.

Madam Deputy Speaker (Dame Rosie Winterton): I call the Chair of the Home Affairs Committee, Yvette Cooper.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): What happened to the Windrush generation at the hands of the British Home Office was deeply shameful. I welcome the Home Secretary's commitment to fundamental reform of the culture and the processes in the Home Office, and her commitment to change the way the Home Office works. I also welcome the openness to scrutiny to which she referred. We on the Home Affairs Committee will welcome further details from her of her plans.

The Home Secretary referred to the Home Office needing to have a humane face, and that must start with those who have been most badly wronged. As she will know, there are still huge delays in the compensation process. I have had two more cases given to me this afternoon of people who have been waiting for over a year. They are still waiting, but are unable to get any response from the Home Office about what is happening to their cases. We are hearing of case after case where that is happening. Will she now urgently review the operation of the compensation scheme, so that initial payments can be made far, far more quickly? This is an ageing generation. It is urgent that they get support.

Priti Patel: The right hon. Lady will be aware, from when we spoke at the Select Committee last week, of my comments on cases and the changes—new case-workers—that will come into place. If she would like to provide me with the two new cases, I will take a look at them myself.

Tim Loughton (East Worthing and Shoreham) (Con): I welcome the very personal ownership the Home Secretary has taken of identifying and implementing solutions to the problems that Windrush revealed, particularly around people not cases, as she said. Windrush uncovered just how complicated, opaque and costly the whole immigration system is, with numerous and complex different qualifying criteria not just for citizenship under Windrush, but for indefinite leave to remain, child asylum applications and so on. Will she, as part of the people-friendly reforms, which I welcome, and the review of immigration legislation, make sure that the whole immigration system is simplified, streamlined and made much more affordable for all?

Priti Patel: I thank my hon. Friend for his comment and his point. He will know, through the work we are undertaking in the Home Office itself with reforms to the immigration system, including the points-based system, that we are looking at the Law Commission's recommendations on simplifying the immigration system. It has become far too complicated, and this is the moment that we need to streamline the system and make it much more open, more transparent, much more flexible and much more agile—but, actually, much fairer.

Steve McCabe (Birmingham, Selly Oak) (Lab): I welcome the Home Secretary's statement, but if we are learning lessons why will she not act now on looked-after children and care leavers eligible under the EU settlement scheme to ensure that they are all urgently processed? Otherwise, they are destined to end up in exactly the same position as the Windrush victims.

Priti Patel: With respect, I disagree with the hon. Gentleman's last comment. When it comes to carers and children in particular—who he rightly highlights, if I may say so—there is a great deal of effort taking place, not just in the Department but with local authorities, specifically on the groups he speaks about. It is right that we do that and, of course, we are committed to doing that, but obviously as he will know there are some complexities right now throughout the covid period that we, others and local authorities themselves have come up against. If he has particular cases that he wants me to look up, I am more than happy to do so.

Miss Sarah Dines (Derbyshire Dales) (Con): Can my right hon. Friend confirm that the £1.5 million already offered by way of legal compensation will be the start of a proper and thorough process of compensation? Does she agree that justice delayed is actually justice denied?

Priti Patel: My hon. Friend is absolutely right. As I have highlighted, both today and in previous statements, it is absolutely my intention, my desire and my focus, and the focus of the Home Office, to ensure that we do more around compensation. These cases, I am sorry to say, are complicated for a whole range of reasons, but that does not necessarily mean that we should allow

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process to just consume these cases. We must make sure that we are getting support to individuals and the Department is absolutely geared up to do that.

Helen Hayes (Dulwich and West Norwood) (Lab): Recommendation 6 of Wendy Williams's review calls for an education programme to be introduced for all new and existing Home Office staff to make sure that all staff

"learn about the history of the UK and its relationship with the rest of the world, including Britain's colonial history, the history of inward and outward migration and the history of black Britons."

It is right that the Home Secretary has announced today that that programme is being introduced in the Home Office. Does she agree with me that if we are to avoid such a shameful scandal as the Windrush scandal ever happening again, that content is important not only for staff in the Home Office, but for every child being educated in British schools? If she does agree that that is important, will she speak to her colleague, the Minister for Schools, who has recently refused to meet me and campaigners from my constituency—young people—who are desperate to see reform in their education system, so that they can all say, collectively, "Our history is British history"?

Priti Patel: Of course.

Neil O'Brien (Harborough) (Con): I strongly welcome the statement and the lead that my right hon. Friend is taking on this hugely important issue. What steps is she taking to make sure that Wendy Williams's recommendations are taken forward as quickly as possible?

Priti Patel: My hon. Friend will know that there are a vast number of recommendations. Wendy emphasised the need to ensure that we did not just fulfil them all immediately, but that we had the time and space to give all the recommendations the right consideration. That is why we are taking this phased approach right now.

I am focusing on two particular elements. One is the compensation; it is right that we go through case by case and look at the complexities behind individual cases. The second significant area is the culture and the Department. That is the focus and, as I have said repeatedly, I will continue to share updates on the recommendations with the House. I have also spoken about the Department now being open to more scrutiny. That will play into the review that Wendy will undertake next year with regards to the Department.

Douglas Ross (Moray) (Con): We have heard Members across the House express their gratitude for the Home Secretary's commitment to dealing with this issue and her ongoing progress to address the failings identified in the report. Towards the end of her statement, she said that Wendy Williams will come back to the Home Office in September 2021 to reassess things. What will happen in the interim period? How will Ministers and officials look at progress or any potential lack of progress between now and September 2021?

Priti Patel: First, I assure my hon. Friend that I will continue to work with Wendy Williams throughout the implementation of recommendations. It is important

that I and the Department do that. We cannot just carry on without taking that external counsel and support and advice. I think it is right that next year, in 2021—over a year in—Wendy looks at the progress of the Department, but this will be ongoing. We have to take both a measured and a responsive approach, in terms of fulfilling the recommendations.

Patricia Gibson (North Ayrshire and Arran) (SNP) [V]: Concerns remain that even before the Home Office had responded to the lessons learned review, the UK Government were pressing ahead with plans to extend the reach of the policy to EU citizens in the Immigration and Social Security Co-ordination (EU Withdrawal) Bill. Given what the Secretary of State has said today, will she guarantee that EU citizens will not also become victims of the hostile environment created by her Government?

Priti Patel: Yes.

Dr Luke Evans (Bosworth) (Con) [V]: I am grateful to the Secretary of State for her compassion. Talking about the face behind the case, Major Lines is a constituent of mine in Bosworth. He was born in India in 1945, to British parents who were stationed over there when his father was in the British Army. He returned in 1947. He then went on to serve in the Army for 30 years. He has a British subject passport and would like to change that to a British citizen passport, and has had to pay £1,000 and have an appointment to promise his allegiance to the UK. This has similarities with the Windrush scandal. What steps is my right hon. Friend taking to protect veterans who are being asked to make promises of allegiance to a country they have served?

Priti Patel: My hon. Friend raises a very important case and an important point of principle about veterans who give their allegiance to our country and serve our nation and how we support and give justice to those individuals. I will update him and the House in due course on some of the changes that I am making in that area. On the specific case he raises, I would be more than happy to take a look at that in further detail.

Zarah Sultana (Coventry South) (Lab): The "Windrush Lessons Learned Review" recommends that the Home Office implements a comprehensive programme to educate staff about Britain's colonial history, but the Prime Minister, in an article he wrote for *The Spectator*, said that the problem with British colonialism was not "that we were once in charge, but that we are not in charge any more."

If we are to have trust in this Government to deliver that education programme, will the Home Secretary condemn the Prime Minister and acknowledge the brutal crimes that British colonialism inflicted upon millions of people across the globe?

Priti Patel: My statement was very clear in terms of the needs of this Government, but also the needs of my Department—the Home Office—to learn from the recommendations of Wendy Williams. That is effectively what I am focusing on and it is right. If the hon. Lady heard my statement, she will have heard of my commitment, which is also a commitment by this Government, to ensure that we right the wrongs of the past.

Mr Steve Baker (Wycombe) (Con): This excellent statement puts the Home Office well on the way to establishing a culture of honour, which will ensure that we treat people so much better, and it will change how they feel about themselves and how they feel about our country. So I congratulate the Government on what my right hon. Friend has done. What will she do, though, to make sure that “people, not cases” is more than just a slogan?

Priti Patel: My hon. Friend is absolutely right. This is a point of reflection, not just for the Home Office but for the whole of Government, when it comes to treating individuals not just with compassion, but with the respect that they deserve. As we are all honourable Members of this House and Members of Parliament, we are all familiar with people engagement—casework. It is important that in the Home Office, casework is not seen through the lens of process—that we understand the situation of individual people, that we understand their circumstances, that we treat them with respect, and listen to them, especially, and we support them. That is absolutely my aim and determination—that caseworkers in the Department who are working now to turn around compensation schemes and claims, spend time with individuals, learn of their backgrounds and give them the respect and the service that they deserve.

Sarah Jones (Croydon Central) (Lab): Callton Young was the first black senior civil servant in the Home Office and is a Croydon councillor; he contributed to the Wendy Williams review. Twenty years on from his appointment, the Home Office still does not have senior black civil servants helping to better inform policy development. Can the Home Secretary tell us more about how she will rapidly address that failure?

Lunar House and many of the Home Office buildings are in my constituency and a lot of my constituents work there. I welcome what the Home Secretary said about seeing a face behind the case. Some of the staff have told me that it is not just a cultural issue—that it is very difficult when they have so many cases to deal with. Is the Home Secretary confident that she has enough people to do the job properly?

Priti Patel: The hon. Lady has raised some important points. She first acknowledged the lack of senior leadership, and diversity in senior leadership, particularly in the Home Office. If I may say so, that is a feature, sadly, across Government—across the civil service; it is something that the Government are collectively trying to change. As the leader of the Home Office, it is my responsibility to look at what more we can do to support diversity, even by mentoring—something that I feel very strongly about, from my previous career—individuals from across all backgrounds. Specifically, it is absolutely wrong—I have raised this at a senior management level in my Department—that our own staff members from black and Asian minority ethnic communities are stuck at certain grades in my Department. That is really not acceptable. We should find mentoring schemes to grow them and develop them and their careers. I absolutely believe in that and I want to achieve much more on that front.

The hon. Lady specifically refers to Lunar House and the remarkable work that individuals and colleagues from the Home Office undertake there. If I may say so,

even in Wendy’s report, references to Lunar House were not necessarily made in a positive light. There are a lot of cases. We deal with people. The Home Office is a caseworking Department, dealing with thousands of people day in, day out. In terms of staffing, it is not just about numbers; it is about training and support around our personnel. That is really important, and that is why I need to do more, and my Department—my permanent secretary—needs to do more as well, in terms of investing in people. I fundamentally believe in that, and I think that is the right approach for the future. We will grow and develop our staff, so that we can work in a fundamentally different way with people who come to us.

Madam Deputy Speaker (Dame Rosie Winterton): Order. Just a gentle reminder: it is a very important statement and I would like to get everybody in, but that means just one question at a time, so that the Home Secretary can give brisk answers as well.

Scott Benton (Blackpool South) (Con): I welcome my right hon. Friend’s statement. I thank her for the rapid way in which her Department has assisted some of my own constituents who have sadly been affected. Can she reassure the House that she will do everything within her power to make sure that those who qualify receive the compensation that they deserve as quickly as possible?

Priti Patel: My hon. Friend is absolutely right, and he has heard me speak about the need to speed up work on the compensation claims. We are doing everything that we can. I am here to support anybody who brings a claim forward. My Department will look at how we can process claims far faster.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Put bluntly, the report shows that racism was allowed to infect the Home Office and its immigration policies, and visas are still tainted by it. The Secretary of State refused to believe me when I said that “no recourse to public funds” had left a Newcastle mum unable to feed her baby, but will she accept that I have constituents almost exclusively of black and Asian heritage who are left for years in visa limbo, and will she commit to improving access to the resources of her Department in order to give just and speedy decisions?

Priti Patel: I am more than happy to assure the hon. Lady on her last point. Specifically, on the case that she set out, I said at the time that I would be more than happy to look at it. If she would like to share the details with me, I would be very happy to do so.

Caroline Nokes (Romsey and Southampton North) (Con): I really welcome my right hon. Friend’s commitment to openness, transparency and scrutiny. Will she let us know whether her Department will therefore publish equality impact assessments that it is committed to carrying out, and will she perhaps blaze a trail across Government by publishing the ethnicity pay gap that might exist within the Home Office?

Priti Patel: My right hon. Friend makes a really important point. As I have already said, we are embarking on this work and I intend to look at all aspects of equality pay and diversity, and also at equality impact

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assessments as well. These are some of the key pillars of policy development that the Department will be looking at and, obviously, I will report back in due course on the steps that we undertake.

Jim Shannon (Strangford) (DUP): I also thank the Secretary of State for her statement, for her control of the Windrush issue, and for her deep interest and commitment. There are some 30 recommendations in the Wendy Williams report. How does she believe that these can be implemented to ensure that applications adhere not simply to the letter of the policy, but to the spirit of the policy, which would never have intended for this generation of people, who did so much for the UK when we needed them the most, to suffer so needlessly?

Priti Patel: The hon. Gentleman is absolutely right, and he touches on some of the sentiment that has already been echoed in the House around fulfilling the recommendations and not just paying lip service to them. As I have said, the report itself is a report like no other. That is why it is important that we have the time and space to give it the determined attention and diligence that is required to make sure that these recommendations are implemented in the right way, working not only with Wendy, but with other stakeholders, too.

Christine Jardine (Edinburgh West) (LD): “Windrush” used to be a name associated with great pride in this country, but because of the scandal it has become associated with failure on the part of the Home Office in letting down people who deserve better from this country. I welcome the statement and the Home Secretary’s commitment to the recommendations, but, given that the Government are about to end free movement and leave millions of EU citizens vulnerable to the same sort of failure, will she consider pausing the immigration policy until she has implemented the recommendations?

Priti Patel: It is important to say, as I have said previously, that I am here specifically looking at the Windrush recommendations and how we apply them going forward. The hon. Lady alludes to the EU settlement scheme, which has already safeguarded the status of more than 3.4 million people. If I recall rightly, there are Members of this House who said at the time that that would never happen, and it has happened. We will continue to do everything possible to ensure that EU citizens in the UK get their status secured, and we have a separate scheme and a separate programme of engagement around that work.

James Sunderland (Bracknell) (Con): The Home Secretary will appreciate the clear distinction between those who are here legally and those who are here illegally. Will she please confirm that our new points-based immigration system will allow us to welcome the very same talent, hard work and skill as that shown by our proud Windrush generation?

Priti Patel: My hon. Friend is absolutely right. I have spoken repeatedly—as has the Immigration Minister, my hon. Friend the Member for Torbay (Kevin Foster)—about not just welcoming the brightest and the best but being open and fair in terms of how we invite people

over to our country, and about having a system that is fair in the way in which it will end discrimination between non-EU and EU countries. That is absolutely vital, as my hon. Friend will know, through the points-based system.

Bob Stewart (Beckenham) (Con): I remind the House of how many members of the Windrush generation and their children joined the armed forces. I served with a great number of them and I thought they were superb. Will the Home Secretary endorse that comment?

Priti Patel: I absolutely will endorse that comment. I echo every word that my hon. Friend has just said.

Stephen Timms (East Ham) (Lab): The Home Secretary knows of my concern that the Department is still not engaging with the scandal of thousands of overseas students whose lives were ruined when they were falsely accused of cheating in English language tests. Today, destitution is being inflicted on hard-working families with a legal right to be in the UK because the “no recourse to public funds” restriction is being kept during this pandemic. They are being penalised, contrary to the Home Secretary’s statement. Does she recognise that this deeply troubling pattern requires changes of policy as well as of departmental management?

Priti Patel: Specifically on the right hon. Gentleman’s point, I know that he has met the Immigration Minister a number of times to discuss the issue of English language testing. In fact, the former Home Secretary put down a written ministerial statement last year outlining his response to some of the responses and concerns that were raised at the time. The right hon. Gentleman also raises the issue of no recourse to public funds; however, he puts that in the context of people that he said are in need of support and funds. As I have already articulated and echoed to the House, if there are particular cases that he would like to raise with me, he is very welcome to do so and I will look at them directly.

Darren Henry (Broxtowe) (Con): Does my right hon. Friend agree that playing party politics over the Windrush generation is shameful? Given that the hostile environment started in 2007, will she join me in urging Opposition Members to work with the Government to right this wrong?

Priti Patel: My hon. Friend makes an important point about the responsibility that we all have in terms of learning from the past and trying to right the wrongs of the past collectively. He has sat in the House diligently over the course of previous statements, if I recall, and the most recent Windrush statement as well, and asked a question in a similar vein. He will have heard me say to all Members of this House that whether it is on individual cases or whether it is in our tone, our posture or how we address the issue of injustices, we have to work together. No individual, no Government, no organisation has the sole answer to this. It is important that we work collectively and together.

Deidre Brock (Edinburgh North and Leith) (SNP): We hear that caseworkers have been told to demand of some claimants that they make their case beyond reasonable doubt—a high standard that many will struggle to meet.

Why has the bar been set so high? Will that be reviewed as part of the evaluation of the hostile environment policy?

Priti Patel: As I have already said several times with regard to the cases themselves, these are complicated cases and individuals need to provide certain amounts of information with regard to the processing of claims and not just payments. That is part of the scheme that was created before I became Home Secretary, with Martin Forde QC, and the scheme was developed in conjunction with members of the Windrush generation. I have said that I am prepared now to look at any complexities around the scheme, and I said this at the Select Committee last week as well. If we need to look at amending the scheme going forward to enable and facilitate quicker payments or swifter cases being turned around, we will absolutely look at that.

Henry Smith (Crawley) (Con): In a similar situation to the Windrush generation are the descendants of Chagos islanders, whose families were exiled from the British Indian Ocean Territory, and who now face citizenship problems. In the review of nationality law that my right hon. Friend just announced, will she commit to looking at the case of the Chagossian people?

Priti Patel: As I have touched on, this will form part of the Home Office's wider work on all sorts of aspects of nationality law and the complexities of immigration law and the immigration system. As I said, we need the time and ability to do this, which is what we are undertaking right now and will continue to do so. In due course, I will report back. We will look at all these issues, and I am sure that many more will surface in the weeks and months ahead.

Joy Morrissey (Beaconsfield) (Con): I thank my right hon. Friend for her excellent work and for committing to right the wrongs done to the Windrush generation, but will she also consider further reforms to how the Home Office processes immigration applications? As someone who experienced the joys of Lunar House personally, I know it is a labyrinth of mismanaged records and cases. There are excellent civil servants, but we need to be people focused, rather than case focused.

Priti Patel: My hon. Friend speaks with experience of process, which is a point that has been touched on already. There are many lessons to be learned, but on process there are also issues with the management of case files, technology, record keeping, data retention—you name it. These are long-term, long-standing issues that the Home Office needs to grip and are part of wider changes to the machinery of government that we are looking at.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): The Home Secretary said in her statement: "If we find a problem, I will fix it." Let me commend to her the work of my constituent Chrisann Jarrett and We Belong, young people who came to this country, some when they were as young as two. They are now on the long road to citizenship—10 years—and every three years have to pay over £2,500 in fees. These are young people who will become British citizens, but every hurdle is being put in their way. They are passionate about this

country and are not going to live anywhere else. The Home Secretary could save herself resources and staff time, and support those young people, if she were to look at this. I am sure that Chrisann and We Belong would be willing to engage with her Department.

Priti Patel: I look forward to that engagement if it is something we can facilitate.

Bob Blackman (Harrow East) (Con) [V]: My right hon. Friend will be all too aware of the multicultural nature of my constituency: not a day goes by without somebody coming to my office—at the moment, virtually—with a new immigration case. Many of these cases are complicated, stretch back several years and are in a queue in the Home Office. Can I urge her, as she progresses the reforms on the Windrush generation, not to remove resources from dealing with people in the backlog, but actually to concentrate more experienced caseworkers there to clear this backlog so that people who have been living in this country for an awfully long time can normalise their position?

Priti Patel: My hon. Friend is absolutely right, and I can assure him that the two are separate—obviously we have a bespoke team working on Windrush. I hear him completely on the wider immigration cases. The closure of centres over the last four months will not have assisted with the speed of processing, but now that we are getting back to work, the claims will be processed and people will be given the attention they deserve.

Jack Breerton (Stoke-on-Trent South) (Con): I thank my right hon. Friend for the support her Department has given to my constituents affected by this. Will she ensure everything is done to get them the compensation they are entitled to as soon as possible?

Priti Patel: My hon. Friend makes a similar point to colleagues in the House about the scheme itself. Of course, I am determined to ensure that compensation does get out to individuals quickly. As I have already said—I will restate the point—where changes may need to take place around the scheme, we will look to undertake them.

Marion Fellows (Motherwell and Wishaw) (SNP) [V]: The no recourse to public funds policy is another example of a policy that affects migrants and the BAME community, and it must be scrapped immediately. Will the Secretary of State show that she is serious about addressing inequality and scrap the policy?

Priti Patel: As I said, all policies are under review in the Department, but specifically, on no recourse to public funds, it is right that those who benefit from the state also contribute to it. The policy is specific to migrants coming to our country being financially independent, which is also in the interests of British taxpayers.

Naz Shah (Bradford West) (Lab): First, I thank the Home Secretary for the tone and ownership she has displayed in the Chamber on the issues impacting the Windrush generation. Will she acknowledge that the Windrush scandal highlights how institutions can fail, with discrimination and prejudice against individuals.

[Naz Shah]

There is often denialism, and only after a scandal are they forced to accept the dark reality. What changes are the Home Office implementing so that issues such as racism can be raised and highlighted in a manner where they will be believed?

Priti Patel: As I have already stated, Wendy's review is important because she described a number of measures that evolved under Labour, coalition and Conservative Governments over decades. It is important that we all look at ourselves, because we must all be better at walking in other people's shoes. We must all take responsibility for the failings that happened in the past. We are also one community who deserve to be treated with respect. We should therefore all learn lessons from the past.

Simon Fell (Barrow and Furness) (Con): My right hon. Friend referred to changing the Home Office's openness to scrutiny, which will, quite rightly, lead to the Home Office better understanding the communities and groups it serves. What steps will she put in place to ensure that a similar level of understanding can be applied to the data that the Home Office holds and the impact that changes in policy might have on the people whom the data reflects?

Priti Patel: My hon. Friend makes an important point about data, with the type of trends and information that comes through to the Home Office. In fact, the hon. and learned Member for Edinburgh South West (Joanna Cherry) also touched on data and processes. On scrutiny, we need to look at all aspects—not just policy but information, trends, flows, immigration data and all the sorts of data that come into the Department. We also need the skills to do that. That is part of the change we are seeing not just in the Home Office but across Government, with data analytics and information, in how we as a Government can respond on policy while treating people with compassion and fairness.

Point of Order

2.48 pm

Owen Thompson (Midlothian) (SNP): On a point of order, Madam Deputy Speaker. On 16 June, the UK and US Governments signed a draft US-UK technology safeguards agreement, and on 18 June, I asked the Government when they would publish details of it. I duly received a reply on 23 June to say that it would be laid in Parliament after enabling legislation was in force. We are now more than a month on and heading into recess, yet there is no sign of any detail about this agreement being published. I am looking for advice on how I can get greater clarity from the Government on what that agreement includes over the course of the recess.

Madam Deputy Speaker (Dame Rosie Winterton): I am grateful to the hon. Member for raising that matter and for giving me notice of his point of order. He has successfully raised the issue in the Chamber. It is not really a point of order for the Chair, but I know that Ministers on the Front Bench will have heard what he said, and I am sure that they will pass it back to the relevant Department. He may wish to write to Ministers—he asked what he could do over summer, and that is one course of action—but I am confident that Ministers on the Front Bench will pass it back and try to assist him.

2.49 pm

Sitting suspended.

Death by Dangerous Driving (Sentencing)

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

2.52 pm

Mrs Theresa May (Maidenhead) (Con): I beg to move,

That leave be given to bring in a Bill to amend the Road Traffic Offenders Act 1988 to increase the maximum sentence for causing death by dangerous driving to life imprisonment; and for connected purposes.

Death by dangerous driving is an all too familiar phrase, yet I wonder how many people, when they hear that phrase, think about the tragedy and devastation of lives that lies behind it. In 2015, my 19-year-old constituent Bryony Hollands died at the hands of a dangerous driver—a driver under the influence of drink and drugs. He was sentenced to eight years and served just four years in jail. In July 2018, my constituent Ciara Lee's husband Eddy was killed on the M4. The driver responsible was sentenced to just 22 months and is already out on licence. In December 2019, a driver under the influence of drugs hit and killed 13-year-old Max Simmonds in my constituency. The judge described the defendant's driving record as “nothing less than appalling”, indicating an

“utterly selfish and thoughtless attitude to other drivers”.

I am sure that the majority of Members of this House—indeed, possibly every one of them—have a story to tell of death by dangerous driving in their constituency, and many of those events will have left loved ones feeling that justice has not been done. My hon. Friend the Member for Winchester (Steve Brine) was telling me about a case in his constituency just last night, and there will be other cases across the country—cases like that of Violet-Grace, told to me by the hon. Member for St Helens South and Whiston (Ms Rimmer). Violet-Grace Youens was four years old when she tragically died. A car being driven recklessly mounted the pavement and struck her and her grandmother. The driver left the scene, running past Violet-Grace and her grandmother as they lay injured on the ground. When he was eventually apprehended, he was sentenced to nine years and four months. Becky Youens sadly remarked that he will serve less time in prison than Violet-Grace was alive. Bryony Hollands's father, my constituent Mark Hollands, has campaigned since her death for the maximum sentence for causing death by dangerous driving to be increased from 14 years to life. The Youens family has campaigned for the same, as have many others. All feel that justice is currently, in many cases, not being done.

When I was Prime Minister, the Government listened to those concerns. We consulted on driving offences and penalties relating to causing death or serious injury. That consultation found considerable support for increasing the maximum sentence for causing death by dangerous driving: 70% of respondents thought the maximum sentence should be increased from the present 14 years to life. My Government committed to introducing that change in the sentencing Bill. For various reasons, which I will not go into today, that Bill was delayed

under my premiership and was not brought forward before I stepped down as Prime Minister. However, the current Government are also committed to a sentencing Bill. My right hon. and learned Friend the Lord Chancellor and Justice Secretary has indicated in this Chamber that he supports the change in sentencing, yet the sentencing Bill has not yet been introduced and the change has not yet been made.

This Bill, the Death by Dangerous Driving (Sentencing) Bill, is simple. It amends the Road Traffic Offenders Act 1988 to increase the maximum sentence for causing death by dangerous driving to life imprisonment. It fulfils the commitment I gave, it fulfils the commitment my Government gave and it fulfils the commitment this Government have given. It has cross-party support, and it does the Government's work for them. The Bill responds to a genuine concern that the severity of the offence is not always reflected in current sentencing, because of the limitations on the sentence that currently exist. It does not try to introduce an eye-for-an-eye type of justice system. What it does is ensure justice for victims and their families. As Mark Hollands said:

“The whole campaign is not that there's automatic life sentencing or anything like it, but it's available for judges when you get cases of people who persistently drive at speed.”

That is the key point. Judges today do their best to reflect the severity of the offence in sentencing, but their options are limited. Under this Bill, judges will still retain discretion as to what length of sentence is appropriate, but the measure in the Bill will give them greater scope and enable them to issue more severe sentences than is currently possible.

No sentence can make up for the tragic loss of a loved one—a life cut short, a future obliterated, a family devastated—but the sentence can enable those left behind to feel that justice has been done. Today, in too many cases, they feel that justice has not been done. This reform to sentencing has been promised by the Government. Families who have lost loved ones have consistently been told that the reform will be introduced when parliamentary time allows. It may be difficult to find parliamentary time for a full sentencing Bill, but this Bill is short, specific and targeted. As I said before, the Bill does the Government's work for them. The parliamentary time is now. Dangerous driving costs lives. For the victims' families, the pain of their loss can be with them for the rest of their lives. I hope that the Government and hon. Members from across this House will join me, put this Bill on the statute book, and help victims and their families achieve justice.

Question put and agreed to.

Ordered,

That Mrs Theresa May, Chris Grayling, Damian Green, Karen Bradley, Sir Graham Brady, Steve Brine, Gareth Johnson, Judith Cummins, Ms Marie Rimmer, Stephanie Peacock, Dan Jarvis and Chris Skidmore present the Bill.

Mrs Theresa May accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 16 October, and to be printed (Bill 167).

Counter-Terrorism and Sentencing Bill

Consideration of Bill, as amended in the Public Bill Committee.

New Clause 1

REVIEW OF LEGISLATION: NATIONAL PROBATION SERVICE

“(1) Within 18 months of enactment, the Secretary of State must commission a review and publish a report on the impact of the provisions in the Act on the National Probation Service.

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

- (a) the probation support provided to offenders convicted for terrorist offences;
- (b) the—
 - (i) type; and
 - (ii) number of specialist staff employed by the National Probation Service to work with terrorist offenders.
- (c) the—
 - (i) training;
 - (ii) assessed skill level; and
 - (iii) assessed experience of specialist staff employed by the National Probation Service to work with terrorist offenders;
- (d) the turnover of probation staff;
- (e) the average length of service of probation staff;
- (f) the non-staff resources provided to manage offenders convicted for terrorist offences; and
- (g) the adequacy of the operating budget of the National Probation Service.

(3) A report under subsection (1) may make recommendations to improve the probation support to terrorist offenders.

(4) Where a report has made recommendations under subsection (3), the Secretary of State shall respond within 2 months.

(5) The Secretary of State must lay a copy of the report under subsection (1) before Parliament.

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

This new clause requires a review of the impact of the Act on the National Probation Service.

Brought up, and read the First time.

2.59 pm

Alex Cunningham (Stockton North) (Lab): I beg to move, That the clause be read a Second time.

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

New clause 2—Review of deradicalisation programmes in prisons—

“(1) Within three years of this Act being passed, the Secretary of State must publish and lay before Parliament a comprehensive review of the impact of the provisions of this Act on the effectiveness and availability of deradicalisation programmes in prisons.

(2) The review must include an assessment of—

- (a) the effectiveness of existing programmes at reducing radicalisation and terrorist offending;
- (b) how individuals are assessed for their suitability for a programme;
- (c) the number of individuals assessed as requiring a place on a programme;

- (d) the number of individuals assessed as not requiring a place on a programme;
- (e) the average length of time individuals assessed as requiring a place on a programme have to wait to start a programme; and
- (f) whether there is sufficient capacity and resource to meet demand for places on deradicalisation programmes in prisons.”

This new clause requires a review of the impact of the Act on deradicalisation programmes in prisons.

New clause 3—Financial Impact Assessment Report—

“(1) The Secretary of State must, within three years of this Act being passed, lay before Parliament a report on the financial impact of the provisions of this Act.

(2) That report must separately consider the financial impact of—

- (a) extended sentences on the prison estate;
- (b) extended licence periods;
- (c) any increased staffing resources required for Her Majesty's Prison and Probation Service;
- (d) the extended offenders of particular concern regime; and
- (e) adding polygraph testing to certain offenders' licence conditions.

(3) The report may consider other financial matters.

(4) The report must compare the financial impact of the Act with the Impact Assessment for the Counter-Terrorism and Sentencing Bill published by the Ministry of Justice on 18 May 2020.

(5) A Minister of the Crown must, not later than 3 months after the report has been laid before Parliament, make an oral statement in the House of Commons on his plan to address the financial and non-financial issues identified in the report.”

This new clause requires a review of the financial impact of the Act.

New clause 4—Report on extended sentences for terrorist offenders: Scotland—

“(1) The Criminal Procedure (Scotland) Act 1995 is amended as follows.

(2) After section 210A(4) insert—

‘(4A) The report under section 210A(4), where it applies to a person convicted on indictment of a terrorism offence, must—

- (a) take account of the offender's age;
- (b) consider whether options other than an extended sentence might be more effective at—
 - (i) reducing the risk of serious harm to members of the public, or
 - (ii) rehabilitating the offender.

(4B) The court must take account of any points made by the report in relation to the matters in subsection (4A).’

(3) The Secretary of State must at least once a year conduct and lay before Parliament a review of the effectiveness of the provisions of this section and their impact upon offenders.

(4) The report of the first review must be laid before Parliament within one year of this Act being passed.”

New clause 5—Report on extended custodial sentences for terrorist offenders: Northern Ireland—

“(1) The Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)) (extended custodial sentences) is amended as follows.

(2) In Article 9, after paragraph (2), insert—

‘(2A) The pre-sentence report under paragraph (2), where it applies to a person convicted on indictment of a terrorism offence, must—

- (a) take account of the offender's age;

- (b) consider whether options other than an extended custodial sentence might be more effective at—
 - (i) reducing the risk of serious harm to members of the public, or
 - (ii) rehabilitating the offender.
- (2B) The court must take account of any points made by the report in relation to the matters in paragraph (2A).⁷

(3) The Secretary of State must at least once a year conduct and lay before Parliament a review of the effectiveness of the provisions of this section and their impact upon offenders.

(4) The report of the first review must be laid before Parliament within one year of this Act being passed.”

New clause 6—*Review of effects on children and young offenders*—

“(1) The Secretary of State must, within one year of this Act being passed, lay before Parliament a review of the effects of the provisions of this Act on children and young offenders.

(2) That review must detail any differential effects on children and young offenders in—

- (a) sentencing;
- (b) release of terrorist offenders; and
- (c) the prevention and investigation of terrorism.

(3) The review must consider the impact of imprisonment under this Act on the physical and mental health of children and young offenders.

(4) The review must consider the influences on children and young offenders who commit offences under this Act, including but not limited to—

- (a) the internet;
- (b) peer-pressure; and
- (c) vulnerability.

(5) When conducting a review under this section, the Secretary of State must consult with Scottish Ministers.

(6) The review may make recommendations for further changes to legislation, policy and guidance.

(7) For the purposes of this section, young offenders include adults aged under 25.”

This new clause would require the Secretary of State to review the effects of these measures on children and young offenders. It would also require the Secretary of State to consult with Scottish ministers when conducting the review.

New clause 7—*Review of legislation: Northern Ireland*—

“(1) On an annual basis from the day of this Act being passed, a report that reviews the application of the provisions of this Act in Northern Ireland must be published and laid before both Houses of Parliament by the Secretary of State.

(2) Annual reports under subsection (1) must be produced in consultation with the Northern Ireland Minister for Justice and the Northern Ireland Executive.”

This new clause ensures that all measures in the Bill as they pertain to Northern Ireland shall be reviewed annually with the Northern Ireland Minister for Justice and the Northern Ireland Executive, and a report shall be published and laid before both Houses of Parliament.

New clause 9—*Review of polygraph testing on terrorist offenders*—

“(1) Before sections 32 to 35 come into force, the Secretary of State must, within 6 months of this Act being passed, conduct a pilot of the use of polygraph testing on terrorist offenders.

(2) The outcome of the pilot must be reported to Parliament within 12 months of this Act being passed.

(3) This report must include—

- (a) data on the number of terrorist offenders who have been subject to polygraph testing during the pilot;
- (b) an explanation of how the results of polygraph tests have been used during the pilot;

- (c) an analysis of the effect polygraph testing has had on the licence conditions of terrorist offenders;
- (d) data on the number of terrorist offenders who were recalled to prison on the basis of polygraph test results;
- (e) a recommendation from the Secretary of State as to whether sections 32 to 35 should enter into force following the pilot; and
- (f) evidence of independent research on the reliability and value of polygraph testing of terrorist offenders.”

This new clause requires the Secretary of State to conduct a pilot test of the use of polygraph testing on terrorist offenders and report the outcome to Parliament, in addition to setting out evidence for the reliability of polygraph tests based on independent research.

New clause 10—*Review of sections 1 to 31*—

“(1) The Secretary of State must arrange for an independent review of the impact of sections 1 to 31 of this Act to be carried out in relation to the initial one-year period.

(2) The Secretary of State must, after consultation with the Independent Reviewer of Terrorism Legislation, appoint a person with professional experience relating to the imprisonment for offences of terrorism to conduct the review.

(3) The review must be completed as soon as practicable after the end of the initial one-year period.

(4) As soon as practicable after a person has carried out the review in relation to a particular period, the person must—

- (a) produce a report of the outcome of the review, and
- (b) send a copy of the report to the Secretary of State.

(5) The Secretary of State must lay before each House of Parliament a copy of the report under subsection (4)(b) within one month of receiving the report.

(6) In this section, “initial one-year period” means the period of one year beginning with the day on which this Act is passed.”

This new clause would require an independent review of the impact of sections 1 to 31 of the Act to be conducted after one year.

Amendment 30, in clause 4, page 5, line 35, at end insert—

“(7) The pre-sentence report must—

- (a) take account of the offender’s age;
- (b) consider whether options other than a serious terrorism sentence might be more effective at—
 - (i) reducing the risk of serious harm to members of the public, or
 - (ii) rehabilitating the offender.

(8) The court must take account of any points made by the pre-sentence report in relation to the matters in subsection (7) and consider whether they constitute exceptional circumstances under subsection (2).”

Government amendment 6.

Amendment 31, in clause 6, page 9, leave out lines 21 to 25, and insert—

“(11) In forming an opinion for the purposes of subsections (1)(d) and (6), the court must consider a report by a relevant officer of a local authority about the offender and the offender’s circumstances.

(11A) Where the offender is under 21 years of age, the report must—

- (a) take account of the offender’s age; and
- (b) consider whether options other than a serious terrorism sentence might be more effective at—
 - (i) reducing the risk of serious harm to members of the public, or
 - (ii) rehabilitating the offender and the court must take these factors into account when forming its opinion under subsection (6).

(11B) In considering the report, the court must, if it thinks it necessary, hear the relevant officer.”

Amendment 32, in clause 7, page 10, line 15, at end insert—

“(2A) Where the offender is under the age of 21, in forming an opinion for the purposes of paragraph (2), the court must consider and take into account a pre-sentence report within the meaning of Article 4 which must—

- (a) take account of the offender’s age; and
- (b) consider whether options other than a serious terrorism sentence might be more effective at—
 - (i) reducing the risk of serious harm to members of the public, or
 - (ii) rehabilitating the offender.”

Government amendments 7 and 8.

Amendment 33, in clause 16, page 16, line 29, at end insert—

“(4) Section 255 of the Sentencing Code is amended as follows.

(5) After subsection (2) insert—

“(3) The pre-sentence report must in the case of a serious terrorism offence under section 256(4)(b)(iii)—

- (a) take account of the offender’s age;
- (b) consider whether options other than an extension period of eight to ten years might be more effective at—
 - (i) reducing the risk of serious harm to members of the public, or
 - (ii) rehabilitating the offender.

(4) The court must take account of any points made by the pre-sentence report in relation to the matters in subsection (3).’

(6) The Secretary of State must at least once a year conduct and lay before Parliament a review of the effectiveness of the provisions of this section and their impact upon offenders.

(7) The report of the first review must be laid before Parliament within one year of this Act being passed.”

Amendment 34, in clause 17, page 17, line 4, at end insert—

“(4) Section 267 of the Sentencing Code is amended as follows.

(5) After subsection (2) insert—

“(2A) The pre-sentence report must in the case of a serious terrorism offence under section 268(4)(b)(iii)—

- (a) take account of the offender’s age;
- (b) consider whether options other than an extension period of eight to ten years might be more effective at—
 - (i) reducing the risk of serious harm to members of the public, or
 - (ii) rehabilitating the offender.

(2B) The court must take account of any points made by the pre-sentence report in relation to the matters in subsection (2A).’

(6) The Secretary of State must at least once a year conduct and lay before Parliament a review of the effectiveness of the provisions of this section and their impact upon offenders.

(7) The report of the first review must be laid before Parliament within one year of this Act being passed.”

Government amendments 9 to 16.

Amendment 5, page 21, line 30, leave out clause 24.

Amendment 52, in clause 27, page 23, line 24, after “unless”, insert

“the terrorist prisoner was at least aged 18 at the time of the commission of the offence for which the prisoner is serving the sentence, and”.

This amendment provides that only certain adult terrorist prisoners are excluded from eligibility for early release in England and Wales.

Amendment 53, in clause 28, page 24, line 12, after “unless”, insert

“the terrorist prisoner was at least aged 18 at the time of the commission of the offence for which the prisoner is serving the sentence, and”.

This amendment provides that only certain adult terrorist prisoners are excluded from eligibility for early release in Scotland.

Amendment 1, in clause 30, page 26, line 16, leave out “whether before or”.

This amendment would remove the retrospective application of this provision.

Amendment 2, in clause 30, page 26, line 17, leave out from “(2)” to end of line 20.

This amendment would remove the retrospective application of this provision.

Amendment 54, in clause 30, page 27, line 14, after “terrorism sentence” insert

“and the terrorist prisoner was at least aged 18 at the time of the commission of the offence for which the prisoner is serving such a sentence”.

This amendment provides that only certain adult terrorist prisoners are excluded from eligibility for early release in Northern Ireland.

Amendment 55, page 28, line 17, leave out clause 32.

This amendment will remove from the Bill clause 32, which extends the current polygraph testing requirements to adult terrorist offenders released on licence in England and Wales.

Amendment 56, page 29, line 8, leave out clause 33.

This amendment will remove from the Bill clause 33, which extends the current polygraph testing requirements to adult terrorist offenders released on licence in Scotland.

Amendment 57, page 30, line 25, leave out clause 34.

This amendment will remove from the Bill clause 34, which extends the current polygraph testing requirements to adult terrorist offenders released on licence in Northern Ireland.

Amendment 58, page 33, line 7, leave out clause 35.

This amendment will remove from the Bill clause 35, which extends the current polygraph testing requirements to adult terrorist offenders released on licence.

Amendment 35, in clause 52, page 43, line 40, leave out “to” and insert “, 34 and”.

This amendment would remove section 33 from the list of provisions that are brought into force through regulations by the Secretary of State.

Amendment 3, in clause 52, page 43, line 40, leave out “to 35” and insert “, 33 and 35”.

This amendment would remove section 34 from the list of provisions that are brought into force through regulations by the Secretary of State.

Amendment 4, in clause 52, page 43, line 42, at end insert—

“(3A) Section 34 comes into force on such day as the Department for Justice of Northern Ireland may by regulations appoint.”

This amendment would mean section 34 could only be brought into force through regulations by the Northern Ireland Executive.

Amendment 36, in clause 52, page 43, line 42, at end insert—

“(3A) Section 33 comes into force on such day as Scottish Ministers may by regulations appoint.”

This would have the effect that provision in the Bill that relate to polygraph testing would only become operational if the Scottish Government asked for those provisions to be implemented.

Government amendments 20 to 29.

Alex Cunningham: In Committee, Members had a robust debate about many aspects of this Bill, which we support but believe can still be improved. I start with new clause 1 and the probation service.

We cannot begin to tackle terrorism without recognising the important role that the probation service plays in keeping people safe. New clause 1 requires the Secretary of State to commission a review and publish a report on the impact of the provisions in the Bill on the National Probation Service. It would have to consider the probation support provided to offenders convicted of terrorist offences, how probation support provided to offenders convicted of terrorist offences has varied since implementation of this Bill, the type and number of specialist staff employed by the National Probation Service to work with terrorist offenders, the turnover of probation staff, the average length of service of probation staff, and the non-staff resources provided to manage offenders convicted of terrorist offences.

For the probation service to be fully functioning and effective, it must have the resources it needs. The Minister said that the spending review last September laid out a significantly increased funding package for the Prison Service and probation service, which is supposedly flowing to the frontline, but the National Probation Service is in a far from satisfactory state, and we know about the disaster that ensued when large parts of it were privatised. Thankfully privatisation is no more, but we still have to get the service right.

The NPS has a workforce including 6,500 probation officers and a budget of over £500 million. Earlier this year, Her Majesty's inspectorate of probation painted a picture of a service in crisis, with hundreds of vacancies, overstretched officers and managers, and crumbling, overcrowded buildings, including hostels for recently released offenders. Inspectors rated all of its divisions as requiring improvement on staffing. None of the areas are fully staffed. There were high rates of staff sickness—an average of 11 days per person, 50% of which related to mental health difficulties. There are 650 job vacancies nationwide in the probation service—a full 10% of the establishment.

Although the probation service is not in the Minister's portfolio, I am sure he will agree that that is not satisfactory. We can only hope that things are improving. In Committee, the Minister talked about the welcome resources being invested in the service and about the spending review coming this autumn. Can he confirm that he is satisfied that there are sufficient resources to achieve what he wants, or are Ministers bidding for more from the spending review? Perhaps more importantly, will he confirm that the necessary support will be put in place to bring the National Probation Service up to full strength, to tackle the issues raised in inspection reports, and to provide staff with the support they need for their mental and physical ill health, to help them back to work and while they are there, and put an end to the high sickness rate? All those things put pressure on the service and the ability of staff to cope with offenders day to day—in this context, with some of the most dangerous ones.

In Committee, I also asked about whether all probation officers will have counter-terrorism training, and the Minister addressed that in a letter to me. He said:

“Governors and front-line staff are being given the training, skills, and authority needed to challenge inappropriate views and take action against them... Staff are also trained how to recognise

aspects of an offender's behaviour which might indicate terrorist sympathies. Over 29,000 prison staff have been trained.”

We all welcome that.

The increased workloads for highly specialised and rare probation staff are a cause for concern. Research shows that more time spent with offenders is essential for proper assessment and rehabilitation, but that is not possible with such high case loads. The very long licence cases, such as lifers and those with indeterminate sentences, are a special challenge for probation staff because they never really come off their case loads, and more new cases are constantly added. Specialist probation officers are thinly spread and consequently hold very high case loads of terror-related cases—over 120% of normal. That level is appallingly high, and the Government recognise that it needs to come down. Their recruitment of more specialists to manage counter-terrorism offenders is also to be welcomed. That said, the general issue with increasing the number of specialists in probation is that they can only be recruited from experienced staff, and with high sickness levels and a 10% vacancy rate, how can Ministers be confident that they can provide a quality service, not just for those convicted of terrorism or related offences but offenders in general?

There is a danger that huge amounts of experience are being lost and that lots of generalist roles will need to be backfilled with newly qualified staff before the more experienced staff can move on to specialist roles—and that in a service where a full third of all employees have less than three years' experience in probation. I asked this in Committee, but I do not believe an answer was forthcoming, so can the Minister now tell me what modelling the Department has done on the expected net effect on the total probation case load over the years and decades to come as a result of the changes in this Bill? Ad hoc measures are not good enough; there need to be properly considered measures and funding given to the probation service to make it an effective mechanism to tackle terrorism and do one of our country's most difficult jobs.

I turn to the related issue of deradicalisation programmes in prison, and new clause 2. When someone has committed a terror offence and has gone to prison, there is an expectation that this person will be kept away from mainstream society for the purposes of keeping the public safe, and an expectation that their time in prison will be used effectively. This means that all efforts will be made to ensure that the individual does not return to the same destructive path that they were on prior to being arrested. In order to achieve this, there needs to be a properly structured and expert-driven deradicalisation programme available for all those who are identified as being in need of enrolling on such a programme.

For the purpose of informing Members who were not members of the Committee, I will reiterate a number of points I made during that time. Although the minimum sentencing for terror offences has been increased, there is a suggestion that we could simply be delaying inevitable further offences unless we take action to use the offender's time in prison to deradicalise them, and we can only do that if there is an effective deradicalisation programme in place. While we heard in evidence that many good things are happening in our prisons around deradicalisation, there were also concerns expressed about the adequacy of the programmes and their availability.

[Alex Cunningham]

That does not just concern Committee members and witnesses. At last Tuesday's Justice questions, the hon. Member for Newbury (Laura Farris) pressed the Minister, the hon. and learned Member for South East Cambridgeshire (Lucy Frazer), on how programmes could be improved. Helpfully, the Minister replied:

"Twenty-two trained imams are doing de-radicalisation programmes in our prisons, but those are not the only measures that we are introducing. We have increased our training for prison and probation officers to deal with terrorism and we are bringing in new national standards for managing terrorists on licence. We want more counter-terrorism specialist staff and we want more places in approved premises as a transition from prison to the community."

When I challenged her on the inadequacy and quality of the provision, she said:

"we continually evaluate the programmes that we operate within our prisons."—[*Official Report*, 14 July 2020; Vol. 678, c. 1361.]

If that is really the case, and if the Government are so confident that the programmes have been successful, what do they fear from commissioning a formal review of them and reporting to the House?

We really do need to know what is happening in prisons in relation to this. What programmes are being delivered? Who are they being delivered to? Who are they being delivered by? When are offenders undertaking the programme? How many deradicalisation programmes is one offender in for a minimum sentence expected to cover? How is the success of these programmes measured? We need to understand the effectiveness of the programmes, where they work, where they do not, what can be improved, and what the Government are going to do to drive those improvements.

Neither the healthy identity intervention nor the desistance and disengagement programme courses, which form the main part of the programmes, have undergone any form of evaluation process to date. In Committee, the Minister said that most of the deradicalisation work and programmes are done operationally inside the prison and probation service, and are not specified in legislation. He said that Ministers need the flexibility of being able to change guidance through statutory instruments, and I accept this. But we were never asking for the programme details to be placed in the Bill through this new clause—a new clause that would, I think, help to secure the public's trust in our approach to tackling terrorism. This new clause is not about clearly outlining deradicalisation programmes in legislation; it is about reviewing how effective our deradicalisation programmes are, so it is only right that they are reviewed, with the results laid before Parliament.

That brings me on to the general financial impact of the Bill, new clause 3 and the resources it will need behind it for it to be successful and properly implemented. In Committee, the Minister told me that the impact assessment estimated an additional 50 people in prisons. Although I still believe that is an underestimation, bearing in mind the rise of far-right terrorism and other groups whose members will end up in the system, I will not rehearse those arguments yet again. I believe the cost of implementing this Bill is estimated to be about £16 million a year, but I do not think that honestly reflects the impact it will have on all service areas. Who knows, but providing the mental health support our prison and probation staff desperately need will be costly,

and if we do not have that investment from elsewhere in the Department's budget, we are not going to see the all-round service we all want delivered. So will the Minister confirm that he has covered the additional cost of creating space for new prisoners, the additional cost of having more than one specialist centre, the additional cost of having further specially trained prison officers and the cost for probation services of expanding the sentence for offenders of particular concern regime?

Matt Rodda (Reading East) (Lab): My hon. Friend is making a detailed and comprehensive speech, examining many of these difficult issues, which we all face. I have reflected on what he has been saying, and I believe that the way to approach these difficult issues is by having an open mind and asking a series of questions, rather than coming at any of these things with pre-conceived ideas. I am grateful for his thought and his incisive questioning of the Government, in a spirit of cross-party co-operation.

Alex Cunningham: I am grateful to my hon. Friend for that. He rightly says that this is about having an open mind. I was trying to persuade the Minister and the Conservative Members in Committee that they should have an open mind on a number of issues, because we are facing real challenges on deradicalisation programmes, the resources within the probation service and the fact that young people are going to be treated exactly the same as adult prisoners in the system—I will be coming on to that later.

We also want to understand whether the resources are available for the use of polygraphs and to deal with the impact on youth offender teams. I have already talked about the impact of longer licensing on the National Probation Service. Such measures as are in this Bill always have ripple effects, so we ask the Secretary of State to lay before the House, within three years, a report on the real financial impact of all these things. There should never be an issue of resources when it comes to justice matters, and a review would not only identify where there are issues, but arm the Secretary of State with the evidence he needs to resist further cuts to his Department's budget and instead win some additional resources.

We should ensure that prisons are properly staffed and that those staff are properly supported, be it for their personal security or to provide them with adequate services when they suffer mental illness as a result of their job—services that we know are currently totally inadequate. I asked about these measures in Committee, but we still need reassurances. This is about not just funding for prison places, but the wider financial impact on society, especially when offenders get released from prison and need help rebuilding their lives. That is a particular concern for those who are young and may leave prison with no support system. These provisions do not come cheap, and I hope we are going to get some clearer answers on meeting the costs of the different services that I have laid out.

Throughout Committee, I stressed the importance of recognising that young offenders are different from older, adult offenders and that their age ought to be taken into consideration when they are being sentenced, even for the most terrible of crimes. That is why we tabled amendment 30, parallel amendments for Scotland and Northern Ireland and the remaining new clauses in the name of the Leader of the Opposition, myself and others.

3.15 pm

Amendment 30 would require a pre-sentence report to be carried out that would take into account the offender's age and consider whether options other than a serious terrorism sentence might be more effective. We know there is a greater chance of young offenders rehabilitating and turning their lives around. I will spare the House the detail around age of maturity, which was discussed both in the evidence sessions and in debate, but I will say that young people are different, and that must be considered. We must be cautious when dealing with them to ensure that we do not inadvertently isolate them and increase their hostility to the Government, as well as to the police and probation services.

In Committee, the Minister talked about the number of 18 to 21-year-olds being involved in serious terror offences as being very low, suggesting that fewer than five were in prison at any one time. I hope very much that that is the case, though, as the Minister admitted, it is just an estimate. As I have said several times, I question the accuracy of that estimate. In a letter he sent me on 6 July, he said that only two under 18-year-olds and 10 18 to 20-year-olds were convicted of terrorism or a terrorism-related offence in 2019. I accept his point that not all those offenders would have been sentenced under the new legislation, had it been available—perhaps only a couple each year, but a couple each year would mean that over a number of years, far more than five would actually end up serving these longer determinate sentences. I will leave that argument there, since I am tying my tongue in knots, but I do not doubt that we will return to the subject again.

Joy Morrissey (Beaconsfield) (Con): May I ask why an actual age is not included in amendment 30? There is an allusion to an age, but not a specific age. Will he outline why that was not included in the amendment when it was drafted?

Alex Cunningham: Personally, I thought the amendment was clear. It lays down very specific issues in relation to young people. That is why we tried to detail in Committee that young people are different and need to be treated differently.

Joy Morrissey: If we are talking about the age at which a person is convicted of a crime and serves this type of sentence, it would have been clearer if an age was included in the amendment, whether that was 13, 15 or 18, just to further the case for why young offenders should be given a less severe sentence.

Alex Cunningham: The hon. Lady tempts me to start to rehearse all the arguments around the age of maturity. We know that children up to the age of 18 are treated differently under the law, much as the group between 18 and 20 are supposed to be treated differently. There is more and more evidence all the time. In particular, there have been some studies in Scotland—I am looking at the hon. and learned Member for Edinburgh South West (Joanna Cherry) for the SNP—that are starting to talk in terms of, “Maybe we should be looking at 25 as the age of maturity.” That is all the more reason why we have to think carefully about how we treat young people in the justice system, because young people ought to be treated differently. They have a better chance of being rehabilitated, and it is important we give them that chance.

Alicia Kearns (Rutland and Melton) (Con): I am slightly confused by the suggestion we should be extending to 25 years old when there are Members of Parliament who are under 25. Is he suggesting that somehow different rules should apply to them or that they are not yet at the age where they can appropriately represent their constituents?

Alex Cunningham: We are talking about issues of maturity here, not when somebody can be an elected a Member of Parliament. I think that Members can be elected at the age of 18 now. I do not see the point that the hon. Lady is making.

Joanna Cherry (Edinburgh South West) (SNP): Looking at the evidence that we heard during the Bill Committee, am I right in understanding that the greater possibility of rehabilitating young people is what is being looked at here? It is about where we define youth. Does it stop at 18, or 21, or—as we are now looking at in Scotland in our consultation—25, in terms of not maturity generally but the ability to rehabilitate?

Alex Cunningham: I am grateful to the hon. and learned Lady, who has explained that far better than I could ever hope to; I very much appreciate that. Perhaps there are some MPs who need rehabilitating as well, Madam Deputy Speaker, but that is another matter.

Is it right for a person, even if they are young, who has committed a serious offence to be put in prison for a particular period of time to protect the public, without their age being considered? We have to balance this properly. How long is long enough for punishment for a young person, and how long is too long to prevent the individual being effectively rehabilitated? Those who commit serious offences will be released from prison at some point. Surely the Minister agrees that we can lessen the time that an individual spends in prison with the aim of it being core to their rehabilitation; it is indeed preferable to a longer sentence, where hostility and deep-seated mistrust of the state simply develops and grows.

We know that this legislation cuts out the role of the Parole Board from any involvement with offenders sentenced under it. I think that it is lamentable that this also applies to young offenders, who, if involved with a specialist group of experts, could benefit tremendously from that. It is not straightforward when dealing with young people, and we should not pretend it is. We need to be smart, cautious and measured. Sadly, there are always some people, young or otherwise, who will never respond to a second chance, and the judges in their cases will act accordingly, but I want the judges to be better equipped than they are at present so that when they see there is a chance that a long fixed sentence for a young person is not appropriate and does not offer the best chance of rehabilitation, they have the flexibility to do something else.

As I said in my opening remarks, there is a need for specific requirements for Northern Ireland, but I will content myself with a few short remarks on new clause 7. My hon. Friend the Member for St Helens North (Conor McGinn) has been speaking in detail with the Northern Ireland Justice Minister, Naomi Long, and all the Northern Ireland parties about how we ensure that the measures in the Bill are compatible with the unique and well-established practices in terrorism-related sentencing

[Alex Cunningham]

and policing in Northern Ireland and, as we all know, are particularly sensitive to the political dynamics in Northern Ireland while ensuring that people in that part of the UK are kept safe and secure.

The mechanism proposed in new clause 7 would give some measure of assurance to the devolved institutions that their views are being heard by the Government. The Minister was reluctant to accept this amendment in Committee, but I hope that he will look at it much more closely.

Throughout the proceedings on this Bill, I have been very grateful to have formal and informal discussions with the Minister and to receive letters clarifying some of the issues raised in Committee. Last week, in response to my query about a technical amendment relating to section 61 of Criminal Justice and Court Services Act 2000 and sentences served in young offender institutions, the Minister confirmed to me and the Bill Committee that there were no plans to change the way young adults were accommodated in the prison estate. That I very much welcome, and I would be bold enough to ask him to reiterate his guarantee that section 61 will not be enacted.

As I said at the outset, I have, throughout the Bill's progress, talked about young people being different and the need for them to be dealt with appropriately, so I was very surprised to have it confirmed to me by the Minister that some 18, 19 and 20-year-olds were not only in the same prison as older offenders but on the same wing and sharing the same social spaces. I am assuming that this mixing does not apply to terrorist offenders, but even if it does not, that practice is totally unacceptable. I would welcome news of a plan to deal with that very real issue, which today is putting younger prisoners at considerable risk.

In conclusion, I reiterate our support for the Bill and hope that the Government will act to address the very real issues that colleagues and I have raised.

Madam Deputy Speaker (Dame Rosie Winterton): Colleagues will be aware that there are a number of speakers who want to get in this afternoon. Sir Robert Neill has withdrawn, so I will go straight to Joanna Cherry, but after that, if colleagues speak for about five minutes, that will enable us to make some progress.

Joanna Cherry: I will start by apologising to you, Madam Deputy Speaker, for being slightly tardy in taking up my seat for this debate. No offence was meant. It is a pleasure to follow the hon. Member for Stockton North (Alex Cunningham). As well as sharing our country of birth, we share many of the same views about the Bill.

I wish to speak to new clause 6 and amendments 35 and 36, which are tabled in my name and that of my hon. Friend the Member for East Lothian (Kenny MacAskill). I will also speak to amendments 52 to 60, which have been tabled by the right hon. and learned Member for Camberwell and Peckham (Ms Harman). She chairs the Joint Committee on Human Rights, and the amendments reflect some concerns held by that Committee, on which I also sit, about our duty to consider the human rights aspects of any legislation that passes through the House.

The SNP has made it clear from the outset that we recognise it is the duty of any Government to keep our citizens safe and secure, and all who serve in Parliament have an obligation to assist in that endeavour. I and my colleagues in Edinburgh have assured the UK Government that we will attempt to be as constructive as possible, to ensure that the challenge of terrorism is met and that people across these islands are kept as safe as is as reasonably possible. SNP Members are also mindful of our duty as parliamentarians to uphold the highest standards of human rights protections, and we have accordingly tabled a number of amendments to address the devolved aspects of the Bill, and raise some concerns about civil liberties.

Counter-terrorism is a reserved matter, but sentencing is not. The Scottish legal system, including policing, sentencing and parole, and the management of the Scottish prison service are devolved matters, and elements of the Bill that touch on those things will require a legislative consent motion. The Minister accepts that, and there are ongoing discussions with my colleague, Humza Yousaf, who is the Scottish Cabinet Secretary for Justice. Until those discussions have been resolved to the satisfaction of the Scottish Government, SNP MPs cannot give the Bill their unqualified support, but we will continue to work constructively with the Government.

We are particularly pleased that the UK Government have addressed an issue that I and my hon. Friend the Member for East Lothian raised in Committee—namely, the interplay between the new sentencing regime proposed in the Bill and the existing sentence of an order for lifelong restriction in Scotland. That unique sentence is imposed not so much for the crime committed but because the offender poses an ongoing risk. It was designed to deal with high-risk violent and sexual offenders rather than terrorists, and its purpose is to ensure that those people are not released until they are rehabilitated, and that even then they are subject to a risk management plan for the rest of their natural life.

I welcome Government amendments 9 to 16, which have been tabled to address the interplay between the new sentence and the order for lifelong restriction. As I understand it, they will ensure that an order for lifelong restriction will remain available to the Scottish courts when they are considering sentencing someone for a serious terrorist offence, provided that if an OLR is imposed instead of a serious terrorism sentence, the person sentenced must serve at least 14 years. I am pleased that the Government have taken our concerns on board, and we hope that the outstanding discussions on the legislative consent motion will have the same fruitful outcome.

3.30 pm

The most important aspect of those outstanding discussions relates to the use of polygraphs, which is what SNP amendments 35 and 36 address. The Bill proposes to introduce the use of polygraphs for the first time within the devolved Scottish criminal justice system.

Current Scottish legislation operates in such a way that there is a broad ability for the Parole Board and Scottish Ministers to set conditions of licence, which could include polygraph testing. There is no statutory barrier in Scotland to the introduction of polygraphs, such as exists, as I understand it, in other parts of the

UK, so it is not necessary for the Bill to introduce measures to allow their use in Scotland. That could be achieved by the Parole Board and Scottish Ministers under existing statutory powers. The reason the Scottish Government have not introduced polygraphs is that they are unconvinced by the evidence regarding their efficacy. They are not used in Scotland at present for that reason, and operationally there is no infrastructure to support their use.

The Joint Committee on Human Rights has also recognised that the use of polygraphs is controversial, and we have tabled amendments 55 to 60 in that respect. Polygraph testing could engage article 5, the prohibition against arbitrary detention. Recalls to prison while on licence are unlikely to fall foul of article 5 provided that they are not arbitrary, but we on the Joint Committee believe that using polygraph test results as evidence for recall ought to be given a high level of scrutiny, given the controversial nature of polygraph testing.

It is fair to say that although the Bill Committee heard some very interesting evidence about polygraphs, the evidence conflicted as to their efficacy and reliability. The Joint Committee's concern is that the Government have not put forward a convincing case for the use of polygraph evidence in the way that is proposed in the Bill. We in the SNP would prefer the polygraph provisions to be removed from the Bill in so far as Scotland is concerned, and that is what amendment 56 would do.

Alternatively, we would like control of the implementation of the provisions to sit with the Scottish Ministers, which is what we seek to achieve by amendments 35 and 36. That would ensure that such a significant introduction to the devolved Scottish criminal justice system as the use of polygraphs is undertaken only if and when the Scottish Government, who have overall responsibility for the running of the devolved criminal justice system, have indicated that it is a development that they consider is appropriate in Scotland.

I will not press these amendments to a vote, because I know correspondence between the two Governments is ongoing in this respect and the Minister may have further proposals as to how détente, or a compromise, could be achieved.

I turn next to the SNP's new clause 6, which comes back to the issue addressed by the hon. Member for Stockton North: the Bill's impact on children and young persons. I will preface this by saying that I absolutely accept that the Bill deals with sentencing for only the most serious terrorist offences, and I accept that the numbers of children and young persons who are sentenced may be very small. Nevertheless, the evidence that the Bill Committee heard from Jonathan Hall, the independent reviewer of terrorism legislation, Peter Dawson, the director of the Prison Reform Trust, who has an extensive career as a prison governor, and the Law Society of Scotland suggested that it would be prudent to carry out a review of the effect of the provisions in the Bill on children and young offenders. That is what new clause 6 seeks.

I touched on the reasons for that in my earlier intervention. It is a concerning fact that increasing numbers of young people are caught up in terrorism, and we heard evidence to the Bill Committee that young offenders have often been manipulated by terrorist groups or other unscrupulous individuals, operating either in the real world or online. However, there is a much better

opportunity for reform, rehabilitation and deradicalisation with a young person than with a middle-aged or older person.

When it comes to sentencing, traditionally it is recognised that people are not necessarily that different when they are one month over 18 from when they were one month under 18, so there is a strong argument that the age for a mandatory minimum sentence, meaning no prospect of early release and effectively putting to one side the possibility of reform and rehabilitation, should be raised to 21, rather than such a sentence being available for those in the 18 to 21 bracket.

As has been alluded to, the Scottish Sentencing Council is consulting on its third draft guideline, "Sentencing young people", and looking at proposals for special sentencing sentences to apply to offenders up to the age of 25. My understanding is that that is because up to the age of 25 there is a better chance of getting to someone, changing their world view and rehabilitating and deradicalising them. There is a serious question over whether children who receive extended sentences for serious terrorist offences are so very different from children who receive extended sentences for other serious offences, and whether, therefore, the removal of the Parole Board's role is justified.

We heard an important piece of evidence from the director of the Prison Reform Trust, who said that if we do not seek to rehabilitate young people, who are more prone to rehabilitation, public protection is undermined rather than enhanced. Every time we manage to rehabilitate or deradicalise someone, it makes the public a little bit safer.

In summary, there are two good, overarching reasons to have the review that is proposed in new clause 6: our responsibilities to children and young people in general, and, perhaps more importantly, our responsibility to the public and British citizens at large to do what we can to deradicalise convicted terrorists. We know that we are much more likely to be able to do that with children and young people. All that the new clause asks for is a review. If the numbers turn out to be small, as they are expected to be, the review will not be complex or time consuming.

Finally, I turn to amendments 52 and 53, which are in my name and that of the Chair of the Joint Committee on Human Rights, the right hon. and learned Member for Camberwell and Peckham. They mirror the concerns that I have just spoken about, and they are designed to disapply provisions of this Bill to terrorist prisoners who were under 18 at the time of the commission of the offence.

I will briefly address the underlying concerns. I remind Members that it is the responsibility of the Joint Committee on Human Rights to look at the human rights aspects of all legislation that comes before this House. Although we think that the removal of children's eligibility for parole is not incompatible with the European convention on human rights per se, it does raise a serious question of policy. If a child terrorist offender serving an extended determinate sentence may be considered to have a high prospect of rehabilitation and reform as they mature, the denial of any prospect of release before the end of their custodial term may, as I have said, be counter-productive.

It is worth bearing it in mind that the sentencing principles in England require that sentences for children should focus on rehabilitation where possible. The removal

of eligibility for parole appears to undermine that important principle. It also appears to undermine article 37(b) of the UN convention on the rights of the child, which provides that the imprisonment of a child shall be used only as a measure of last resort and for the shortest appropriate period of time. That sits uneasily with an irreducible, lengthy period of imprisonment for a child.

If anyone—perhaps understandably—rolls their eyes to heaven at the thought of caring about the human rights of someone who has committed a serious terrorist offence, I simply refer them to what I said earlier. It is in all our interests to try to get children and young people who commit serious terrorist offences rehabilitated and deradicalised. Even those who do not care about such people's human rights should remember that deradicalizing young people will protect our constituents.

Julie Marson (Hertford and Stortford) (Con): It is a pleasure to follow the hon. and learned Member for Edinburgh South West (Joanna Cherry), and it was a pleasure to serve alongside her on the Bill Committee for this important piece of legislation. I guess it is something of a truism that the first duty of a Government is to protect their citizens, but that is precisely what this Bill seeks to do. As luck would have it, the seventh sitting of the Bill Committee took place on 7/7. I felt that morning, on that inauspicious, infamous date, that it was critical to put the debate we were having on the Bill in some kind of context, so I told the story of my friend Louise. I would like to tell her story again in this debate and in this Chamber.

On that day 15 years ago, Louise was on a train from Liverpool Street to Aldgate. The night before she had been in Trafalgar Square, celebrating the fact that London had just won its bid to host the 2012 Olympics. It was a very busy commuter train, so she was standing when the train was rocked by an explosion in the next carriage. Louise's carriage filled with smoke and the lights went out. The train screeched to an appalling halt. She says she could feel her heart beating so hard that she could virtually hear it and thought it was going to jump out of her body, but she fought to keep calm amid the screams, panic and chaos around her.

Some people managed to control their panic and began trying to help each other. They called up and down the train for doctors, nurses and anyone who could help. Some people had fallen and some had hit their heads—it was just chaos. Some people were trying to get out of the windows between the carriages or trying to prise the doors apart, but none of that would work. Someone cried out that there was a body on the track. They waited in the dark. Some emergency lights were flickering on and off, but it was mainly dark for over an hour until Louise remembers seeing the very top of a policeman's helmet outside the train in the tunnel. That was a very reassuring sight. She felt from that moment that everything was going to be all right and that she, at least, was going to get out.

Eventually, those who were able to move out of the way made way for the injured to be carried out or to walk past them. They were bloodied, black and bewildered. Many of them were bandaged with commuters' possessions, such as belts, scarves and ties. After what seemed like forever, Louise was able to get off the train, but she had to walk past the bombed carriage. She said it looked

like it had been ripped apart like a can of Coke. She passed two bodies on the track, covered up roughly by a fluorescent transport worker's jacket. She saw a man who was badly injured being tended to by paramedics. He was barely clothed; the bomb had ripped the clothes from him. He was propped up against the tunnel wall and his entire body was blackened by the bomb blast.

Louise said it was very surreal to come from that black hellish atmosphere into the light and quite overwhelming. There were helicopters above. There were blue lights and sirens. There was a triage unit on the pavement where people were being treated. It is quite surreal, in a way, that she was just told to give her details to the police and then she just walked off on her own into London to try to find her husband and a cup of tea. She had no idea that she was covered, and her faced was absolutely covered, in soot. The fear, the panic and the shock came later. The overriding feeling she was left with was, why did she get into that particular carriage? Why did she not get into the next one? Why did she survive when so many did not? She was determined not to change her way of life, so she was soon back on the Tube and back at work. I think that that personifies an attitude that says, "This is not going to change our life. We will carry on the way we were before. Terrorism will not stop us."

As we deliberated the Bill on that day 15 years afterwards, Louise was at Aldgate station placing flowers as she does every year. Many of her fellow passengers have never been back on a Tube. Some are still suffering from anxiety and depression. Some suffered life-changing injuries and some will never see the light of day again. This House and many Members have their own personal experiences of the savagery of terrorism, and I know we all want to do all we can to prevent future attacks. How can we do that? Today, in a very direct way, we can do a lot. We can do just what the Bill seeks to do: strengthen sentencing, limit early release, give the security services the best tools available to manage, and disrupt suspected and convicted perpetrators.

We are hearing, and I am sure we will hear a lot more, about the rights, youth, vulnerability and potential for rehabilitation of terrorist suspects and offenders. Those valid issues, and the issues addressed in many of the new clauses and amendments, are amply dealt with in the Bill. There is no doubt in my mind that the best way that we can honour the victims, like Louise and many others, is to pass the Bill, intact, today.

3.45 pm

Gavin Robinson (Belfast East) (DUP): It is often customary to say that it is a pleasure to follow the previous speaker, but that would not seem appropriate given the contribution by the hon. Member for Hertford and Stortford (Julie Marson). It was incredibly poignant and powerful, though, and most appropriate given the Bill before us.

I was pleased to hear the contribution from the hon. and learned Member for Edinburgh South West (Joanna Cherry)—I do not say that to cause her any discomfort—because we find common cause on the issue of polygraph testing. If I cast my mind back to my contribution on Second Reading, I recall that I spoke about the fact that there are distinct differences not only between our criminal justice systems throughout this United Kingdom but in the choices that we, as representatives, need to make

about the appropriateness of embarking on an untested and unverifiable system that would ultimately be used to impose further restrictions on somebody's liberty in a way that we cannot satisfy ourselves is at all appropriate.

I am pleased to find common cause among Members from different parties who have concerns about the creeping integration of the use of an unverified method of assessing offenders. We understand that it is restricted to licences and, now, to three or four discrete areas of offence, but just as the Scottish are being cautious, I believe that we in Northern Ireland will be cautious, too, about the introduction of such measures. To that end, I was pleased to hear chief commissioner Les Allamby from the Northern Ireland Human Rights Commission give evidence to the Bill Committee and highlight his concerns from a Northern Ireland perspective.

I recognise the thrust behind amendments 3 and 4, tabled in the name of the hon. Member for North Down (Stephen Farry); however, I wonder whether they are necessary. If I reflect on clause 34, I see that it is for the Department of Justice Northern Ireland to decide whether the use of polygraphs is necessary. That provision should give us enough comfort about the operational introduction of polygraph testing in Northern Ireland. We should be slow to water down or remove the fact that counter-terrorism and national security measures are reserved to this Parliament. I say that believing not that the devolved institution in Northern Ireland should not have a role, but that we should be cautious in seeking to attain power on national security and counter-terrorism grounds, recognising the divergent views in our Northern Ireland Executive, some of the competing arguments that would be made and that ultimately we may get less protection should cross-community consensus be required for the introduction of those powers. I am therefore not minded to support amendments 3 and 4.

A recurring theme throughout the passage of the Bill has been its retrospective application. The Minister will recall that I was concerned that Northern Ireland was not included in the retrospective application of the extension of serious terrorist offences, and that I was pleased whenever Northern Ireland was included and that the implications, perceived or otherwise, of article 7 applications on the retrospective nature of the offences were overcome. I say that because when we take such decisions—when we decide as a Parliament that we are going to extend the custodial period of someone's sentence—we need to do it with our eyes wide open. That is not to ignore the fact that an argument could be made that article 7 is engaged, but we have to reflect thoughtfully on what the policy imperative is for doing so and whether it can be robustly defended if there is a challenge.

Through the consideration on the Floor of the House, in Committee and elsewhere, strong and compelling legal arguments have been made that differentiate between a penalty and the enforcement of the penalty. It is appropriate that we, as parliamentarians, say clearly on the record that we are not changing the penalty for anyone who is currently in prison and subject to a terrorist offence sentence. Their sentence remains the same. How that sentence is operated and enforced is different. *Uttley v. United Kingdom*, *Hogben v. United Kingdom*, *Kafkaris v. Cyprus* and *Grava v. Italy* all indicate the distinction between the extension of a penalty and the enforcement of it.

While there are particular issues in Northern Ireland that we should be alive to, and we must approach these issues with our eyes wide open and recognise that some will seek to manipulate them for propaganda purposes, we must not fail to be prepared to stand up robustly for the rule of law within our country and say, “No. You may not like it—you may not like the rational choice that we as democrats make within our legal system, but we will not bow to the threat of violence, agitation or propaganda that seek to subvert the norms and principles of democracy that we all enjoy.” On that basis, I cannot support amendments that seek to remove the retrospective application of the Bill.

I will conclude, Mr Deputy Speaker, because there was a suggestion of a notional time limit, and you have been gracious enough to sit calmly as I move towards a conclusion. I think there is some sensible merit in new clause 7, which has been approached and drafted by Her Majesty's Opposition rationally. It recognises that there are issues in Northern Ireland and that it is important over a period—be it one, two or three years—to carry out an impact assessment of how the Bill has operated in Northern Ireland and whether it has made a significant positive or detrimental impact, and then to lay a report before the House in conjunction with the Northern Ireland Executive. It is a sensible, well-drafted and appropriate new clause. Even if it is not pressed to a vote, I hope that, in taking decisions such as this with eyes wide open, recognising that there could be concerns about the operational impact and the opportunity for people to manipulate the democratic and legitimate choices we make, the Government will review this legislation and consider whether the consequences were warranted and these choices were appropriate.

Alicia Kearns: It is a pleasure to follow such considered comments from the hon. Member for Belfast East (Gavin Robinson). I want to start, unsurprisingly, by commending the Government for bringing forward this vital legislation. I also want to pay my respects to all those who have lost loved ones and the survivors of terrorism, for whom this legislation is a form of justice—particularly those who lost loved ones in the attacks at Fishmongers' Hall and in Streatham.

While the United Kingdom should be rightly proud of our record in combating radicalisation and terrorism, it is clear that more needs to be done, and that is what the Bill seeks to do. Many of us have rightly said that the first job of any Government is to keep their people safe. It is clear that that was at the top of Ministers' minds when they drafted this. While I disagree with the Opposition on many points made today, I welcome the overall collaborative spirit that has emerged across the House. I note, for example, that many of the Opposition amendments—particularly the first five in the group—deal with questions about the effectiveness of the legislation. I am glad that the Opposition care so much that the Government's priorities are implemented effectively.

I also welcome the Government's considerations relating to lifelong restrictions for terrorist offences. Their work with Scottish MPs on that is a clear example of the Government working with Opposition parties to achieve the best results for all. For that reason, I welcome Government amendment 8. It is also right that the Government have tabled amendment 9, to ensure that a serious terrorism offence is convictable on an indictable

[Alicia Kearns]

offence. That is in line with ensuring that serious offences of any kind are included in the thrust of the Bill's provisions. I also want to express relief that the Opposition have not sought to water down in any significant way the thrust of this legislation, because it is what the country wishes to see.

Prior to becoming an MP, my career was dedicated to our national security, specifically counter-terrorism, so I want to address some of the comments of witnesses. Jonathan Hall QC described the reforms as “pessimistic”. These reforms are not pessimistic; they are realistic. When people are radicalised, they are not half radicalised, or radicalised on a Monday, a Wednesday or a Friday; it is an enduring process that sticks in hearts and minds for a long time. Deradicalisation and rehabilitation are not quick, easy or straightforward. Indeed, I would challenge whether anyone can ever truly be deradicalised.

To be clear, that is the comment not of a politician who wishes solely to sound tough on crime, but of a politician who has sat in the same room as former terrorists who had been willing to blow up people in this room, and when I say that people cannot be rehabilitated, I am talking about the ones who claim to be. The psychological drivers that drew them to terrorism remain for life, so it is right that when we do this, we be very careful about the legislation we put in place.

Even with all the resources of government, which I have personally seen brought to bear, this process takes significant contact and monitoring—I would argue lifelong monitoring. The Government must have the time and the framework necessary to minimise the risk to our nation. This is not some scientific experiment conducted in an empty, tightly controlled space, but a highly individualised series of one-to-one interactions. When you engage with someone, you have to work with them on what makes them specifically vulnerable; there is no solution, there is no silver bullet, this is not straightforward. I do not accept the idea that any individual is ever truly deradicalised.

On that point, I take issue with the Opposition's criticisms of the UK's counter-radicalisation and rehabilitation work. I do not think they have the same understanding of exactly what the Government do to keep us safe. Whether in the middle east, in Europe, at home, or anywhere in the world—I have worked in many of those places—the UK is recognised as a global authority on anti-radicalisation work. We are a world leader on counter-terrorism, and the Bill will help to cement that further.

I want to talk specifically about young people and culpability, and the idea that under-18s or under-25s should be more stripped of their agency or personal responsibility for their actions. I would cite an example that has been in the media recently: that of Shamima Begum. I was working at the Foreign Office on counter-Daesh operations when she went to fight. She travelled after the beheadings of aid workers. She travelled knowing full well that a Jordanian pilot had been burnt to death. Many Members may not know that Daesh practised the burning of Jordanian soldiers seven times before they eventually put him in a box and burnt him to death.

This moves me because I had to watch that video. I spent years of my career watching brutalities carried out by people aged 16, 17, 18 and, undoubtedly, 20 to 25. I have held the hands of people who had been whipped

by Daesh members who were 17 years old, and I have held the hands of British citizens whose loved ones were lost in Iraq and Syria and against whom known crimes had been committed by people aged 18 to 25, so I refuse to accept that those people cannot be held culpable. According to our law, criminal responsibility can be put back to 12. I made the rather blasé comment earlier about there being Members of Parliament who are under 25. Are people that age less culpable for the decisions they make?

Joanna Cherry: I hear what the hon. Member is saying, and clearly I respect her experience, but does she accept that we are not seeking to raise the age of criminal responsibility? We are simply suggesting that the age at which an extended determinate sentence can be imposed should be raised. There is no question of raising the age of criminal responsibility.

Alicia Kearns: I accept that point, but I fundamentally believe that public protection trumps rehabilitation, not least when evidence of rehabilitation is wishy-washy at best. Those individuals are just as culpable. I would never turn to a constituent whose son or daughter had been murdered by a 17-year-old somewhere in Rutland or Leicestershire and say that person was less guilty because they were 17. It is the same as with terrorism. It is the most heinous crime, and criminal responsibility changes for the most heinous of crimes.

I also cannot agree that 25-year extended licences are excessive or too costly. The Government must have the tools to be vigilant and aware of the threats from those who have been convicted of the worst offences. That is why I strongly recommend and welcome the provisions to allow extended sentences for offences with a terrorism connection, and it is entirely fitting that this be recognised in clauses 2 and 15, among others, which will enable a variety of offences, from kidnapping to weapons training, to be recognised as potentially having terrorist intent and offenders to receive either serious terrorism sentences or extended determinate sentences. Too often, in my experience, for those who go on a weapons training event—something delightful to talk about when they are playing some game like “Fortnite”—it is the start of a journey that leads to far worse.

I also want to touch on the role of the Parole Board, which I know was a matter of significant debate for the Committee. Terrorism radicalisation necessarily involves national security and long-term strategic debate. The Committee heard from witnesses that the Parole Board was not philosophically or organisationally best suited to dealing with terrorist offenders and that the Government should use a multi-agency approach when considering these risks. I fully agree, and I am glad that the Bill recognises that, too. We can do it and, as we are global leaders in this regard, our security staff are second to none.

4 pm

This Bill is a huge step forward for the United Kingdom and will give the Government extra tools to tackle radicalisation, but most of all, it will bring terrorists to justice. There are few crimes as heinous as terrorism. It is when an individual declares that all of us, and any civilians in our country, are a valid target for their hatred. Terrorists are traitors, and it is right that this legislation ensures that we better protect our people and our country from them.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): I do want to give time for the second group of amendments that we are discussing on Report, so I am imposing a five-minute limit in order to get everyone in.

Stephen Farry (North Down) (Alliance): It is a privilege to follow the hon. Member for Rutland and Melton (Alicia Kearns). I recognise her deep experience around these issues.

I primarily want to talk to amendments 1 to 5 in my name and in the names of others. At the outset, let me stress my support for the Bill overall, and for the aims of tackling terrorism and of keeping our people and our communities safe from that threat. All of us from Northern Ireland have been deeply touched by terrorism in a very particular way over the past 50 years, but given the references that have been made to 7/7 and its anniversary that has just passed, I would like to read into the record thoughts about my cousin, Ciaran Cassidy, who was brutally murdered at Russell Square. His remains lay unidentified for six days, which brings home the enormity of the issues with which we are dealing. I accept the need for tougher sentencing and recognise that that brings very significant benefits, but it is important that we acknowledge that there is a much wider picture here, which involves trying to address terrorism at source and to prevent people falling into terrorism and being influenced by others. It is important that we bear that wider context in mind.

My main concerns lie in the application of the Bill to Northern Ireland. I certainly see attractions in the overall uniform approach across the UK in avoiding a two-tier system, and, indeed, Northern Ireland does want equal protection in that respect from the broad principles and framework of this Bill. None the less, we do need to recognise that, when it comes to implementation of those principles, a one-size-fits-all approach does not always work, and that flexibility needs to be considered in certain circumstances.

My main focus is around clause 30 and the retrospective application of the Terrorist Offenders (Restriction of Early Release) Act 2020 to certain terrorist offenders in Northern Ireland, primarily a small number of dissident republicans. I am happy to see a tougher sentencing regime going forward, but I am concerned that the retrospective application will, in practice, bring relatively little benefit and could be counterproductive in a number of ways.

To date, the Government have only really addressed this issue in terms of the argument around interfering with judicial discretion and the potential implications for article 7 of the European convention on human rights. We can beg to differ on that particular issue, and we will see what happens down the line. In particular, I want to stress the concern around the potential propaganda opportunities that could be given to dissident republican terrorists and their fellow travellers.

Some people may seek to twist what the Government are doing into an argument that this somehow shifts the goalposts and creates a context for political imprisonment. We have had a sad history in Northern Ireland, from internment to the hunger strikes and beyond, of terrorists and their allies using the situation in prisons and framed grievances for wider agitation in the community and recruitment purposes.

The terrorist threat in Northern Ireland remains severe. The Police Service of Northern Ireland and the security service are doing an excellent job in tackling that terrorism, but it is, ever, a difficult challenge that they face. There are, sadly, still ongoing incidents and bomb incidents, and people losing their lives. We need to be mindful of that.

The Minister will be aware that the Northern Ireland Human Rights Commission has raised concerns about clause 30. He will also know that my party colleague, the Minister for Justice in Northern Ireland, has raised those concerns and had a number of conversations with him. Indeed, there is a considerable question mark over whether the necessary legislative consent motion will get through the Northern Ireland Executive and Assembly.

It is important that there is ongoing discussion and dialogue beyond the passing of the Bill through the Commons later today, whenever it hits the other place for consideration. Let us not finish that dialogue today. I will press not press my amendments to a vote, but I urge the Government to listen to the very genuine concerns I raise from the Northern Ireland perspective.

Sally-Ann Hart (Hastings and Rye) (Con): It is a pleasure to follow the hon. Member for North Down (Stephen Farry), who spoke with great insight. I want to touch on the purpose of sentencing, which is primarily: to punish the offender; to reduce crime by preventing an offender from committing more crime; to act as a deterrent to others from committing similar offences; to reform and rehabilitate by changing an offender's behaviour to prevent future crime and reoffending; and to protect the public from an offender and from the risk of more crimes being committed. When it comes to terrorism and terrorist offences, we must shout from the rooftops that, as a united country and as a people, we will not tolerate terrorist criminality even if it is from young adults. This behaviour is morally wrong, and there is no place for it in our society.

We are all incredibly lucky to live in such a free and tolerant country. We have freedoms not always found in other countries, which we too often take for granted. We must get tough, with zero tolerance as a country on people who wish to do us harm and try to disrupt our way of life. Some of these terrorists can have a long-term goal, and we need to be sure that, when they are released, they no longer seek to do us harm. We must face reality that, for some terrorist offenders, the risk to do harm endures, and we cannot be certain whether rehabilitation is simulated or real.

Terrorism comes in many forms to create fear and anxiety, and to stifle debate. Some people forget that terrorism has an impact on our human rights by affecting our enjoyment of the right to life, liberty and physical safety. It impacts on individuals, our communities and our society by undermining our peace and security. It threatens our social and economic development. An individual's security is a basic human right, and protection of individuals is a fundamental duty of Government. I therefore welcome the Bill and its creation of a new serious terrorism sentence for dangerous offenders whose acts are very likely to have caused or contributed to multiple deaths. The 14-year minimum jail term, with up to 25 years spent on licence, will act as a real deterrent and send a strong message that this country will not tolerate and will not be cowed by the ill will of terrorists.

Jim Shannon (Strangford) (DUP): I have read and listened to past debates on this issue with great interest, and particularly those on parts of the Bill that bring Northern Ireland into line with the rest of the United Kingdom. I very much commend my hon. Friend the Member for Belfast East (Gavin Robinson) on his contribution and the hon. Member for North Down (Stephen Farry) on his constructive comments.

I understand the concerns of the Department of Justice on possible legal action that could be taken with regard to early release. Such concerns are well founded: we need only look at the publicly funded judicial reviews in Northern Ireland through the legal aid system that will not help a father get access to his child but will allow a terrorist to sue the state—a debate for another day. There is no doubt that certain firms in Northern Ireland will be watching the votes and events of today with great anticipation, rubbing their hands together at securing another free ride from the taxpayer. Yes, there will be a case, but do we shy away from that? We are the lawmakers in this House—the legislators—and it is incumbent on us all to ensure that the laws we pass will withstand scrutiny. We do not and must not shy away from doing the right thing because lawyers may become involved. Well done to the Government for underlining to the Department of Justice and our Justice Minister that there will be governmental support in relation to any legal challenge. I very much look forward to reminding them of that at the appropriate time.

May I commend the hon. Member for Hertford and Stortford (Julie Marson) for her personal account of her friend in relation to that? I do not think there is anybody in this House who does not understand what such an account means. Of course, as representatives from Northern Ireland, we have all lived through the troubles over a period of time. I was just thinking of some of them—La Mon, Abercorn, the Darkley gospel hall murders, Bloody Friday. Those are examples of how people have lived through the most violent times.

I support the Government in their call for minimum sentences. Like my hon. Friend the Member for Belfast East, I do not believe that this takes away the judge's power and discretion. I believe that it shapes the policy to say that, no matter the extenuating circumstances, there are occasions that deserve minimum sentences, and terrorism is one of them.

It was one of the greatest surprises to me in Northern Ireland that the Good Friday agreement allowed mass early release, with no thought to rehabilitation. That was never right, and we are facing the consequences of that now, as we see the work of too many former offenders who are not reformed offenders. Indeed, some of them are still involved in such activities. I can never understand how our wee nation was tricked into accepting this as a payment for peace. The fact is that, even today, the threat of what these violent offenders will do is still having repercussions. That is the problem when we negotiate with unrepentant terrorists: we will continue to negotiate with them and the threat of violence for ever and ever.

I understand this well, yet I do not believe that this can prevent right being done in this place. It is right and proper that any terrorist with any cause in any part of this United Kingdom of Great Britain and Northern Ireland understands that terrorism is something that this House will stand against with its every ability. Whatever the mantra of the attacker and whatever

rationale that person may have, we will not allow justice to be pared back just because of the threat of upset. The message is clear in this Bill and I support it.

I absolutely take on board the comments from the Prison Service. I believe it is essential that we have additional funding in place to give extra support to prison officers and to ensure that our prisons have appropriate staffing levels. I understand the need for new clause 2—I also refer to new clauses 5 and 7—on the deradicalisation programmes, because in my constituency paramilitary activity is probably at a height. Indeed, it is at a height, and that is probably the case in other constituencies as well. I think my constituency and that of the hon. Member for North Down are very similar in relation to paramilitary activity.

In my office, we have seen at first hand the effects of paramilitaries at home getting young men hooked on drugs and with a massive debt that can be magically repaid if they carry out an action. They are told: “Sure, son, if you're caught, you will hardly do any time for your first offence”. I know cases where that has happened, and I really do ache for those young people who are trapped, yet we cannot allow this exploitation to continue. I have great difficulty with this issue, and again I would highlight it to the Minister. I absolutely understand that zero tolerance means what it says—we will not tolerate this. There are hard decisions to make, and make them this House will.

Having lived with this heartache over the years and with the threat of terrorism for my entire life—some of my family members and friends have as well—I know that we must have firm but fair laws that send a message, and sentencing, with all its harshness and all its importance, is a very real and important way to reinforce that. That is why I wanted to talk about this today. I do hope, when the Minister replies, that he will reply with positivity. I know he will.

Alexander Stafford (Rother Valley) (Con): I am sure that all Members of this House agree that there are few Bills as important to the safety and security of the British people as this one, and I commend the Government for bringing forward this Bill. We have seen from recent tragic terror events in Streatham, London Bridge, Manchester and even here in Westminster and, over the last few decades, from the IRA terrorists, how vital this Bill really is. I commend the Government for taking strong and decisive action, as promised. Let me be clear: terrorism and supporters of terrorism in all its forms are wrong and morally reprehensible, and we must do everything in our power to stamp out terrorism, stamp out its supporters and make the country safer for all.

I shall focus on amendments that pertain to sentencing and the release of terrorist offenders. As my hon. Friends are aware, the probation reforms that come into force in 2021 will bring all offender management under the National Probation Service. That marks a shift from the present situation in which only higher-risk offenders are dealt with by the NPS.

New clause 1 would require a review of

“the impact of the provisions in the Act on the National Probation Service.”

However, the Bill already strengthens the ability of the Government and the police, prison and probation services of the UK to monitor and manage the risk posed by

terrorist offenders, and individuals of terrorist concern outside custody. The Bill will allow more effective intervention when that is required, and will enhance the effectiveness of the measures available to authorities as a result of a combination of probation reforms. The Bill renders new clause 1—

4.15 pm

Alex Cunningham: I am interested that the hon. Gentleman has addressed the issue of the probation service, because I talked about the crisis that exists in that service. Is he satisfied that it is operating in the way it needs to be to cope with the current business it has to deal with, let alone the increased activity arising from this Bill?

Alexander Stafford: I thank the hon. Gentleman for that intervention. I am reassured that the Prison Service and the probation service are doing all they can to address this. Of course we want to put more into the probation service and to make sure that prisoners of all sorts are properly looked after, and I believe that this Government and this Bill have that at their very heart.

Furthermore, we must guard against a flurry of statutory reviews, which are costly, time-consuming and unnecessarily bureaucratic. As previously outlined by Ministers, there are already various routes of scrutiny of how the probation service and the Bill are functioning. Parliament has great power to question and to debate, and there is no lack of scrutiny in this regard. The Government have accepted that it is important to keep a close eye on these matters and to ensure a close, continued dialogue with all the Bill's stakeholders.

New clause 2 would require a

“review of the impact of the...Act on...deradicalisation programmes in prisons.”

It is said that there is limited evidence of the impact of longer prison terms on reoffending, but in fact the evidence available to us indicates that prisoners in custody for longer periods do come to terms with their offending and are able later in their sentences to undertake constructive remedial activities. I believe that long sentences do work.

We also want to protect our young people and keep them safe from the evils of radicalisation. There is no dispute over that, but new clause 6 would mandate the Secretary of State to review

“the effects of the provisions of this Act on children and young offenders.”

It is worth remembering that the young people in question are very few in number. In 2019, only four of the 22 people convicted of terrorist offences were aged between 18 and 20, and not all of those four would even meet the criteria for the serious terrorist sentence. Therefore, we are talking about astonishingly small numbers for those aged between 18 and 20. Given those statistics, the Government position is that it may be the case that nobody of that age will be affected by the Act, and as such requiring a review by statute does not seem sensible or a good use of time.

These amendments address important concerns and certainly come from a good place. I thank those who have tabled the new clauses for throwing a spotlight on the National Probation Service, deradicalisation programmes and the radicalised children and young offenders. However, I believe the best mechanism to deal with these issues is the scrutiny provided by parliamentary debate. I agree that we must follow the

above-mentioned matters closely, and I firmly believe that we have all the tools needed to do that. In the context of this Bill, statutory reviews are not necessary or particularly effective. I greatly welcome this Bill, as laid down by the Government on behalf of the people of Rother Valley, and I greatly commend and approve of the Government's dealing with terrorism and the robust way we are dealing with terrorists, both in this country and abroad. We must not let them come to our shores and if they are on our shores, we must stamp them out and stamp them out effectively. So I look forward to this Bill being passed.

Tom Hunt (Ipswich) (Con): It is a pleasure to follow my hon. Friend the Member for Rother Valley (Alexander Stafford), and I pay tribute to some of the heartfelt contributions, such as the ones from the hon. Member for North Down (Stephen Farry) and my hon. Friend the Member for Hertford and Stortford (Julie Marson). This is an incredibly emotive topic. Since I was elected, I have made the case on a number of occasions that sentences must do what they say on the tin and be transparent to the public. The untenable status quo, where criminals are consistently let out part-way through their sentences cannot hold, and it damages public faith in our criminal justice system that sentences are not honest. When it comes to terrorist offences, the stakes could not be higher. Both the Fishmongers' Hall terrorist attack in November last year and the Streatham attacks in February were carried out by known terrorist offenders who had been released automatically at the halfway point of their sentences. This Bill will see dangerous terrorist offenders spend longer in prison, and that is an important step in the right direction.

We must avoid any attempts by Her Majesty's Opposition this afternoon to make the Bill any less robust when it comes to offenders between the ages of 18 and 21. The Opposition have made the case that young adults are inherently different in terms of their maturity and that they should be treated differently, but it cannot be forgotten that we are still referring to adults who have committed the most serious terrorist offences. These adults, to all intents and purposes, have the same rights and responsibilities as every other adult in the country. Labour Members are attempting to diminish the actions of young adult terrorist offenders, but I have frequently heard them extol the maturity of people even younger than 18 when it suits them, particularly with regard to extending the right to vote to 16 and 17-year-olds. Rather than gerrymander the different stages of adulthood when it suits us, we must be prepared to be clear that, at 18, adults should be able to fundamentally tell the difference between right and wrong, and should know that any action they take that is likely to result in the deaths of multiple people is completely inexcusable.

We must be similarly robust in the case of Shamima Begum, the young terrorist who left our country to join the murderous ISIS terror organisation, which is responsible for the deaths of thousands, including British citizens. Her actions were a betrayal of this country and everything it stands for. When she was found in a Syrian refugee camp afterwards, she said that she did not regret joining ISIS. I share the anger of many of my constituents at the Court of Appeal's recent decision to allow her to return to the United Kingdom. Unfortunately, this represents another decision from our courts that is completely detached from the public interest and what

[Tom Hunt]

the majority of the law-abiding public consider to be appropriate for someone many believe has committed treason.

Alexander Stafford: Does my hon. Friend agree with me and the Government that this decision by the courts is reprehensible and we should do everything we can to fight it?

Tom Hunt: I could not agree more. We need to be robust in fighting it. It is not just on this issue but on many others that there is this disconnect.

The Bill is an important step in our fight against the scourge of terrorism, which seeks to attack the foundations of our society and cause divisions between us. The mandatory 14-year prison sentences for the most serious terrorist offenders that the Bill includes will provide a strong deterrent against terrorism and send a clear message to those who want to spill blood on our streets out of hatred for our country that they will not be tolerated. I call on the Government to go even further over the coming months in looking at the out-of-touch decisions that are coming from our courts, as my hon. Friend the Member for Rother Valley rightly said, and to deal with the Shamima Begum case.

This is a very sensitive issue. I appreciate that terrorist offences have touched the lives of many right hon. and hon. Members. We need to be robust in confronting it. We cannot make excuses and apologies for the people who take these actions. Yes, it is important—I agree with the hon. and learned Member for Edinburgh South West (Joanna Cherry)—that, for the public interest, people are able, under certain circumstances, to rehabilitate, but it is also important for the public interest for there to be a strong deterrent, and a message to deter future evil acts like some of those that we have discussed today.

Duncan Baker (North Norfolk) (Con): It is an honour to follow the passionate speech by my hon. Friend the Member for Ipswich (Tom Hunt).

I spoke in the debate back in February when the Government passed emergency legislation to ensure that terrorist offenders would no longer be released early and automatically. I am glad that we are now doing all that we can on this. We must continue to root out terrorism from our streets. I am pleased that the earliest point at which terrorist offenders will even be considered for release is after they have served two thirds of their sentence. Indeed, no terrorist offender will be released before the end of their full custodial term unless the Parole Board agrees.

This Bill will ensure that serious and dangerous terrorist offenders spend longer in custody, and it improves the ability to monitor and manage those of concern when they are released. It is only right that offenders still viewed as a threat to the public will be forced to spend the rest of their term in prison. Members of my party stood on a manifesto that promised to keep us safer, with investment in our police force and our Prison Service, and that included stronger measures to deal with terrorism.

It was thanks to the exemplary work of the Prison Service during the pandemic that I recently wrote to the governor at HMP Bure in my constituency, to voice my

gratitude and appreciation for the fantastic work that the prison staff, healthcare staff and civilian staff there are doing, given the unprecedented challenges we face, during covid. We must do all we can to strengthen confidence in our criminal justice system and make society as safe as we can from cowardly acts of terrorism, which devastate lives and communities. That could be no better emphasised than by the heartfelt and moving speech by my hon. Friend the Member for Hertford and Stortford (Julie Marson). The Bill, along with the doubling of the number of counter-terrorism specialists and probation staff, will absolutely do that.

We already have a MAPPA—multi-agency public protection arrangements—review, a Prevent review an HM inspector's report and a three-year post—legislation review. It is unnecessary to have yet another layer of review. A serious terrorism sentence for the most serious and dangerous terrorist offenders is a welcome move. We are going to get tough on terrorists and ensure that those that set out to hurt innocent people will spend at least 14 years in prison and up to 25 years on licence. As my hon. Friend the Member for Rother Valley (Alexander Stafford) said, recent attacks show that the Bill is necessary; that sentencing needs toughening, but so does the investigation, the monitoring and the management of offenders.

Jim Shannon: Does the hon. Gentleman feel that those who have carried out acts of terrorism in the past, and perhaps have not been held accountable for them until this time, should be subject to these new laws that are coming in, because there would be no early release for them, as has been the past history? Those who murdered the four Ulster Defence Regiment men at Ballydugan some 25 or 26 years ago, those who murdered my cousin, Kenneth Smyth—does he agree that it is time that anyone who has never been made accountable, is made accountable as well?

Duncan Baker: I absolutely agree that we should make sure that those people who have committed absolutely heinous acts face the full prosecution of the criminal justice service.

I will finish by saying that giving the Secretary of State expanded powers to impose additional restrictions, such as imposing overnight curfews, and to gather more information on devices, such as electronic devices, would give us even more control measures and services to eliminate risk even further. This is about restricting, interrupting and stopping dreadful attacks, such as those that happened at Fishmongers' Hall and Streatham. As the Justice Secretary has said, the Government are pursuing every option to tackle terrorism. It is with that in mind that I welcome the Bill. The largest overhaul of terrorist sentencing and monitoring in decades, it delivers what we need to keep our communities safer and come down hard on those who set out to ruin lives.

Miss Sarah Dines (Derbyshire Dales) (Con): It is a pleasure to follow the thoughtful speech by my hon. Friend the Member for North Norfolk (Duncan Baker).

It was a privilege to serve on the Public Bill Committee. As someone who lived in London in the 1980s and '90s, I remember all too well the impact of terrorism on this nation's capital. A massive lorry bomb was left outside the London overground station at the bottom of my

then street in Bethnal Green, and the local policeman, whom I knew, discovered it. We must not forget the emotional toll on frontline officers of dealing with such terrorist incidents; he has to live with that for the rest of his life. There are other parts of the Union that have to live with it more frequently. We all need to work together as one nation to deal with these issues. There are many human stories, with which we sympathise.

Serving on a Committee examining the proposed legislation seeking to counter terrorism was an interesting challenge, but a privilege. I thank the Minister for how he steered the Committee through the issues covered in the legislation. In Committee, I found the interventions of my hon. Friends the Members for Hertford and Stortford (Julie Marson), for Aylesbury (Rob Butler) and for Sevenoaks (Laura Trott) very useful in dealing with the issues. It was also very interesting to hear what my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) and the hon. Member for Stockton North (Alex Cunningham) had to say in Committee meetings, and the contributions of all those other Members who sit in this Chamber today.

Having considered all the evidence, done my research and read back over the years, it is my clear view that the overwhelming weight of the evidence heard by the Bill Committee sessions was that the provisions of this Bill will make the public safer and will better enable us to defeat terrorism and contain former terrorists.

This law is proportionate in what it seeks to do in relation to the rights of prisoners. Of course, we need to keep our people safe. The Opposition's request for further reviews and delays is not proportionate with what we need to do today.

4.30 pm

Our democratic society has had to live in the shadow of terrorism for a long time. We saw that with the Manchester Arena attack, Fishmongers' Hall, Streatham and Reading, and of course Members sitting here today will recall the attack on this Parliament in 2017. We must always remember the death of PC Keith Palmer.

Jonathan Hall QC, the independent reviewer of terrorism legislation, stated in March that the 2017 terrorist attacks were a sustained shift in the nature of the risk of Islamist terrorism. We need to respond to that shift to protect our people. We need to respond to everyday events to ensure that our people are safe.

During the Bill Committee evidence session, we heard from Assistant Chief Constable Tim Jacques, the deputy senior national co-ordinator for counter-terrorism policing. He confirmed that he welcomed the provisions in the Bill, and said that, overall, it would make policing terrorism easier for the police. That is what we are here for—to make jobs easier but safe, to look at human rights proportionately and to preserve life. This legislation will undoubtedly also protect us from terrorism threats from fascist and national socialist extremists. There are times when we look at the rights of prisoners, and public protection must trump rehabilitation. Assistant Chief Constable Tim Jacques also said that.

We must also take a moment from time to time to bear in mind the cynical terrorist warning. In the acts of murder and mayhem that terrorists plan, they have to be lucky only once, whereas we, the democrats, have to be lucky all the time.

This legislation will assist the police and security services, and give them the tools they need. It will tighten up the law and go a long way towards addressing the threat. It seeks to protect the public from those convicted of terrorist offences, who will inevitably spend longer in custody. That time can be used, if possible, to rehabilitate, but we must not look with rose-tinted glasses at how we can change the world and change terrorists. Sometimes they cannot be changed and have to be managed. The Bill will keep the most dangerous terrorists off the streets for longer.

I welcome the fact that the most serious terrorism offences will be subject to 14 years in prison and the extended licence of 25 years. That is an essential provision in the legislation. The Bill will deter involvement with terrorist movements at source by increasing the maximum sentences available. That, too, is an essential provision. I also welcome—

Mr Deputy Speaker (Mr Nigel Evans): Order. I am terribly sorry, but we have to move on now.

The Parliamentary Under-Secretary of State for the Home Department (Chris Philp): Many hon. Members today have reminded the House that our first duty as Members of Parliament is public protection. The very moving contribution of my hon. Friend the Member for Hertford and Stortford (Julie Marson), and the story of her friend, Louise, who was caught up in the terrible terrorist atrocity of 7 July 2005, very powerfully reminds us of that. On that awful day, 52 members of the public were murdered and 784 were injured.

We have heard powerful testimony from other Members who have had personal, first-hand experience of terrorism, including the hon. Members for North Down (Stephen Farry) and for Strangford (Jim Shannon), whose family members suffered at the hands of terrorist murders. My hon. Friend the Member for Rutland and Melton (Alicia Kearns) said that in her professional career prior to coming to this place, she had first-hand experience of the victims of terrorism. That testimony should remind us how important our duty is. By taking this Bill through Report stage, we are discharging that duty to our constituents.

It is worth pausing to say how constructive the discussion on this issue has been, on a cross-party basis, on the Floor of the House here today and previously at Second Reading and in Committee. It is an example of this House and our political system working at its best. Members from all sides of the House can be very proud of the way we have conducted the debate on this extremely important Bill.

Let me turn now to some of the comments raised by colleagues this afternoon, starting of course with my opposite number, the hon. Member for Stockton North (Alex Cunningham), who gave a characteristically detailed speech opening the proceedings. He started by commenting on new clause 1 on the probation service, which stands in his name and those of his hon. Friends.

Let me just take the opportunity to reassure him and other Members, once again, that probation service resources were significantly increased in the spending review last September. Moreover, earlier this year, counter-terrorism police resources were increased by £90 million and we are in the process of doubling counter-terrorist specialist probation officers, in addition to those very large numbers who have been given special training.

[Chris Philp]

In addition, we are deepening multi-agency public protection arrangements. We are also establishing a counter-terrorism step-up programme, so I believe our work in the probation sphere is something all of us can take great confidence in.

Alex Cunningham: The Minister is right to mention the additional funds and so on that have been forthcoming, and we very much welcome them, but we have a probation service in crisis. Would he like to comment specifically on the fact that there is a high sickness rate and a 10% vacancy rate? How on earth can they do their job properly if we do not have sufficient of them?

Chris Philp: Numbers in the prison and probation service have been increasing over the past few years. As I said, a great deal of extra money was provided in September last year, and that will most certainly have a further positive impact.

I move on to new clause 2, which the hon. Gentleman also commented on, and the question of deradicalisation. We heard evidence in the Public Bill Committee on 30 June, which some Members will recall, from Professor Andrew Silke, Professor of Terrorism, Risk and Resilience at Cranfield University. He told us that, overall, he thinks that the UK's approach to deradicalisation,

"is seen as one of the better available approaches...internationally". —[*Official Report, Counter-Terrorism and Sentencing Public Bill Committee*, 30 June 2020; c. 84, Q175.]

That is, again, something we can take great confidence and pride in. Initiatives such as the healthy identity intervention programme, which Professor Silke expanded on at some length, are very effective. That is one of the reasons why reoffending rates for these terrible terrorist offences are only between 5% and 10%.

The shadow Minister asked about financial impact. I confirm, once again, that the cumulative impact on the total prison population will be less than 50 prison places, and the cumulative impact on the probation service will never be more than 50 places. To put that in context, there are about 80,000 people in prison and about a quarter of a million people on probation. On the financial impact, which the hon. Gentleman mentioned, the figure he had in mind may not have been quite accurate. The financial impact, according to the impact assessment, is a one-off cost of £4.2 million at the outset, followed by £900,000 a year thereafter, because these numbers, thankfully, are so small.

Jim Shannon: The Minister and everyone in the House will be aware that there have been three attacks in the last eight months carried out by those who were in prison and came out. Does the Minister feel that the investment that the Government are giving here will help to address that issue and will reduce those things happening, which is what we all want to see?

Chris Philp: I thank the hon. Gentleman for his intervention. I believe that the measures that we are taking in the Bill, the additional resources given to counter-terrorism policing and the changes we made back in February in the Terrorist Offenders (Restriction of Early Release) Act 2020 will provide exactly the protection he is asking for against ruthless terrorists of the kind he is describing.

On the question of reviews, which new clauses 1, 2, 3, 6 and 7 speak to, as my hon. Friend the Member for North Norfolk (Duncan Baker) pointed out, we already have quite a large number of reviews under way. There is the MAPPA review, being conducted by Jonathan Hall QC. There is, of course, Her Majesty's inspectorates of prisons and probation, which produce frequent reports themselves. There is the Prevent review, which we will debate in the second group of amendments and, of course, there is the standard three-year review after legislation. With great respect, I think we have a lot of reviews going on. The numbers involved with this legislation are small, and I feel that it will be more than adequately reviewed by the mechanisms I just laid out.

Young people have been mentioned by many Members, in connection with new clause 6 and other clauses. The Bill recognises that those under the age of 18 are different, and no new minimum sentence is applied to them. It is up to the judge to decide in each case, and according to individual circumstances, what is the appropriate sentence for someone under the age of 18. There is a great deal of judicial discretion, for all the reasons laid out by the hon. and learned Member for Edinburgh South West (Joanna Cherry), and others.

I understand the arguments that have been advanced about the ability to reform and rehabilitate those over the age of 18, and possibly extending that into the early 20s, but the cohort of offenders that we are addressing this afternoon is, thankfully, very small—a handful of offenders between the ages of 18 and 21 who have committed offences of extraordinary seriousness. These are terrorist offences where a life sentence can be imposed, where a judge has made a finding of dangerousness based on the facts and a pre-sentence report, and where a risk of causing multiple deaths was present. Given that small but serious number of offenders, I think a 14-year mandatory minimum sentence is appropriate. Rarely, there is the ability for judges to find exceptional circumstances, but when offences are that serious, it is right to take that action and protect the public. There may be other debates to have another time about how quickly people mature and how we should account for that, but for that small and dangerous cohort it is neither the time nor the place to advance that argument.

On legislative consent motions, I thank the hon. and learned Member for Edinburgh South West for her comments about Government amendments 9 to 16, and the changes made to orders for lifelong restriction. She properly raised that matter in Committee, and we fully acknowledged the points that she and her colleagues made, and are delighted to fix the issue this afternoon. On the application of polygraphs in Scotland, as she said, we are in discussion with the Scottish Government. We are edging ever closer to a point of blissful—I almost said "blissful union"—perhaps I should say "blissful unity" to avoid aggravating the question. We are edging towards a position of blissful agreement, and I hope we reach that in the near future.

Some Members questioned the use of polygraphs more generally. We took extremely compelling, and at times entertaining evidence from Professor Grubin, who is a worldwide expert in this area. Contrary to what one Member said, polygraphs are not untested, and 5,000 such tests have been used in connection with sex offenders in England and Wales. In between 60% and 70% of cases, the use of a polygraph elicits information that would

not otherwise have come out. That is either because the offender volunteers it—they know a polygraph is going to be used and they volunteer information that they would not otherwise have provided—or because it prompts a negative reading and a follow-up investigation can occur.

I emphasise that nobody is recalled to prison as a result of a negative polygraph test, and nor are they deemed to have breached their licence conditions. It simply prompts further investigation, and while not always accurate, such tests have been found to be useful in prompting that disclosure or further investigation. In that context, I draw the House's attention to one of the independent reviewer Jonathan Hall's notes on this topic. On 4 June, paragraph 23, he stated:

"I therefore concluded that polygraph testing is likely to be a valuable additional means of gathering information relevant to terrorist risk for terrorist offenders on licence."

Jonathan Hall thinks that polygraph tests are an effective and good idea.

On Northern Ireland, the hon. Members for Belfast East (Gavin Robinson) and for Strangford and for North Down raised the question of applying the Terrorist Offenders (Restriction of Early Release) Act 2020 provisions retrospectively to Northern Ireland. The UK Government believe that that is a lawful thing to do—that it does not infringe article 7 or any common law principles. We believe that terrorism measures are reserved and that we should treat the United Kingdom in those matters as one, but they do engage parts of the LCM mechanism, and we are therefore in detailed discussions with the Northern Ireland Justice Minister, Naomi Long. I had an hour-long conversation with her earlier this week and, again, we hope to make progress on that point in the coming week or so; I think she will come back to me in the very near future. I stress that these provisions affect terrorist prisoners on both sides of the divide in Northern Ireland equally. They do not seek to penalise or victimise any one side or the other; they apply equally, and I ask Members to keep that important point in mind.

4.45 pm

Finally, Mr Deputy Speaker—always welcome words in a speech I give—my hon. Friend the Member for Ipswich (Tom Hunt) mentioned the case of Shamima Begum. As he said in his powerful speech, ISIS, or Daesh, is a murderous organisation. It was well known that it committed mass murder and mass rape, victimised and tortured people, and persecuted people simply because, for example, they happened to be gay. It was a dangerous and ruthless organisation, and the Government will most certainly be energetically appealing the recent court decision. We believe that is the right thing to do and that it will keep our fellow citizens safe.

On that note, I will conclude. Public protection is our first duty. I believe that the Bill advances that case, and I am delighted that we have done so in such a spirit of cross-party unity. In the words of Jo Cox, whose shield stands on the wall of the Chamber, this House has shown today once again that there is more that unites us than divides us. When it comes to fighting terrorism, let that be more true than ever before.

Alex Cunningham: I am grateful to the Minister for his introductory remarks, particularly about how we can best work together as a Parliament, and I join him

in paying tribute to the hon. Members across the House who shared personal experiences and testimonies—particularly the hon. Members for Hertford and Stortford (Julie Marson) and for Rutland and Melton (Alicia Kearns). If we had had to be convinced to support the Bill, perhaps those experiences—in particular the experience of the friend of the hon. Member for Hertford and Stortford—would have been sufficient to convince us.

The Minister's ambition to have a sentencing regime in place for serious terrorism and terrorism-related offences has our support—no delay and no watering down—but he needs to ensure that the service is properly equipped and provides the services needed. I was therefore rather surprised—"stunned" is the word I wrote on my bit of paper—that the impact of introducing this new legislation will be less than £5 million for new prison places, an extended probation service and additional workers in the system. I cannot quite understand where that number comes from.

However, I am sure the Minister will be relieved to know that all I ask now is that he and his Home Office colleagues reflect on the challenges that we have made. I will withdraw new clause 1, but we will return to amendment 30 later. I beg to ask leave to withdraw the clause.

Clause, by leave, withdrawn.

New Clause 8

LONE TERRORISTS: REVIEW OF STRATEGY

"(1) The Secretary of State must commission a review and publish a report on the effectiveness of current strategies to deal with lone terrorists.

(2) A review under subsection (1) must be conducted by a person who meets the criteria for qualification for appointment to the Supreme Court, as set out in section 25 of the Constitutional Reform Act 2005.

(3) A review under subsection (1) must consider—

- (a) counter-terrorism policy;
- (b) sentencing policy as it applies to terrorist offenders;
- (c) the interaction and effectiveness of public services with respect to incidents of lone terrorist attacks.

(4) For the purposes of subsection (3)(c), "public services" includes but is not limited to—

- (a) probation;
- (b) the prison system;
- (c) mental health services;
- (d) local authorities; and
- (e) housing providers.

(5) The Secretary of State must lay a copy of the report before Parliament.

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

This new clause ensures that the Government orders a judge-led review into the effectiveness of current strategies to deal with lone terrorists including, but not exclusively, current counterterrorism and sentencing policy.

Brought up, and read the First time.

Conor McGinn (St Helens North) (Lab): 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:

Amendment 59, in clause 32, page 29, line 7, at end insert—

“(4) A Terrorism Prevention and Investigation Measure may not be imposed on an individual, or renewed, solely on the basis of—

- (a) any statement made by the person while participating in a polygraph examination;
- (b) any physiological reaction of the person while participating in a polygraph examination; or
- (c) any refusal to comply with a requirement to participate in a polygraph examination.”

This amendment will prohibit the use of information obtained from a polygraph test as a basis for imposing a TPIM notice on an individual in England and Wales.

Amendment 60, in clause 33, page 30, line 24, at end insert—

“(8) A Terrorism Prevention and Investigation Measure may not be imposed on an individual, or renewed, solely on the basis of—

- (a) any statement made by the person while participating in a polygraph examination;
- (b) any physiological reaction of the person while participating in a polygraph examination; or
- (c) any refusal to comply with a requirement to participate in a polygraph examination.”

This amendment will prohibit the use of information obtained from a polygraph test as a basis for imposing a TPIM notice on an individual in Scotland.

Amendment 61, in clause 34, page 33, line 6, at end insert—

“(4A) A Terrorism Prevention and Investigation Measure may not be imposed on an individual, or renewed, solely on the basis of—

- (a) any statement made by the person while participating in a polygraph examination;
- (b) any physiological reaction of the person while participating in a polygraph examination; or
- (c) any refusal to comply with a requirement to participate in a polygraph examination.”

This amendment will prohibit the use of information obtained from a polygraph test as a basis for imposing a TPIM notice on an individual in Northern Ireland.

Amendment 40, page 34, line 22, leave out clause 37.

This amendment removes the provision that lowers the standard of proof to reasonable grounds.

Amendment 37, in clause 37, page 34, line 25, leave out

““has reasonable grounds for suspecting”.”

and insert

“, on the basis of reasonable and probable grounds, believes.”.

This amendment would raise the standard of proof for imposing a TPIM under the proposals in the Bill.

Amendment 39, in clause 37, page 34, line 26, leave out “suspecting” and insert “believing”.

This amendment would create a higher bar for the standard of proof under these proposals.

Amendment 42, page 34, line 27, leave out clause 38.

Amendment 41, in clause 38, page 34, line 31, at end insert—

- “(za) in subsection (3)(a), after “met” insert “and the court gives the Secretary of State permission”;
- (zb) after subsection (3)(a), insert “(ab) In determining the extension, the court must apply the principles applicable on an application for judicial review.””

Amendment 46, in clause 38, page 34, line 31, at end insert—

“(za) For subsection (3)(a), substitute “may be extended under subsection (2) only if—

- (i) the Secretary of State believes on the balance of probabilities that the individual is, or has been, involved in terrorism-related activity;
- (ii) conditions C and D are met; and
- (iii) the court gives the Secretary of State permission to extend the TPIM notice.”

This amendment will provide that any extension of a TPIM notice will require (i) a higher threshold to be met (“on the balance of probabilities”), (ii) the Secretary of State must reasonably consider that it is necessary, for purposes connected with protecting members of the public from a risk of terrorism, for terrorism prevention and investigation measures to be imposed on the individual (Condition C), and that it is necessary, for purposes connected with preventing or restricting the individual’s involvement in terrorism-related activity, for the specified terrorism prevention and investigation measures to be imposed on the individual (Condition D), and (iii) judicial approval.

Amendment 47, page 35, line 21, leave out clause 39.

This amendment will remove from the Bill clause 39, which allows the Secretary of State to vary the relocation measure in a TPIM notice, if it is necessary to do so for resource reasons.

Amendment 48, page 36, line 27, leave out clause 40.

This amendment will remove from the Bill clause 40, which widens the scope for imposing a curfew beyond overnight.

Amendment 49, page 36, line 32, leave out clause 41.

This amendment will remove from the Bill clause 41, which inserts a new polygraph measure which can be imposed on TPIM subjects to test if they are complying with their TPIM measures, if the Secretary of State considers it necessary to protect the public from a risk of terrorism.

Government amendment 17.

Amendment 50, page 38, line 3, leave out clause 42.

This amendment will remove from the Bill clause 42, which introduces a new drug testing measure which can be imposed on TPIM subjects, to test for Class A and B drugs.

Government amendments 18 and 19.

Amendment 38, in clause 47, page 40, line 17, leave out subsection (1) and insert—

“(1) In section 20(9) of the Counter-Terrorism and Border Security Act 2019 (support for persons vulnerable to being drawn into terrorism) for the words from “within the period” to the end substitute “by 1 July 2021”.”

This amendment would reinstate a statutory deadline for the independent review of the Prevent strategy, which will have to report by 1 July 2021.

Amendment 51, in clause 47, page 40, leave out lines 19 to 21 and insert—

“(a) in subsection (8), replace the words “6 months” with the words “2 years”;

(b) in subsection (9), replace the words “18 months” with the words “3 years”.”

Clause 47 omits the current statutory deadline for (a) making arrangements for an independent review of Prevent and (b) laying before both Houses the report and any recommendations of the review of Prevent. Instead of removing the statutory deadlines, this amendment provides for new deadlines: in respect of (a), 2 years beginning with the day on which the Counter Terrorism and Border Security Act was passed (12 February 2019) and in respect of (b), 3 years beginning with the day on which the Counter Terrorism and Border Security Act was passed.

Conor McGinn: The overriding priority of this Labour Opposition is and always will be to keep the public and our communities safe. I want to concentrate on the

three amendments that our Front Benchers have tabled on behalf of the official Opposition, conscious of the fact that we have little time and I wish to hear from colleagues on the Back Benches who did not have the opportunity to discuss these issues in Committee.

As we—including me, as shadow Security Minister—said on Second Reading and in Committee, the tragic events at Fishmongers' Hall and Streatham showed that there was a clear need for legislation, and subsequent events in Reading have only affirmed that. We on the Opposition Benches are committed to being forceful and robust in the fight against terrorism, so we welcome the Bill and in principle support its introduction. We have also sought to thoughtfully scrutinise the Bill, both to gain assurances on concerns and to attempt to improve it and ensure it is up to that most important task of keeping people safe.

To delve into new clause 8, following the shocking and tragic incident in Reading on Saturday 20 June, my right hon. Friend the shadow Home Secretary called for a judge-led review of the Government's strategy for tackling the dangerous and growing menace of lone attackers. Reading was the third time in seven months that such devastation had been witnessed on UK streets, with lone attackers responsible each time. I pay tribute to my hon. Friend the Member for Reading East (Matt Rodda), who showed such leadership and thoughtfulness in the days after the appalling attack on his community.

We on the Opposition Benches have no doubts as to the immense skill, bravery and dedication of our police and security and intelligence services. New clause 8 is fundamentally about supporting them as they tackle extremism from root to branch, because they cannot fight the battle alone. We need to look at the range of services we all rely on, particularly when we want to identify, monitor and treat subjects who pose such a huge threat to wider society.

Our proposals would make provision to assess the systemic response needed for the emerging and disturbing phenomenon of lone terrorists. A judge-led review of the effectiveness of current strategies to deal with them could effectively do that. It would address counter-terrorism policy and sentencing policy as it applies to terrorist offenders and the interactions and effectiveness of public services with respect to incidents of lone terrorist attacks. It would also undertake an analysis of a wide range of key public services, including our probation system, the prison system, mental health services, housing providers and local authorities, each of which can intervene at critical points.

The review would build on prior research and expertise, such as the extensive work carried out by Lord Anderson, the previous independent reviewer of terrorism legislation. That work has already provided insights into how we might better connect the current systems. His review's proposal for multi-agency centre pilots would involve the identification of newly closed high-risk subjects of interest, the sharing of data by the Security Service and counter-terror policing with other agencies, such as local authorities and Departments, and the enrichment of that data using the databases of multi-agency partners. The review also highlighted barriers to local partners' involvement in managing subjects of interest, including the challenges of resourcing.

Our public services must have the tools they need to intervene and work together in the most effective and efficient manner possible, particularly as many of the

services have interactions with individuals who give them real concern. We need to undertake an assessment of the systemic response needed to confront the dangerous and growing threat of lone attackers, with all the necessary security safeguards in place, and I thank the Minister and the Security Minister for discussions on that.

Jonathan Hall, the independent reviewer of terrorism Legislation, is looking at the issue in a review of the multi-agency public protection arrangements, which was commissioned by the Home Secretary. My understanding is that the review is currently with the Home Office. Can the Minister say a little bit more about that and perhaps commit to publishing it before the Bill reaches the other place, which I think would provide some assurance?

Turning to amendment 38 on TPIMs, we fully agree that the mechanisms must be robust and agile to help the police, the Security Service and their operational partners to do the job of keeping the public safe. As reflected by the amendments that the official Opposition has tabled, as well as those of the Chair of the Joint Committee on Human Rights, my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), and the hon. and learned Member for Edinburgh South West (Joanna Cherry), it is fair to say that we feel the Bill's proposed changes to TPIMs will have a profound impact on the regime, especially when taken together.

We want TPIMs to be as effective and efficient as possible, and when those on the frontline in policing and counter-terrorism say that the changes will be useful, we fully trust and support their assessment and will do all we can to assist them. We will also, however, seek assurances that proper safeguards are in place. We would all want and expect to see such safeguards on measures of such importance in a democracy such as ours. If the standard of proof is to be lowered while simultaneously making possible a potentially indefinite TPIM by removing the current limit, then scrutiny, oversight and safeguards will take on a new-found importance.

We must remind ourselves that a TPIM notice can involve a wide range of measures: overnight residence requirements, relocation, police reporting, an electronic monitoring tag, exclusion from certain places, limits on association, limits on the use of financial services, and limits on the use of telephone and computers, as well as a ban on holding travel documents. Those are robust measures and, in my view, rightly so, but we must not forget that TPIMs are a restriction on rights for people who have not yet been convicted of any crime. It is not in the interests of anyone to allow such individuals to remain indefinitely on TPIMs, either for their own sake, for society's, or, crucially, in terms of bringing them to justice.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): Does my hon. Friend accept that the concern about TPIMs is not just the breadth of measures available but their indefinite nature against people who have not actually been tried and charged?

Conor McGinn: I do, and I pay tribute to my right hon. Friend for the work she has done on this issue and her commitment to it. I am sure the Minister will have heard what she says. It is something I raised in Committee and I did receive some assurances from the Minister,

[*Conor McGinn*]

but I think we would wish to hear—not just in the light of what my right hon. Friend says, but of what the independent reviewer of terrorism legislation said when he made a similar point—what the Minister is doing to ensure those safeguards are in place.

Jim Shannon: It is very important that we look at TPIMs to make sure they are usable, but does the hon. Gentleman agree it is very important that the Secretary of State's hands are not tied by legislation, but is able to respond to any emergent terrorism attacks or activities that take place in a way that is effective? Surely that has to be prominent precedent to follow?

Conor McGinn: The hon. Gentleman speaks with both great personal dignity and authority on these matters. I agree. We want the system to be agile and to be able to respond. The Bill places a very significant power on the Secretary of State. In seeking to ask the Government for assurances, we want to ensure the system itself is robust, because those protections allow authority and credibility in terms of being able to respond to the ongoing terrorist threat. The amendment we propose would ensure that there are reasonable and probable grounds for a TPIM to be issued. The higher bar would create safeguards without harming the robust nature or operational utility of TPIMs, which we want to be as impactful as they can possibly be to keep people safe.

We acknowledge that it was a Labour Government who, upon introducing control orders in 2005, imposed a standard of proof, as proposed in the Bill, to require only reasonable grounds for suspecting an individual had been involved in terrorism-related activity. That was then raised by the coalition Government in 2011 with the creation of the new TPIMs regime, and again by the Conservative Government in 2015. However, I cannot help but reflect on the words of the independent reviewer of terrorism legislation to the Bill Committee, when he said:

“If it is right that the current standard of proof is usable and fair, and I think it is, in a word, if it ain't broke, why fix it?”—[*Official Report, Counter-Terrorism and Sentencing Public Bill Committee*, 25 June 2020; c. 7, Q6.]

I think the Minister has to respond to that challenge. We need assurances from the Minister today, and an operational, administrative and procedural perspective for making those changes.

We would also like clarity on an exit strategy, given the indefinite nature of what has been proposed. Our concern with an open-ended or enduring TPIM regime is that it could see difficult cases languish, with no realistic plan for a resolution of any kind. Indeed, under the proposals, as the independent reviewer of terrorism legislation confirmed to the Committee, we could conceivably see someone who has been convicted of a terrorism offence being free from constraints before someone who has been placed on an enduring TPIM. That kind of situation is intolerable and I hope the Minister will again respond to those concerns, alongside the arguments of many colleagues in the House in relation to TPIMs and polygraph testing, which, while useful as an additional information source in certain contexts, we know is controversial and untested in the counterterrorism sphere. I do not think it would be unreasonable to run a pilot scheme, as per new clause 9,

so that before making such costly national changes we could see proper independent evidence of the polygraph's reliability and utility in the specific context of terrorist offenders. We all want an effective and efficient TPIM regime to help to save lives and protect our country's citizens from harm, and we want to work with the Government to get it right.

5 pm

On amendment 38, we have said all along that there is sadly little in the Bill on the Prevent strategy or, indeed, on how we counter extremism, radicalisation and hatred. The Prevent strategy has been a key part of this country's counter-terrorism strategy and has kept people safe. The senior counter-terrorism officer who gave evidence to the Committee, Assistant Chief Constable Tim Jacques, said:

“Prevent is a critically important part of our role; it is absolutely vital. It is controversial, and has been controversial, but we engage in it, we operate, and we protect the public through Prevent every day.”—[*Official Report, Counter-Terrorism and Sentencing Public Bill Committee*, 25 June 2020; c. 25-26, Q66.]

Given the centrality of Prevent as a tool, the Bill has missed an opportunity not just for the Government but for those who are trying to deliver the policy in communities against the backdrop of what appears to be a lack of purpose and clarity on the programme itself. Frankly, they deserve better. The Government commissioned an independent review of Prevent that was legally bound to report on 12 August this year, but it is clear that they will now miss that deadline, resulting in a further lack of clarity and, I fear, a further loss of credibility. The Bill actively seeks to remove any mention of any deadline at all, which only exacerbates matters.

The independent review was announced last January—19 months ago—following a long-running request by Labour and other Opposition parties and civic society groups, but it has since been repeatedly delayed and postponed. The comprehensive review was and is the right approach—we still believe that to be the case almost two years later—but by now that review should have finished its work and reported to Ministers. In fact, that should have happened two months ago, but Government complacency and—arguably—incompetency have led us to the stage where they now say that they intend the review to report only by next summer. If that is the case, why not put a date on the face of the Bill rather than leave it open-ended?

In Committee, the Minister said that the Government's commitment to complete the review was “absolute”, but that they did not want to fall into the same trap twice in relation to a statutory deadline, should “something unforeseen” happen. All our amendment 38 would do is reinstate a statutory deadline for the independent review, with a new one in place for 1 July 2021—just under a year from now—which I think any reasonable person would accept as being more than generous to the Government, given the delay that we have already had.

We accept and welcome the Government's broader commitment to the review but, as I stressed in Committee, the introduction of a new counter-terrorism Bill before the Prevent review that was in the previous one has started makes clear the sheer quantity of time that has been wasted. There is a lack of clarity and continuing speculation and debate around Prevent that threatens to undermine the entire effectiveness and credibility of both the programme and the Government's wider strategy.

In conclusion—I am conscious that other colleagues wish to speak—I hope that the Minister will look closely at the amendments, which are designed to assist and clarify some of the measures in the Bill and to seek the introduction of some measures that we feel ought to be in the Bill. I reiterate that we on the Opposition Benches will be uncompromising when it comes to supporting measures to tackle terrorism and keep our country and its citizens safe. That is and will always be our priority.

Sir Robert Neill (Bromley and Chislehurst) (Con): It is a pleasure to see the hon. Member for St Helens North (Conor McGinn) on the Opposition Front Bench. I have a lot of sympathy with what he said, and I hope the Minister will address the points he made, because we want to be constructive. We all support the overall thrust of the Bill, but my concern, as Chair of the Justice Committee, is that we do not do anything—albeit inadvertently and for good reasons—that undermines the checks and balances that are a normal part of the criminal process.

That is why the change in the burden of proof in relation to TPIMs needs more justification put behind it. Jonathan Hall QC, the independent reviewer of terrorism legislation, is highly regarded in this field, and the Minister has quoted him with approbation on a number of occasions. In this instance, he does not regard the case as being made out. If the Minister takes a different view, with respect, we need something more substantial as to why that is the case. There may be good reasons, but it cannot be done on a purely speculative basis. It cannot be on the basis that it may be useful to have this wider test. It might engage some people outside the jurisdiction in ways that we cannot currently in terms of gathering evidence and intelligence, but that case has to be made. Having voted on two occasions to increase the burden of proof to where it currently is, I would like to have a pretty clear sense that there is a compelling reason for reversing those decisions—and there may be, but I think the Minister owes it to us to set that out, and we need Mr Hall to set out why he comes to a different view. We may be persuadable, but it is important that the case is made and that the House understands that.

I accept that there is an overall three-year time limit on the working of the Bill, but I am concerned that, without a time limit, the TPIM will become the default mechanism and more like a control order. We surely all ought to recognise that, wherever possible—wherever proper, admissible evidence can be obtained and proceedings can be safely and securely brought—if people have done the vile things that we are talking about, which pose a real criminal threat to the security of this country and its people, the normal and proper course ought to be to prosecute through the normal due process. An alternative means of dealing with this should only be undertaken in the most exceptional circumstances. I can see that there may sometimes be such circumstances, but again, that case needs to be spelt out.

The third issue that I wish quickly to deal with is polygraphs. The Law Society takes the view that the suggestion of the use of polygraphs in some of these circumstances is more to persuade people psychologically—that is the phrase it uses in its briefing—against breaching the orders. That may be valuable in itself, but we ought to be wary of the limits of polygraphs' usefulness. There are mixed views in academic, scientific and legal

circles about the reliability of polygraphs. I do not have a fixed view about them, but I think we should approach their use with caution and proportionality.

Chris Philp *rose*—

Sir Robert Neill: I am always happy to give way to my hon. Friend and near neighbour.

Chris Philp: My hon. Friend and south London neighbour is kind for giving way. Let me reassure him on his point about the limits of polygraphs. We understand and accept that they have limits, which is why a negative polygraph result on its own can never result in a recall to prison or licence conditions being deemed to have been broken. All a negative polygraph result could do is prompt further investigation by other means, which I hope provides him with the reassurance he seeks.

Sir Robert Neill: That is a very helpful reassurance for today's purposes, and I am grateful for the spirit in which the Minister said that. It is an important point, and I am glad that he takes this on board. Sometimes, for the best of reasons, there can be a mission creep with these measures, which could lead to a broader spread of their use in the criminal justice system, and that would be a matter of concern. If he says that the use is very specific, I accept his word on that, but it is important that we continue to keep this under review and do not have unintended mission creep. As we all know, it is often easy to present perfectly benign and reasonable reasons for doing something that departs from the normal checks and balances, but it then becomes entrenched and permanent and spreads.

In that spirit, I take the Minister's assurance, but he will understand why it is important that that issue is debated and that reassurances are given that the overall integrity of the justice system will not be affected by these changes. That has dealt quickly with the issues that I sought to raise. It was perhaps a record brevity, but I hope that brevity does not reduce the import of the issues raised.

Joanna Cherry: It is a real pleasure to follow the hon. Member for Bromley and Chislehurst (Sir Robert Neill), and I endorse his concerns about the provisions in relation to TPIMs. My hon. Friend the Member for East Lothian (Kenny MacAskill) and I have tabled amendments 39 to 41 in relation to the proposed changes to the TPIMs regime. I am also speaking in support of amendments 46 to 51 and 59 to 61, tabled by the right hon. and learned Member for Camberwell and Peckham (Ms Harman), the Chair of the Joint Committee on Human Rights, and signed by me. I will try to keep my comments brief, because I went into these issues in some detail on the Bill Committee and I want to allow others who were not on that Committee to speak.

First, I want to say something about the Prevent strategy review. I endorse what the hon. Member for St Helens North (Conor McGinn) said about that. It is important to remember that it was a recommendation by the Joint Committee on Human Rights, and a successful amendment to the Counter-Terrorism and Border Security Act 2019, which imposed a requirement on the Government to initiate an independent review of Prevent. It has been delayed for reasons that we have heard a lot about, and I think the delay is most regrettable. Clause 47 of this Bill removes the time limit for conducting the review.

[Joanna Cherry]

We in the Joint Committee on Human Rights have concerns about that and we would like there to be a time limit, hence the amendments we have tabled. I am happy to associate myself with the date suggested by the official Opposition.

I note in passing that the delivery of the Prevent strategy in Scotland is devolved, and that although national security is a reserved matter, the Scottish Government's delivery of the Prevent strategy reflects a rather different procedure. I will not take up too much time with that.

Bell Ribeiro-Addy (Streatham) (Lab): Does the hon. and learned Lady agree that the delay of the review has caused quite a lot of concern in many communities who want better terrorist prevention legislation? Unfortunately, Prevent has demonised Muslim communities and put unfair duties on teachers and NHS workers. All those individuals want better terrorism prevention, but they will not get that if the review is delayed further.

Joanna Cherry: I endorse what the hon. Lady says. It is important to remember that black, Asian and minority ethnic communities—particularly the Muslim community—need the Prevent strategy as much as the rest of us, but they must not be demonised by it. That is why I referred to what has happened in Scotland. The Scottish Government, working closely with the Muslim community in Scotland, have managed to avoid that degree of resentment. This review is important for all communities in England and Wales, where unfortunately the same thing has not happened.

I turn to TPIMs. The Scottish National party and the Joint Committee on Human Rights are concerned that a case has not been made out for the changes that the Government wish to make. Others have referred to the views of the independent reviewer of terrorism legislation, Jonathan Hall QC. In the detailed evidence that he gave to the Bill Committee, he described the combination of clauses 37 and 38 as

“a double whammy...not just reducing the standard of proof but allowing TPIMs to endure forever.”

I asked him about the possibility of safeguards, and he suggested the very safeguards that are set out in amendment 46, which is in my name and that of the Chair of the Joint Committee on Human Rights, the right hon. and learned Member for Camberwell and Peckham. Jonathan Hall said that

“if it were right that a TPIM should continue beyond two years, at least at that stage the authorities should be able to say, on the balance of probabilities, that the person really is a terrorist. That is an example of a safeguard.”

He went on to say:

“Turning to the question of enduring TPIMs, another safeguard could be to ensure that a judge would have to give permission—in other words, to treat going beyond the two years without any additional proof of new terrorism-related activity as requiring a higher threshold, or some sort of exceptionality or necessity test, as a further safeguard for the subject.”—[*Official Report, Counter-Terrorism and Sentencing Public Bill Committee*, 25 June 2020; c. 15-16, Q33.]

I urge the Government to consider incorporating into the Bill safeguards similar to those suggested by the independent reviewer of terrorism legislation and set out in amendment 46.

As has been said, the problem with the change in the standard of proof is that no operational case has been made for it. I will not anticipate what the Minister will say later, and I may intervene on him if we have time. The independent reviewer of terrorism legislation, Jonathan Hall, who is appointed by the Government and charged with looking at these matters, has said that

“there is reason to doubt whether there exists an operational case for changing the TPIM regime at this point”.

I suggest that the Bill Committee heard nothing in evidence to challenge that. He said that he had had discussions with the Government but had not been able to identify a cogent business case. That is what is missing here. Although this affects only a small number of people at present—of course, it might affect more if the standard of proof is lowered—these are people who have not actually been convicted of any offence, so if the Government want to make such a significant change, it is really important that they bring forward a clear case for doing so.

5.15 pm

According to the evidence heard by the Bill Committee, the current standard of proof does not seem to have been in any way an impediment to the security services. We have had no clear evidence that the current standard of proof is preventing the security services from seeking or obtaining a TPIM when they consider it necessary and appropriate to do so. My position is that until we have that sort of cogent business case, the Government have not made the case for reducing the standard of proof. I do not think we will get it today, but I suspect that it will be looked for in the other place, and it would be interesting to hear from the Minister later whether he will propose any sort of business case when the Bill goes to the other place.

Julie Marson: I am interested, as someone from a business background, to hear the hon. and learned Lady refer to business cases. We always have facts and figures that we can look back on historically. Is not the challenge for Government always to anticipate risk that has not happened? We are forever looking behind us, and the consequences are so great when those risks are missed, but this is actually the perfect opportunity for a Government to look forward and anticipate those risks. The risks might involve someone who has been active in Syria, for example, where we do not have that proof, where someone can perhaps take an opportunity for two years to bide their time, knowing that at the end of that period, they might be subject to a higher burden of proof, or just go off the radar.

Joanna Cherry: I hear what the hon. Lady says, but that is what the current TPIM regime is designed to do—to anticipate risk and to keep a close eye on people who have not committed an offence yet in a way that could mean that they are prosecuted, but who may be a risk to our safety. She gives, for example, the problem of people returning from Syria. That is clearly a significant problem, but it has existed for a number of years, and the Committee did not hear any evidence that the security services are unable to deal with the problem of people returning from Syria because of the current standard of proof. I use the words “business case” loosely; an “operational case” might be a better phrase. We need an operational case based on examples to justify why this change is needed.

All of us here care about having a TPIM regime in place that does the job. There is no suggestion that the current one is not doing the job and no clear operational case for it to be changed. We would be failing in our duty as Opposition parliamentarians if we did not test this in the way that we are, and I will leave it at that for now.

Mr Richard Holden (North West Durham) (Con): I will speak briefly. As I did on Second Reading, I would like to associate a lot of my comments with those of my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), who again outlined with clarity some of the main issues in the Bill that I think will be challenged in another place. I hope they are to a degree and that the tyres are kicked a little harder.

We need a little more clarity from the Government on why we are moving to this much lower standard of proof. However, I am particularly pleased that the Minister has given clarification on the issue of the polygraph test. On time restrictions, I totally understand what my hon. Friend was saying about sleeper agents. Over the last few months, we have seen people going to ground for perhaps several months, or even years, and then re-emerging, but I think that there has to at least be some oversight of that and of the use of TPIMs.

Finally, I support Government amendment 18 and amendment 50. I do not see why it would be unreasonable for drug testing to be part of the TPIM regime. I generally welcome the legislation, and I hope that the Minister will be able to respond to some of these points at the Dispatch Box.

Mr Deputy Speaker (Mr Nigel Evans): Order. We are going to have to introduce a time limit of five minutes to get in as many as we can. The Minister will come in just before 5.50 pm

Ms Abbott: I rise to speak in support of the amendments. The stakes in any debate about terrorism and how to combat terrorism successfully are extremely high, because these are issues that involve the lives and liberties of all of us. Children as well as adults have lost their lives in some of these terrible incidents, particularly in the horrific Manchester Arena bombing. Police officers have been murdered. We were all shocked by the murder of a fellow MP, Jo Cox, and I was a Member of this House in the '80s and '90s at the height of the IRA's mainland bombing campaign, so, please, there is no one on the Opposition side who does not take the threat of terrorism seriously. However, it is extremely appropriate that Parliament should not be nodding through counter-terror legislation but should be subjecting it to proper scrutiny, because that is in the interests of us all. At the heart of that scrutiny has to be: will this legislation help minimise terror attacks?

Governments of all parties, including my own, have tended to want to argue that measures that undermine civil liberties are the answer to terrorism, but sometimes such measures run the risk of being a recruiting sergeant for terrorism. It is in that light that I address my remarks to the Prevent programme. The Government previously committed to a review of Prevent. I can only ask: where is the review? My hon. Friend the Member for St Helens North (Conor McGinn), speaking from the Front Bench, described Prevent as controversial.

It is not just controversial; it is a toxic brand, and I would argue it is increasingly counterproductive in the fight against terrorism that we all want to support. We should look at a replacement for the Prevent programme. It is not that good work has not been done in the name of Prevent—I visited some of those programmes in another role—but increasingly it is not doing the job it was established to do and, because its reputation is so toxic, it is not as effective as it could be in combating terrorism.

If we examine the terror incidents that have been inflicted on our communities in detail, we find that very few of the perpetrators have ever been in contact with a Prevent programme. At the same time, Prevent casts a hugely wide net over people, particularly in the Muslim community. In 2017-18, 7,300 people were referred to the Prevent programme, and the overwhelming majority of those were incorrect referrals. In fewer than one in five cases was there any discussion of these individuals at a Channel panel, and fewer than 400 people have received support from the Channel programme. No wonder, to many communities that find themselves targeted, it looks and feels like a trawling operation. I remember that in counter-terrorism debates with reference to the IRA's mainland bombing campaign, it was former Army officers in this House—not people on my side of the Chamber—who argued against measures that could be a recruiting sergeant for terrorists.

As we know, when Ministers are challenged on Prevent, they respond as if any criticism of it is leading to an attempt to abolish our counter-terrorism efforts altogether. I want to nail that one. As Ministers know, Prevent is only one strand of the Contest strategy and we support the other three strands of pursue, protect and prepare. Serious consideration should be given to how all of those can be enhanced and made more effective. But, from all the evidence and all the people and communities I have spoken to, I conclude that Prevent is in danger of being counterproductive, alienating communities and ultimately making the fight against terrorism harder.

A more effective anti-radicalisation programme could and should be constituted. It would involve communities themselves. It would not be imposed on communities, but it would be working with communities, relying on people's intelligence information, their sensitivities and their very real concerns, and the very real concerns of the overwhelming majority of people in this country who are opposed to terrorism in all its guises. Working with communities and relying on them, not demonising them and ostracising them, is the way forward.

In conclusion, all of us on both sides of the House have a great responsibility in fighting terrorism. The most important duty of any Government is to keep their citizens safe, and we on the Opposition Benches feel that very strongly, but the safety and security of our people in the fight against terrorism cannot be upheld by knee-jerk reactions, simplistic formulations or programmes that prove to be counterproductive. An impartial review of the Prevent programme is long overdue. The fear is that now there is too much political capital invested in the Prevent programme for it to change course, but the fight against terrorism is too serious to be taken lightly. If something is not working, we need to fix it. That is why the time is right to review Prevent and to start again with an entirely new programme with the same aims, but a programme that works with communities rather than demonising them.

Mr Deputy Speaker (Mr Nigel Evans): We did add some time—*[Interruption.]* No, it is fine. We added a bit of time because we have just redone the maths and the time limit is now six minutes.

Daisy Cooper (St Albans) (LD): I wish to start by endorsing some of the comments made by the hon. Member for Bromley and Chislehurst (Sir Robert Neill) about the use of polygraphs. The Minister will know that I have been in touch with him a number of times on this particular issue, and I accept his assurances that they will be used simply for behavioural science purposes and not for legal purposes.

I wish to speak to amendments 40 and 42. As others have said, there have been a number of tragic terrorist attacks this year and there is an urgent need to protect people from further terrorist violence, but we need measures that will keep the public safe, not give the Government free rein to restrict the rights of innocent people on a never-ending basis based on little more than a hunch. We must ensure that our security services have the tools and resources that they need to do their jobs, but we must also ensure that any new powers and legislation will be necessary, effective and proportionate to the threats that we face. That is not the case when it comes to clauses 37 and 38, as they would massively expand the Home Secretary's powers to impose terrorism prevention and investigation measures, which can include curfews and electronic tagging. These changes would essentially mean a return to control orders, as Members from all parts of the House have pointed out, and they were heavily criticised for getting the balance wrong between national security and civil liberties and were then replaced by TPIMs by the coalition Government in 2011.

There is minimal evidence that putting power in the hands of a single Minister to impose curfews and tagging will do anything to keep people safe, but it will put the rights and freedoms of innocent people at risk. These changes are opposed by the independent reviewer of terrorism legislation, Amnesty and Liberty, and the Liberal Democrats are also opposing these two clauses today. We had tabled amendments to remove them from the Bill and to keep the existing safeguards in place, and we were pleased to transfer our names to other amendments that seek to do the same.

The Liberal Democrats will continue to demand an effective, evidence-based approach to combating terrorism. Let me end by pointing out that this is the eighth counter-terrorism Bill in 10 years. If more legislation was the answer, we might have stopped these kinds of attacks by now.

Stuart Anderson (Wolverhampton South West) (Con): As terrorism evolves, the modus operandi of terrorist groups starts to move. If more legislation has to be brought in at a later time, does the hon. Lady accept that we have to do that to evolve with the terrorist groups and how they operate, and it is about getting that fine balance right?

Daisy Cooper: Yes, of course I accept that there will be occasions when more legislation is needed, but, as the hon. and learned Member for Edinburgh South West (Joanna Cherry) said, her Committee has taken evidence, and there is no compelling evidence as to why these two measures on the burden of evidence and the renewal of TPIM orders are needed.

There must be a much greater focus on effective measures that encourage deradicalisation and rehabilitation, but instead we have in these two clauses the Government preparing for a power grab that could genuinely destroy innocent people's lives, without presenting the public with a single shred of evidence that these measures will do anything to keep people safe or that the existing measures should be changed. That is why we will oppose them.

5.30 pm

Apsana Begum (Poplar and Limehouse) (Lab): I am grateful for the opportunity to speak in this important debate.

It is our duty to reflect, calmly and seriously, on what we need to do to give people real security. This includes having the courage and strength to stand up as a matter of conscience and speak out when we see things around us that are wrong. That is why I must rise to say that the approach laid out in this Bill is fundamentally wrong. Terrorism suspects who have not been convicted of any offence now face expanded and potentially never-ending measures to control their lives. In the words of Rachel Logan, Amnesty International's UK legal expert,

"It was never right to drastically curtail people's liberty on the basis of secret, untested evidence using control orders or TPIMs—and we seem to be diving headlong into that territory where the standard of proof is extremely flimsy and people's liberties can be curtailed on an indefinite basis."

Indeed, there are real problems with the protection of human rights in the UK. In many areas, particularly in the spheres of immigration control, national security, counter-terrorism, freedom of association and speech, and the treatment of persons with disabilities and other vulnerable groups, UK law has been the frequent subject of criticism from experts in the UN Human Rights Committee and from the Council of Europe.

For some time, many have raised concerns that our approach to counter-terrorism is perceived by some to have been modelled on Islamophobic stereotypes, policies and political structures. That is why it is utterly extraordinary that the Bill removes the existing statutory deadline for the completion of the independent review of the Prevent programme. As people will know, Prevent is widely criticised for fostering discrimination against people of Muslim faith or background. It was developed without a firm evidence base and is rooted in a vague and expansive definition of extremism. It includes overt targeting of Muslim children in schools and has meant that our Muslim young people, in particular, are increasingly being viewed through the lens of security. Many, including some in this Chamber, have expressed how they have been moved and inspired by the Black Lives Matter protesters all around the world. It is an absolute insult that rather than listening and learning as people were calling out the state regarding racism, Islamophobia and discrimination, this Bill will further entrench discrimination against Muslims.

As someone who has first-hand experience of the rise in Islamophobia over the past decade, I know that every single day people of Muslim backgrounds like me face discrimination and prejudice. It is not just about enduring offensive remarks and presumptions, bad as those are, but about living with a real and serious constant threat to our faith group. At the same time, far too often, the foreign policy of successive Governments has fuelled, not reduced, the threat to us all. Yet recently we learned

that the UK is to resume sales of arms to Saudi Arabia despite concerns that they could be used against civilians in Yemen in violation of international humanitarian law. That is why my constituents in Poplar and Limehouse know better than most that we must never again embark on illegal wars, imperialism and destruction but instead adopt a progressive, outward-looking global view driven by social justice, solidarity and human rights. The so-called war on terror has manifestly failed, despite the human cost being so devastating.

As has been pointed out by many, the covid-19 global pandemic has profoundly demonstrated that compassion becomes the tie that connects us to one another. Now, more than ever, we must come together and resist those who seek to divide us through violence, intolerance and hate. We cannot let this threat of terrorism take away our hard-fought-for rights and freedoms. We should not let our fundamental values be undermined. Our values are about caring for the whole of society and all our people, not walking by on the other side of the street when they need our help and support, and loving our communities enough to make this a place where nobody is homeless, hungry, held back or left behind. On the international stage, we must stand up for the values we share—justice, human rights and democracy—and work with others to keep people safe by ending conflict and tackling the climate emergency.

I am humbled and inspired by how people continue to organise to protect our communities, and I want to take this opportunity to recognise the enormous contribution that Muslims across Britain make to our country, our communities and our way of life, from which the values of respect and understanding derive. Those values resonate with everyone as we strive to build a better society for us all. In the end, it is only that hope that can lead us out of despair.

Zarah Sultana (Coventry South) (Lab): I rise to speak about issues relating to amendments 37, 38, 40 and 46. I was seven years old on 11 September 2011, and that awful day passed a long shadow over my childhood. As a young Muslim, I saw the effects of the war on terror at home and abroad. At home, it meant rising Islamophobia, the steady erosion of civil rights, and the installation of cameras on streets near my childhood home. We were told that they were for traffic control, but we soon learned that that was not true. It was an area with a significant Muslim community, and we were being watched. As I got older, I became far too familiar with that. My community were seen not as citizens worthy of equality and respect, but as a threat viewed with hostility and suspicion.

At school and university, I encountered the effects of Prevent. It was said that it was targeting radicalisation, but when it resulted in Muslim university students being reported for reading terrorism-related textbooks as part of their degree, we knew that its effect was to target Muslims and erode the civil liberties of all. If we are worried about free speech on campuses, we need to look at the Prevent strategy.

In the past few years, terrorist atrocities have continued to rock communities across the world, from horrific antisemitic and white supremacist attacks, like that which hit the Pittsburgh synagogue in 2018 and the Christchurch mosque massacre in New Zealand last year, to the far-right extremist who assassinated a Member

of this House in 2016 and the devastating attack that cruelly took 23 lives in Manchester in 2017. Everything must be done to combat such awful acts and keep our community safe. We must respect individual liberty and tackle the hate and fear that drives such horrific acts.

I have real concerns that the Bill falls short of those standards. First, it introduces control orders in all but name, which threaten all our civil liberties. Secondly, it removes the statutory deadline to review Prevent. Thirdly, it abandons any attempt to rehabilitate and reform, and instead keeps individuals trapped in a permanent web of surveillance and prisons.

On the first point, concerns and objections to changes to terrorism prevention and investigation measures have been raised by independent reviewers, including the independent reviewer of terrorism legislation, and civil rights groups such as Liberty and Amnesty International. Liberty says that the change

“reintroduces Control Orders in all but name”.

Control orders have allowed people to be placed under indefinite house arrest, without ever having been convicted of a crime or even having known the evidence against them. The coalition Government rightly abolished them, but this Bill effectively brings them back. Liberty says that the changes pose

“a threat to fundamental pillars of our justice system.”

That should be a concern to us all, so I encourage Government Members to support amendments 37, 40, 46 and 47.

On the second point, the Bill removes the statutory deadline for an independent review of the Prevent programme. To say that the programme needs an independent review is a serious understatement. Again, human rights organisations have consistently raised concerns about it. In 2018, Amnesty International said that it was developed

“without a firm evidence base and rooted in a vague and expansive definition of ‘extremism’”.

Countless examples can be found of the programme’s discriminatory impact on Muslims. In addition to the ones I have already mentioned, I want to include that of an eight-year-old boy who was questioned by Prevent officials after his teacher mistook the writing on his T-shirt, as well as the labelling of countless Muslim individuals, charities and mosques as extreme by the Government. The flaws of the programme have reached such heights that the likes of Greenpeace, the Campaign for Nuclear Disarmament and Extinction Rebellion were put on Prevent documents alongside proscribed neo-Nazi terror groups. The case for a statutory review of Prevent is clear, so I again urge Conservative Members to support amendments such as amendments 38 and 51.

On the final point, this Bill omits any effort to improve rehabilitation, which is an absolutely key measure to keeping our communities safe and preventing future attacks. Endlessly locking people up and interning them in underfunded, overcrowded, privately-run prisons is no way to protect the public. Instead, it is simply a recipe for creating more problems down the line.

I cannot support the approach of this Bill. We need to tackle terrorism, and we need to do that through prevention, but also by tackling the fear and hate upon which it thrives by bringing communities together and by never letting us be divided on the grounds of race and religion.

Chris Philp: I thank the Members who have contributed to a very thought-provoking debate this afternoon. I would like to reply, if I may, to some of the points that have been raised. I will start with the first question raised by the shadow Minister, the hon. Member for St Helens North (Conor McGinn), about a lone actor review—new clause 8. I know he has had what I hope was a lengthy and fruitful conversation with the Minister for Security earlier today. He will of course be aware that the Prevent review we have been talking about touches on this, but the MAPPA review will also significantly engage with this topic.

I have been endeavouring to obtain a firm date for publication during the last few minutes. I am afraid the best I can do from this Dispatch Box at the moment is to say that it will be soon—as soon as practical. I hope it will be within the timeframe the hon. Gentleman was asking for, but I am afraid I cannot give him a precise date. However, it is imminent, and we will do it as soon as we possibly can. I believe the MAPPA review will cover many of the issues that the shadow Minister has been raising in relation to the lone actor threat that he and his colleagues have been discussing.

Let me turn to the substantive questions about TPIMs that arose both this afternoon and in Committee. Let me start with what the hon. and learned Member for Edinburgh South West (Joanna Cherry) termed the business case or the operational case: why are we proposing to lower the burden of proof? The hon. Members for St Helens North and for St Albans (Daisy Cooper) and my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) raised the same question.

The best answer I can give the House to that question—what is the business case for changing the burden of proof?—is the evidence given to the Bill Committee by Assistant Chief Constable Tim Jacques, one of the national counter-terrorism policing leads, who had been briefed by the security services prior to giving his evidence. In his evidence, which is available in *Hansard*, he gave us three reasons why a lower burden of proof—a reasonable suspicion—would be better and would protect the public. The first reason he gave is that, where an individual's risk profile is rapidly increasing, there may not be time to establish the higher burden of proof before a threat or a risk materialises. Secondly, he said that where somebody is returning from abroad—for example, from Syria—it is very hard to establish an evidential base that, on the balance of probability, someone has been involved in terror-related activity because, by definition, getting evidence from somewhere like Syria it is very hard, if not impossible. The third reason he gave was where sensitive material needs to be relied on: disclosing that material to get to the balance of probability would potentially endanger sources—confidential sources—and it is clearly easier to get to the reasonable suspicion standard without disclosing the material. Those are the three reasons he gave. *[Interruption.]*

To pre-empt the intervention that I sense the hon. and learned Member for Edinburgh South West is brewing, I accept that it is true historically—looking back—that there has not been an occasion on which the security services wanted to give a TPIM but could not do so because of the burden of proof. There is no such historical example, and I freely concede the point. I suspect that was the topic of the intervention. *[Interruption.]* Sort of. However, as my hon. Friend the Member for

Hertford and Stortford (Julie Marson) said in an intervention, we have to deal in this House not just with what has happened in the past but with what might happen in the future.

We have been clearly advised by Assistant Chief Constable Jacques, and through him by the security services, that this measure is necessary to protect the public. When the assistant chief constable gave evidence on 25 June, I asked him explicitly whether the lower standard of proof would make the public safer. He answered, categorically, that yes it would.

5.45 pm

Joanna Cherry: The Minister anticipates my objection, so perhaps I can refer him to what the assistant chief constable said in response to me during the evidence session on 25 June. I asked:

“So where there is a rapidly escalating situation or where there is a need to manage sensitive material, we already have available to us the option of a new variant TPIM without changing the standard of proof.”

and he replied:

“Well, a TPIM is a TPIM. We have the option of a TPIM to manage that case, yes, as it currently stands. MI5 has pointed out that there is no case thus far where the standard of proof has been a blocker.”—*[Official Report, Counter-Terrorism and Sentencing Public Bill Committee, 25 June 2020; c. 23, Q58.]*

Chris Philp: As I said, I accept that. There have not been any historical cases where the standard of proof has been a blocker, but we have been categorically advised by the security services, speaking through Assistant Chief Constable Jacques, that it might occur, and that these proposals will make the public safer. He said that categorically, and I do not think that the House could, or should, disregard such clear advice. In relation to Jonathan Hall's comments, I suspect that he may not have heard the evidence that I read out. He gave evidence to the Committee immediately before Assistant Chief Constable Jacques. His evidence was new to the House and to Parliament, and we did not have it on Second Reading. We do have it now, however, and we should have careful regard to it.

A number of Members raised questions about civil liberties, and not wishing to intrude on an individual's freedom, and I will directly address those points. I will do so with reference to the original Terrorism Prevention and Investigation Measures Act 2011. By lowering the burden of proof, we are changing only one of five limbs. The other four limbs remain exactly as they are, and one of those, laid out in section 3 of that Act, states that the Secretary of State must reasonably consider whether the TPIM is “necessary”—I use that word carefully—for purposes connected with protecting members of the public. Subsection (4), condition D, states that the Secretary of State must consider whether a TPIM is

“necessary, for purposes connected with preventing or restricting the individual's involvement in terrorism-related activity,”

That test of necessity goes far beyond the reasonable suspicion referred to in the first limb. The requirement for necessity is unchanged.

The hon. Member for St Albans said that this measure could be introduced on a Minister's whim, and that a Minister could impose a TPIM with the sweep of a pen. I say to her gently, however, that that is not the case and there are judicial safeguards in the 2011 Act. For example,

section 6 of that Act states that when a TPIM notice is given, the Secretary of State must go to the court and make an application, and the court has to verify or validate that the TPIM is reasonable, and certify that it is not “obviously flawed”. There is judicial certification.

Section 16 of the 2011 Act provides for a right to appeal. If the subject of a TPIM feels that they have been unfairly treated, or that the TPIM is unjustified, they can apply to the court in a process akin to a judicial review, and apply to have it overturned. There are judicial safeguards to protect individuals from unreasonable actions by the Government.

In the many years that TPIMs have been in operation since 2011, and in the six years when control orders were in place from 2005, the numbers used have been small. There were never more than about 15 to 20 control orders in force at any one time, and we heard evidence that as of today only six TPIMs are in force. That is a very small number, as they are used only in exceptional circumstances. When I asked Jonathan Hall whether he believed that any Government, including the previous Labour Government or the more recent Conservative Government, had ever abused the power provided by TPIMs or control orders, he answered that no, he was not aware of any such abuse. I would add that a former independent reviewer of terrorism legislation, Lord Carlile, has expressed support for the measures in this Bill.

Let me turn to the issue of time and how extendable TPIMs are. They currently expire after two years. We propose to make them extendable in one-year increments, as were the old control orders passed by the then Labour Government and indeed supported by some Members in this House this afternoon. We heard evidence from Jonathan Hall that there was risk where a TPIM ended after two years, as there could be a gap. He knew of two real cases where that occurred, with a gap of one year in one case and a gap of 16 months in the other before a new TPIM could be obtained. That is because we have to get fresh evidence; we cannot rely on the old evidence and we have to wait for somebody to do something wrong again to give us the grounds to renew the TPIM. Max Hill, when he was independent reviewer of terrorism legislation in 2017, said that some terrorists were “biding time” waiting for the TPIM to simply time out.

In fairness to the last Labour Government, even though the previous control orders could be extended year by year, in practice most of them were not: 30 of them were for less than two years; eight were for between two and three years; four were for between three and four years; and only three extended for between four and five years. Again, the subject can apply for judicial review if they think the TPIM extension is unfair, so a judicial protection is in place.

I have two quick final points to make. In terms of prosecution, which my hon. Friend the Member for Bromley and Chislehurst asked about, there is a duty under section 10 of the 2011 Act that requires the Secretary of State to seek prosecution where appropriate. On Prevent, let me say that the statutory obligation to carry out the Prevent review remains. There have been some delays, because the independent reviewer had to be replaced and then we had the coronavirus pandemic. Our commitment to do it remains in statute. Obviously, specifying a date caused a problem before, and we do not want to repeat that mistake. We hope and expect that this will be done by August of next year, but we feel that, given the experience of the recent past, putting

that date in the Bill would simply be setting a bear trap. So I hope that I have laid out the case for resisting these amendments.

Conor McGinn: In the brief time available, I wish, first, to thank the Minister for addressing some of the concerns we have raised, not just today on Report, but through a thorough examination of the Bill in Committee. Although Labour Members wholeheartedly support robust action to keep our country and our citizens safe, and to tackle terrorism and its causes, it is the duty of any responsible Opposition to examine fully the Government’s proposals. I feel that we have done that, with the assistance of Scottish National party and Liberal Democrat Members, those from other parties in the House, and colleagues on the Back Benches.

The Minister and the Government should listen carefully to the very personal testimony given by my hon. Friends the Members for Coventry South (Zarah Sultana) and for Poplar and Limehouse (Apsana Begum), and indeed by my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott). Although I might not have agreed with her on every crossed t or dotted i, or even on whole words or sentences on occasion, she does speak with the voice of years of experience in this House and a commitment to these issues. She also, like Members who spoke from these Benches, speaks authoritatively and with great passion on behalf of the constituencies and communities she represents. The Government should listen to them, which was why I made the points I did about the importance of not only getting this Prevent review right but getting on with it, to give the clarity and confidence needed, and to address some of the challenges and controversies associated with it.

I was hoping that we might receive a commitment from the Government to publish their MAPPA—multi-agency public protection arrangements—review before we got to consideration in the House of Lords, because it is important, given the removal of the statutory deadline for Prevent and given that the Opposition have proposed a review on lone actors, to have some timeframe on that. I appreciate and understand that the Minister has made valiant efforts to do that, but I regret that it has not been forthcoming to date. I hope that in considering the request for a review on lone actors, the Government understand that we do so in a constructive spirit.

Chris Philp: The Lord Chancellor has appeared, as if by magic, behind the Speaker’s Chair and has indicated to me by eloquent gesticulation that the MAPPA review will indeed be published before the consideration of the Bill in the other place.

Conor McGinn: I thank the Lord Chancellor and the Minister for that commitment. The robust exchanges we have had have been in the context and spirit of working constructively on a Bill of huge importance, which is concerned with keeping our country and its citizens safe. Our proposals for that review are in keeping with that view. We await to see what the MAPPA review by the independent reviewer of terrorism legislation comes forward with. Colleagues in the other place will no doubt wish to scrutinise that. On that basis, I beg to ask leave to withdraw the clause.

Clause, by leave, withdrawn.

Clause 4SERIOUS TERRORISM SENTENCE FOR ADULTS AGED
UNDER 21: ENGLAND AND WALES

Amendment proposed: 30, page 5, line 35, at end insert—

“(7) The pre-sentence report must —

- (a) take account of the offender’s age;
- (b) consider whether options other than a serious terrorism sentence might be more effective at—
 - (i) reducing the risk of serious harm to members of the public, or
 - (ii) rehabilitating the offender.
- (8) The court must take account of any points made by the pre-sentence report in relation to the matters in subsection (7) and consider whether they constitute exceptional circumstances under subsection (2).”—
(*Alex Cunningham.*)

Question put, That the amendment be made.

5.56 pm

The House divided: Ayes 189, Noes 335.

Division No. 83]**[5.56 pm****AYES**

Abbott, rh Ms Diane	Eagle, Maria
Abrahams, Debbie	Edwards, Jonathan
Ali, Rushanara	Efford, Clive
Ali, Tahir	Elmore, Chris
Allin-Khan, Dr Rosena	Eshalomi, Florence
Amesbury, Mike	Esterson, Bill
Anderson, Fleur	Farry, Stephen
Antoniazzi, Tonia	Fletcher, Colleen
Ashworth, Jonathan	Foxcroft, Vicky
Barker, Paula	Foy, Mary Kelly
Beckett, rh Margaret	Furniss, Gill
Begum, Apsana	Gardiner, Barry
Benn, rh Hilary	Gill, Preet Kaur
Betts, Mr Clive	Glindon, Mary
Blake, Olivia	Green, Kate
Blomfield, Paul	Greenwood, Lilian
Brabin, Tracy	Greenwood, Margaret
Bradshaw, rh Mr Ben	Griffith, Nia
Brennan, Kevin	Gwynne, Andrew
Brown, Ms Lyn	Haigh, Louise
Brown, rh Mr Nicholas	Hamilton, Fabian
Bryant, Chris	Hanna, Claire
Buck, Ms Karen	Hardy, Emma
Burgon, Richard	Harman, rh Ms Harriet
Byrne, Ian	Harris, Carolyn
Cadbury, Ruth	Hayes, Helen
Campbell, rh Sir Alan	Healey, rh John
Carmichael, rh Mr Alistair	Hendrick, Sir Mark
Chamberlain, Wendy	Hill, Mike
Champion, Sarah	Hillier, Meg
Clark, Feryal	Hobhouse, Wera
Cooper, Daisy	Hodge, rh Dame Margaret
Cooper, Rosie	Hodgson, Mrs Sharon
Cooper, rh Yvette	Hollern, Kate
Corbyn, rh Jeremy	Hopkins, Rachel
Coyle, Neil	Howarth, rh Sir George
Creasy, Stella	Huq, Dr Rupa
Cruddas, Jon	Hussain, Imran
Cummins, Judith	Jardine, Christine
Cunningham, Alex	Jarvis, Dan
Daby, Janet	Johnson, Dame Diana
David, Wayne	Jones, Darren
De Cordova, Marsha	Jones, Gerald
Debonnaire, Thangam	Jones, rh Mr Kevan
Dhesi, Mr Tanmanjeet Singh	Jones, Ruth
Dromey, Jack	Jones, Sarah
Duffield, Rosie	Kane, Mike

Keeley, Barbara	Pollard, Luke
Kendall, Liz	Powell, Lucy
Khan, Afzal	Qureshi, Yasmin
Kinnock, Stephen	Rees, Christina
Kyle, Peter	Reeves, Ellie
Lake, Ben	Reeves, Rachel
Lammy, rh Mr David	Reynolds, Jonathan
Lavery, Ian	Ribeiro-Addy, Bell
Lewell-Buck, Mrs Emma	Rimmer, Ms Marie
Lewis, Clive	Rodda, Matt
Lloyd, Tony	Russell-Moyle, Lloyd
Long Bailey, Rebecca	Saville Roberts, rh Liz
Lucas, Caroline	Shah, Naz
Lynch, Holly	Sharma, Mr Virendra
Madders, Justin	Sheerman, Mr Barry
Mahmood, Shabana	Slaughter, Andy
Malhotra, Seema	Smith, Cat
Maskell, Rachael	Smith, Jeff
Matheson, Christian	Smith, Nick
McCarthy, Kerry	Sobel, Alex
McDonagh, Siobhain	Spellar, rh John
McDonald, Andy	Stevens, Jo
McDonnell, rh John	Stone, Jamie
McFadden, rh Mr Pat	Streeting, Wes
McGinn, Conor	Sultana, Zarah
McGovern, Alison	Tami, rh Mark
McMahon, Jim	Tarry, Sam
McMorrin, Anna	Thomas, Gareth
Mearns, Ian	Thomas-Symonds, Nick
Miliband, rh Edward	Thornberry, rh Emily
Mishra, Navendu	Timms, rh Stephen
Morden, Jessica	Turner, Karl
Morgan, Stephen	Twist, Liz
Morris, Grahame	Vaz, rh Valerie
Murray, Ian	Webbe, Claudia
Murray, James	West, Catherine
Nandy, Lisa	Whitehead, Dr Alan
Nichols, Charlotte	Whitley, Mick
Olney, Sarah	Whittome, Nadia
Onwurah, Chi	Williams, Hywel
Oppong-Asare, Abena	Wilson, Munira
Osamor, Kate	Winter, Beth
Osborne, Kate	Yasin, Mohammad
Owatemi, Taiwo	Zeichner, Daniel
Peacock, Stephanie	
Pennycook, Matthew	
Perkins, Mr Toby	
Phillips, Jess	
Phillipson, Bridget	

Tellers for the Ayes:

**Bambos Charalambous and
Matt Western**

NOES

Adams, Nigel	Baldwin, Harriett
Afriyie, Adam	Barclay, rh Steve
Ahmad Khan, Imran	Baron, Mr John
Aiken, Nickie	Baynes, Simon
Aldous, Peter	Bell, Aaron
Allan, Lucy	Benton, Scott
Amess, Sir David	Beresford, Sir Paul
Anderson, Lee	Berry, rh Jake
Anderson, Stuart	Bhatti, Saqib
Andrew, Stuart	Blackman, Bob
Ansell, Caroline	Blunt, Crispin
Argar, Edward	Bone, Mr Peter
Atkins, Victoria	Bowie, Andrew
Bacon, Gareth	Bradley, Ben
Bacon, Mr Richard	Bradley, rh Karen
Badenoch, Kemi	Brady, Sir Graham
Bailey, Shaun	Braverman, rh Suella
Baillie, Siobhan	Brereton, Jack
Baker, Duncan	Bridgen, Andrew
Baker, Mr Steve	Brine, Steve

Bristow, Paul	Ford, Vicky	Knight, Julian	Pursglove, Tom
Britcliffe, Sara	Foster, Kevin	Kruger, Danny	Quin, Jeremy
Brokenshire, rh James	Francois, rh Mr Mark	Kwarteng, rh Kwasi	Quince, Will
Browne, Anthony	Frazer, Lucy	Lamont, John	Randall, Tom
Bruce, Fiona	Freeman, George	Largan, Robert	Redwood, rh John
Buchan, Felicity	Freer, Mike	Latham, Mrs Pauline	Rees-Mogg, rh Mr Jacob
Buckland, rh Robert	Fuller, Richard	Leadsom, rh Andrea	Richards, Nicola
Burghart, Alex	Fysh, Mr Marcus	Levy, Ian	Richardson, Angela
Burns, rh Conor	Gale, rh Sir Roger	Lewer, Andrew	Robinson, Gavin
Butler, Rob	Garnier, Mark	Lewis, rh Brandon	Robinson, Mary
Cairns, rh Alun	Ghani, Ms Nusrat	Lewis, rh Dr Julian	Rosindell, Andrew
Carter, Andy	Gibb, rh Nick	Liddell-Grainger, Mr Ian	Ross, Douglas
Cartlidge, James	Gideon, Jo	Loder, Chris	Rowley, Lee
Cash, Sir William	Gillan, rh Dame Cheryl	Logan, Mark	Russell, Dean
Cates, Miriam	Glen, John	Longhi, Marco	Rutley, David
Caulfield, Maria	Goodwill, rh Mr Robert	Lopez, Julia	Sambrook, Gary
Chalk, Alex	Gove, rh Michael	Lopresti, Jack	Saxby, Selaine
Chishti, Rehman	Graham, Richard	Lord, Mr Jonathan	Scully, Paul
Churchill, Jo	Grant, Mrs Helen	Loughton, Tim	Seely, Bob
Clark, rh Greg	Grayling, rh Chris	Mackinlay, Craig	Selous, Andrew
Clarke, Mr Simon	Green, Chris	Mackrory, Cherylyn	Shannon, Jim
Clarke, Theo	Green, rh Damian	Maclean, Rachel	Shapps, rh Grant
Clarke-Smith, Brendan	Griffith, Andrew	Mak, Alan	Shelbrooke, rh Alec
Clarkson, Chris	Griffiths, Kate	Mangnall, Anthony	Simmonds, David
Cleverly, rh James	Grundy, James	Mann, Scott	Skidmore, rh Chris
Clifton-Brown, Sir Geoffrey	Gullis, Jonathan	Marson, Julie	Smith, Chloe
Coffey, rh Dr Thérèse	Halfon, rh Robert	May, rh Mrs Theresa	Smith, Greg
Colburn, Elliot	Hall, Luke	Mayhew, Jerome	Smith, Henry
Collins, Damian	Hammond, Stephen	Maynard, Paul	Smith, rh Julian
Costa, Alberto	Hands, rh Greg	McCartney, Jason	Smith, Royston
Courts, Robert	Harper, rh Mr Mark	McCartney, Karl	Solloway, Amanda
Coutinho, Claire	Harris, Rebecca	McPartland, Stephen	Spencer, Dr Ben
Cox, rh Mr Geoffrey	Harrison, Trudy	Menzies, Mark	Spencer, rh Mark
Crabb, rh Stephen	Hart, Sally-Ann	Mercer, Johnny	Stafford, Alexander
Crosbie, Virginia	Hart, rh Simon	Merriman, Huw	Stephenson, Andrew
Crouch, Tracey	Hayes, rh Sir John	Metcalfe, Stephen	Stevenson, Jane
Daly, James	Heald, rh Sir Oliver	Millar, Robin	Stevenson, John
Davies, David T. C.	Heapey, James	Miller, rh Mrs Maria	Stewart, Bob
Davies, Gareth	Henderson, Gordon	Milling, rh Amanda	Stewart, Iain
Davies, Dr James	Henry, Darren	Mills, Nigel	Streeter, Sir Gary
Davies, Mims	Higginbotham, Antony	Mitchell, rh Mr Andrew	Stuart, Graham
Davis, rh Mr David	Hinds, rh Damian	Mohindra, Mr Gagan	Sturdy, Julian
Davison, Dehenna	Hoare, Simon	Moore, Damien	Sunderland, James
Dinenage, Caroline	Holden, Mr Richard	Moore, Robbie	Swayne, rh Sir Desmond
Dines, Miss Sarah	Hollinrake, Kevin	Mordaunt, rh Penny	Syms, Sir Robert
Djanogly, Mr Jonathan	Hollobone, Mr Philip	Morris, Anne Marie	Thomas, Derek
Docherty, Leo	Holloway, Adam	Morris, David	Throup, Maggie
Donaldson, rh Sir Jeffrey M.	Holmes, Paul	Morris, James	Timpson, Edward
Donelan, Michelle	Howell, John	Morrissey, Joy	Tolhurst, Kelly
Dorries, Ms Nadine	Howell, Paul	Morton, Wendy	Tomlinson, Justin
Dowden, rh Oliver	Huddleston, Nigel	Mullan, Dr Kieran	Tracey, Craig
Doyle-Price, Jackie	Hudson, Dr Neil	Mumby-Croft, Holly	Trevelyan, rh Anne-Marie
Drax, Richard	Hunt, Jane	Mundell, rh David	Truss, rh Elizabeth
Drummond, Mrs Flick	Hunt, rh Jeremy	Murray, Mrs Sheryll	Tugendhat, Tom
Duddridge, James	Hunt, Tom	Murrison, rh Dr Andrew	Vickers, Martin
Duguid, David	Jack, rh Mr Alister	Neill, Sir Robert	Vickers, Matt
Duncan Smith, rh Sir Iain	Javid, rh Sajid	Nici, Lia	Villiers, rh Theresa
Dunne, rh Philip	Jaywardena, Mr Ranil	Nokes, rh Caroline	Wakeford, Christian
Eastwood, Mark	Jenkin, Sir Bernard	Norman, rh Jesse	Walker, Sir Charles
Edwards, Ruth	Jenkyns, Andrea	O'Brien, Neil	Wallace, rh Mr Ben
Ellis, rh Michael	Jenrick, rh Robert	Offord, Dr Matthew	Wallis, Dr Jamie
Ellwood, rh Mr Tobias	Johnson, Dr Caroline	Opperman, Guy	Warburton, David
Eustice, rh George	Johnston, David	Parish, Neil	Warman, Matt
Evans, Dr Luke	Jones, Andrew	Patel, rh Priti	Watling, Giles
Evennett, rh Sir David	Jones, rh Mr David	Pawsey, Mark	Webb, Suzanne
Everitt, Ben	Jones, Fay	Penning, rh Sir Mike	Whately, Helen
Fabricant, Michael	Jones, Mr Marcus	Penrose, John	Wheeler, Mrs Heather
Farris, Laura	Jupp, Simon	Percy, Andrew	Whittaker, Craig
Fell, Simon	Kawczynski, Daniel	Philp, Chris	Whittingdale, rh Mr John
Fletcher, Katherine	Kearns, Alicia	Pincher, rh Christopher	Wiggin, Bill
Fletcher, Mark	Keegan, Gillian	Poulter, Dr Dan	Wild, James
Fletcher, Nick	Knight, rh Sir Greg	Prentis, Victoria	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
Eddie Hughes

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.

6.14 pm

Proceedings interrupted (Programme Order, 20 March).

The Deputy Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

Clause 6

SERIOUS TERRORISM SENTENCE: SCOTLAND

Amendment made: 6, page 8, line 12, at end insert—

“(ea) the court does not make an order for lifelong restriction.”—(*Robert Buckland.*)

This amendment provides that a court may not impose a new serious terrorism sentence on an offender if it makes an order for lifelong restriction in respect of the offender.

Clause 9

REDUCTION IN APPROPRIATE CUSTODIAL TERM FOR
GUILTY PLEAS: SCOTLAND

Amendment made: 7, page 11, line 38, after “is” insert
“making an order for lifelong restriction to which section 205ZB applies in respect of an offender or”. —(*Robert Buckland.*)

This amendment enables a court making an order for lifelong restriction in a terrorism case to take into account a plea of guilty by the offender when specifying the punishment part and to reduce it so that it is no less than 80% of the term that would otherwise be required.

Clause 12

MINIMUM PUNISHMENT PART FOR SERIOUS TERRORISM
OFFENDERS: SCOTLAND

Amendment made: 8, page 13, line 11, at end insert “,
or

(ii) makes an order for lifelong restriction in respect of the person.”—(*Robert Buckland.*)

This amendment requires the court to specify as the punishment part of an order for lifelong restriction a period of at least 14 years.

Clause 23

TERRORISM SENTENCE WITH FIXED LICENCE PERIOD:
SCOTLAND

Amendments made: 9, page 20, line 8, after “convicted” insert “on indictment”.

This amendment provides that the new terrorism sentence may be imposed only when an offender is convicted on indictment.

Amendment 10, page 20, line 11, at end insert—

“(ai) a sentence of imprisonment for life to which section 205ZB applies,

(bi) a sentence of imprisonment for life to which section 205ZB does not apply but which is imposed for a terrorism offence,

(ci) a sentence of detention for life to which section 205ZB applies,

(di) a sentence of detention for life to which section 205ZB does not apply but which is imposed for a terrorism offence,

(ei) an order for lifelong restriction to which section 205ZB applies,

(fi) an order for lifelong restriction to which section 205ZB does not apply but which is imposed for a terrorism offence.”.

This amendment and Amendments 11 and 12 set out by reference to a list of sentences (arranged in order of seriousness) the circumstances in which a court may impose the new terrorism sentence introduced by clause 23.

Amendment 11, page 20, leave out lines 16 to 19.

This amendment is consequential on Amendment 10.

Amendment 12, page 20, leave out line 21.

This amendment is consequential on Amendment 10.

Amendment 13, page 20, line 45, leave out

“under section 208, the court must impose a sentence” and insert

“, the court must impose a sentence of detention in such place and on such conditions as may be directed under section 208”.

This amendment clarifies that, in the case of a child convicted on indictment, the place of detention will be determined under section 208 of the Criminal Procedure (Scotland) Act 1995, as will any conditions.

Amendment 14, page 21, leave out lines 5 to 13.

This amendment is consequential on Amendment 9.

Amendment 15, page 21, line 15, leave out

“or, as the case may be, the order”.

This amendment is consequential on Amendment 9.

Amendment 16, page 21, leave out lines 21 and 22.—(*Robert Buckland.*)

This amendment is consequential on Amendment 9.

Clause 41

TPIMS: POLYGRAPH MEASURE

Amendment made: 17, page 38, line 2, at end insert—

“(2) In section 17 of that Act (jurisdiction in relation to decisions under the Act), in subsection (3), after paragraph (c) insert—

“(ca) a decision by a polygraph operator to give an instruction by virtue of paragraph 10ZA(1)(c) of Schedule 1 (polygraph measure);” —(*Robert Buckland.*)

This provides that instructions from polygraph operators to subjects of TPIM notices, like decisions of the Secretary of State under the Terrorism Prevention and Investigation Measures Act 2011, are “TPIM decisions” and so cannot be questioned in legal proceedings other than in the high court (or, in Scotland, the Outer House of the Court of Session).

Clause 42

TPIMS: DRUG TESTING MEASURE

Amendments made: 18, page 38, line 40, at end insert—

“(3A) Regulations under sub-paragraph (2) may make—

(a) different provision for different purposes or different areas;

(b) incidental, supplemental, consequential, saving or transitional provision.”

This ensures that regulations prescribing authorised persons and testing places for the purposes of the new drug testing measure in TPIM notices can make different provision for different purposes or areas (and ancillary provision).

Amendment 19, page 38, line 43, at end insert—

“(2) In section 17 of that Act (jurisdiction in relation to decisions under the Act), in subsection (3), after paragraph (ca) (inserted by section 41) insert—

“(cb) a decision by an authorised person to give a direction by virtue of paragraph 10ZB(1)(b) of Schedule 1 (drug testing measure);” —(*Robert Buckland.*)

This provides that directions given by persons authorised to take samples for drug-testing purposes from subjects of TPIM notices, like decisions of the Secretary of State under the Terrorism Prevention and Investigation Measures Act 2011, are “TPIM decisions” and so cannot be questioned in legal proceedings other than in the high court (or, in Scotland, the Outer House of the Court of Session).

Clause 52

COMMENCEMENT

Amendments made: 20, page 42, line 31, leave out sub-paragraph (iv) and insert—

“(iv) paragraphs 45 and 46;”.

This amendment corrects a drafting error and provides for the amendments made by paragraph 46 of Schedule 13 to come into force at the same time as clause 23 of the Bill (to which it relates).

Amendment 21, page 42, line 32, at end insert—

“(va) paragraph 48 other than sub-paragraph (5);”.

This amendment corrects a drafting error and provides for those amendments made by paragraph 48 of Schedule 13 that relate to clause 23 of the Bill to come into force at the same time as that clause.

Amendment 22, page 43, line 17, leave out “46, 47(4)(a) and 48” and insert “47(4)(a) and 48(5)”. —(*Robert Buckland.*)

This amendment is consequential on Amendments 20 and 21.

Schedule 13

CONSEQUENTIAL AND RELATED AMENDMENTS

Amendments made: 23, page 115, line 24, at end insert—

“*Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I. 1978/1908 (N.I. 27))*

33A In Article 6 of the Rehabilitation of Offenders (Northern Ireland) Order 1978 (rehabilitation periods for particular sentences), in each of the following places, after ‘209’ insert ‘or 224B’—

- (a) paragraph (1)(e);
- (b) in paragraph (2), in Table B, in the first column, the fourth and fifth entries;
- (c) paragraph (9)(c).”

This amendment provides for the service sentence introduced by paragraph 9 of Schedule 8 to have the same rehabilitation period in Northern Ireland as other forms of youth detention.

Amendment 24, page 123, line 45, at end insert—

“(4A) In section 2B(1) (punishment part for life prisoners: assessment under section 2A(1)(a) and (b)), at the beginning insert ‘Subject to section 205ZB(2) of the 1995 Act.’”

This amendment provides that the court’s assessment under sections 2A and 2B of the Prisoners and Criminal Proceedings (Scotland) Act 1993 of the appropriate length of the punishment part of a sentence for a life prisoner is subject to the overriding requirement in new section 205ZB(2) (see clause 12) that it should be at least 14 years.

Amendment 25, page 123, line 49, at end insert—

“(5A) In section 6(1) (application of Act to young offenders and to children detained without limit of time), for paragraph (a) substitute—

‘(a) to—

- (i) persons on whom detention in a young offenders institution has been imposed under section 205ZA(6) of the 1995 Act,
- (ii) persons on whom detention in a young offenders institution has been imposed under section 205ZC(4) of that Act, and
- (iii) persons on whom detention in a young offenders institution (other than detention without limit of time or for life) has been imposed under section 207(2) of that Act,

as the Part applies to persons serving equivalent sentences of imprisonment;’.”

This amendment makes consequential amendments of section 6 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 to ensure that Part 1 of that Act applies in relation to persons sentenced to detention in a young offenders institution under the new terrorism sentences introduced by clauses 6 and 23.

Amendment 26, page 123, line 49, at end insert—

“(5B) In section 7 (children detained in solemn proceedings)—

- (a) in subsection (5)(a)—
 - (i) for ‘and 20(2)’ substitute ‘, 20(2) and 26ZA’;
 - (ii) for ‘detained under section 208 of the 1995’ substitute ‘on whom detention has been imposed under section 205ZC(5) of the 1995 Act and children detained under section 208 of that’;
 - (iii) at the end (but before the final ‘and’) insert ‘(but subject to the modifications of section 26ZA in subsection (5A))’;
- (b) after subsection (5) insert—

‘(5A) The modifications are that section 26ZA is to be read as if—

 - (a) subsection (9) were omitted, and
 - (b) subsection (10)(a) related to section 1A(1)(c) only;’
- (c) in subsection (8)—
 - (i) for ‘subsection (5)’ substitute ‘subsections (3) to (5) and (7)’;
 - (ii) after ‘applies’ insert ‘(but subject to the modifications of subsection (3) in subsection (9))’;
- (d) after subsection (8) insert—

‘(9) The modifications are that subsection (3) applies in relation to a person to whom section 1AB applies as if—

- (a) for the words “under subsection (1) or (2) above” there were substituted the words “under section 1AB”,
- (b) for the words “entire period specified in the sentences elapses” there were substituted “sentence under section 205ZC(5) as originally imposed by the court would expire”, and
- (c) for the words “period so elapses” there were substituted “sentence so expires”.”

This amendment makes consequential amendments of section 7 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 in relation to children on whom the new terrorism sentence introduced by clause 23 is imposed.

Amendment 27, page 124, leave out lines 13 and 14.

This amendment is consequential on Amendment 9.

Amendment 28, page 124, line 41, at end insert—

“*Sexual Offences Act 2003 (c. 42)*

51A In section 131 of the Sexual Offences Act 2003 (application of notification requirements and orders to young offenders), in paragraph (h), before ‘208’ insert ‘205ZC(5) or.’”

This amendment provides that the new sentence introduced by clause 23 can attract sexual offender notification requirements when imposed on a child.

Amendment 29, page 125, line 7, at end insert—

“*Counter-Terrorism Act 2008 (c. 28)*

52A In section 45(2) of the Counter-Terrorism Act 2008 (Scottish sentences attracting notification requirements), in paragraph (a), at the end of subparagraph (iv) (but before the final ‘or’) insert—

‘(iva) detention under section 205ZC(5) of that Act.’”
—(*Robert Buckland.*)

This amendment provides that the new sentence introduced by clause 23 can attract terrorist offender notification requirements when imposed on a child.

Third Reading.

6.15 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.

May I take this opportunity to thank hon. and right hon. Members from across the House for their careful scrutiny of the Bill thus far? I am very grateful to everyone who contributed to the debate on Second Reading, in Committee and today on Report. I would especially like to thank my hon. Friend the Member for Hertford and Stortford (Julie Marson), whose impassioned speech regarding her friend Louise, who was caught up in the horrors of the 7/7 bombings 15 years ago this month, reminded us of the importance of the work we are doing here. I am particularly grateful for the co-operative and constructive spirit in which these debates have taken place, and for the broad support received for the Bill so far. That, I think, is testament to the fact that Members recognise overall the intent and purpose of the legislation, which are to protect the public and to keep our country safe. Those are the first and foremost duties of any Government.

There have been some differing opinions on certain measures in the Bill. They have enriched the debate and deepened our understanding of not just the intention behind the measures, but current practice. We have heard questions about the changes we are making to terrorism prevention and investigation measure notices—or TPIMs, as we know them. Let me say to the House that prosecution, or deportation in the case of foreign nationals, will always be our preference for dealing with terrorists, but there will continue to be a small number of cases where, despite the best efforts of the police and security services, that will not be possible. In those circumstances, TPIMs remain a vital risk management tool. A lower standard of proof will allow for TPIMs to be considered for use in a wider variety of cases and will better protect the covert sources and methods that are vital to the investigation of terrorist threat.

The Home Secretary considers very carefully the intelligence held by our security services, as well as consulting the police on the case for prosecution, before deciding whether a TPIM is necessary and proportionate. The Government have no desire to keep individuals on a TPIM any longer than is necessary and proportionate to protect the public. Removing the two-year time limit for a TPIM ensures that where subjects pose an enduring risk, we will be better placed to restrict and prevent their involvement in terrorism-related activity for as long as is necessary.

Further safeguards will remain in place. The courts will be able to consider permission hearings on whether the decision to impose a TPIM was obviously flawed and prevent the Home Secretary from doing so where that is the case. Subjects will continue to have a right to

appeal any decision to extend the TPIM or vary any of its measures. The quarterly TPIM review group meetings will continue to provide regular oversight of every TPIM, including reviewing its ongoing necessity, whether prosecution is a possibility, and, indeed, the exit strategy for the subject of the measure.

Some concerns have been expressed about the removal of the statutory deadline for completing the independent review of Prevent. I must emphasise that the commitment to completing that important review continues and will remain in statute. We want the review into our strategy for safeguarding those vulnerable to being drawn into terrorism to be completed as soon as possible, but we also wanted to run a full and open competition to appoint a new reviewer and to attract as broad a range of applicants as possible. Designing and running that process takes time, and I want to ensure that the new reviewer has an opportunity to decide how best to run the next phase of the review and has enough time to analyse the evidence, develop robust recommendations and, critically, can engage as openly, fully and widely as possible with communities, civil society and others. That will all take time if it is to be done properly, and we cannot fully predict whether events might have a further impact on the timings of that review, particularly in the context of the ongoing covid-19 pandemic, which, frankly, could present further practical challenges to how it could be conducted over the coming months. We should therefore avoid the risk of removing the reviewer’s ability to respond to and mitigate those events both foreseeable and unforeseeable.

For those reasons, while I fully understand the desire to put a new deadline in the Bill, there would, in my judgment, be a significant risk in doing so. It could have the unintended consequence of reducing the impact of this vital review, which I know Members across the House do not wish to do. We should not confuse our desire to give the reviewer the flexibility and time they will need with any question about a lack of commitment to it. I say again to the House that we want it to be completed along with a Government response as quickly as possible, and certainly no later than August of next year.

There has been much debate and discussion about the Bill’s provisions relating to polygraph testing, and I recall a lot of interest in the media when we announced the Bill and its details. I would like to be clear about what these measures seek to achieve and what they do not do. First, on their efficacy, the Committee heard compelling and detailed evidence from Professor Grubin, a leading expert in this field, who has attested to their reliability and their value. They are well established in this country already, having been used thousands of times on sex offenders, and they have been independently evaluated. Secondly, on their purpose, they are an additional risk management tool that can allow probation officers to test compliance with other licence conditions. They are not there to catch offenders out, and the results will most certainly not be used in criminal proceedings against the offender. We have already shown our intention to introduce polygraph testing elsewhere for use with domestic abusers, so we are not taking a novel approach for terrorist offenders. It is another way in which we can help to protect the public.

Finally on this issue, we recognise that they are currently used only in England and Wales, which is why the polygraph provisions relating to terrorist offenders

on licence will not come into effect automatically. We will continue to work with Ministers in the Scottish Government and the Northern Ireland Executive to provide advice and support to put the necessary infrastructure in place before polygraph testing can be conducted there. I am grateful for the continued co-operation of those devolved Administrations. I recognise the complexity and sensitivities of legislating across three jurisdictions' sentencing frameworks. Right hon. and hon. Members have indeed reminded us of the need to tread carefully, and we do so. I would like to give reassurance that the Government are committed to ensuring that the measures in the Bill can work effectively throughout our United Kingdom, but I do not apologise for the determination, because we have to ensure our citizens are safe from terrorist offending whether committed in England, Wales, Scotland or Northern Ireland

I will pause at this moment to thank all those members of the Bill team who have worked so hard to bring the Bill to this stage. Most notably, I am profoundly grateful to my hon. Friend the Member for Croydon South (Chris Philp) for his stewardship both on Report and in Committee. Indeed I thank all the team both in the Ministry of Justice and the Home Office—some of whom are in the Box today—for working collaboratively together. They have served Ministers and indeed the House diligently when it comes to the need to marshal all the clauses in a way that could withstand the most appropriate and thorough scrutiny. I am grateful to them, and I am happy to put it put that on the record here rather than via a point of order, which I think I did on a previous occasion when you were in the Chair, Madam Deputy Speaker. I am grateful for that, too.

The United Kingdom has one of the strongest counter-terrorism systems in the world, but we continue to face a terrorist threat in this country that is complex, and that is diverse and rapidly changing. The House has rightly noted the growing threat that we face from right-wing extremists. Since 2017 we have foiled 25 terrorist plots, including eight plots planned by right-wing extremists, but we are not complacent. We have already established a joint extremism unit to strengthen the partnership of work across the Ministry of Justice and the Home Office. Of course, there is much more to do, and there will regrettably always be unfinished business.

We are on track to recruit an additional 20,000 police officers to boost frontline capability. That is why we have increased the budget for counter-terrorism policing by £90 million this year, compared with last, taking the overall CT police funding to over £900 million, and we are developing an ambitious programme to strengthen joint working between our police and our security services, which will leave terrorists with no place to hide.

As I have said on many occasions and will continue to say, public protection is our first duty. The comprehensive package of measures introduced in the Bill, on top of the investment that we are making and the programme we are putting in place, demonstrates, I firmly believe, our deep and enduring commitment to that duty.

6.26 pm

Mr David Lammy (Tottenham) (Lab): This is an important Bill, which will have a significant impact on many aspects of the criminal justice system for many years to come. I wish to thank colleagues who contributed to the robust debates that we have had in Committee

and on Report. In particular, I thank my colleague, my hon. Friend the Member for Stockton North (Alex Cunningham), who has made characteristically thoughtful contributions throughout the Bill's passage. I thank also my colleague, my hon. Friend the Member for St Helens North (Conor McGinn), for his characteristic robust approach, and the Under-Secretary of State for the Home Department, the hon. Member for Torbay (Kevin Foster), who has been a pleasure to work with for the first time on the Front Bench. I also thank the hon. and learned Member for Edinburgh South West (Joanna Cherry) for the joint working that we were able to do in opposition.

As I said on Second Reading, the Opposition fully accept that those who have committed serious terrorist offences should serve a sentence that fully represents the gravity of their actions. First and foremost, our approach has been an overarching commitment to keep the British public safe and to ensure that horrific terrorist attacks such as the ones at Fishmongers' Hall and Streatham cannot be repeated. The Opposition also accept that when those who have committed the most serious terrorist offences are released, it is only right that, even if they are really sorry, they are subject to stringent licensing conditions that would allow their close supervision in the community.

We accept that the broad thrust of the Bill is necessary and proportionate. It would be a mistake to say, though, that the Bill is flawless, or that its provisions on their own can protect the public from the ever-present threat of radicalisation and serious terrorist atrocities. One of the greatest concerns that we have had, as an Opposition, since the emergence of the Bill is that the balance between the importance of punishment and the necessity to rehabilitate offenders has not been quite struck. At this stage, it is important to make one point perfectly clear: even offenders convicted of the most serious terrorist offences, those who are subject to extended sentences under the Bill, will at some point be released back into society. That is the reality that, wherever we sit in this House, we must accept. Although, as I have already pointed out, it is only right that the most serious terrorists serve extended sentences of up to 14 years, the Opposition also believe that we have a moral duty to ensure that offenders leave prison less dangerous and less willing to harm the fabric of our society than when they went in.

Failing to believe and invest in deradicalisation strategies not only fails society but actively puts members of society at increased risk. Although it is sadly true that most serious terrorist offenders will prove to be either unwilling or unable to reform, it is our duty to believe in hope over despair. It is simply not good enough to lock terrorists away for longer, put them out of our minds and hope for the best. As we have seen from the devastating attacks at Streatham and Fishmongers' Hall, this approach does not work.

The Government cannot simply give up on rehabilitation, nor the ability of former offenders to reform, which is why it is so disappointing that so little in the Bill will do anything to strip terrorists of their hateful ideologies or to encourage them to rejoin society as reformed individuals. It is abundantly clear that we need a serious and comprehensive strategy on deradicalisation in prison, and the Opposition will hold the Government to account on that in the months and years to come.

[*Mr David Lammy*]

That brings me to another issue that the Opposition have sought to recognise during the passage of the Bill: the importance of probation. We cannot begin to tackle terrorism without first recognising the important role played by the probation services. It is worth remembering that the role of probation is not just to monitor risk but to provide support to those who have been released from prison so that they are less likely to reoffend and can play an active role in society.

The provisions of this important Bill will mean that more people will serve longer behind bars, followed by hugely increased licence periods in the community. With that in mind, it is more important than ever for our probation services to be fully functioning and effective, yet we know that our probation services are already hopelessly overstretched and overworked.

In particular, Labour is concerned that the provisions of the Bill will place a huge burden on specialised probation officers, who are already very thin on the ground and hold very high terror-related case loads. Research shows us that more time spent with offenders is essential to the carrying out of proper risk assessments, but that simply will not be possible with vastly increased workloads. The Government cannot simply increase the responsibilities placed on probation officers, increase their workload and consider the matter closed. It is vital that probation officers are given the resources that they need to do their job; the safety of the public depends on it. The Opposition will hold the Government to account if they fail to meet their obligations to the probation services.

Another concern that was stressed throughout Committee and on Report is the importance of recognising the difference between young offenders and adult offenders. Young offenders and adult offenders are inherently different: they think differently and make decisions in different ways but, most importantly, young offenders are much more capable of reform than older adults. As Jonathan Hall QC, the independent reviewer of terrorism legislation, rightly pointed out during his analysis of the Bill:

“The requirement of a minimum mandatory sentence for all adult offenders, however young,”

raises the question of

“an adult of 18 years and one month”

being

“any more mature than a child of 17 years and 11 months”.

The Opposition recognise that there are significant differences between adults over 21, those who are between 19 and 21, and those who are under 18. Members of each of those groups are at very different stages of their lives, and reviews, including my own, have recognised the need for different criminal justice approaches to different age groups. In order properly to reflect the difference between young offenders and adult offenders, the Opposition tabled an amendment that would require a pre-sentence report to be carried out that would take into consideration the age of the offender and whether options other than a serious terrorist offence might be more effective. It is a shame that the Government did not accept that amendment, but I hope that the Secretary of State will consider the Opposition’s concerns in the months and years ahead.

Let me finish where I started on Second Reading, first in paying tribute to a dear friend, James Adams, who was killed in the 7/7 bombings, but also in paying

tribute to Jack Merritt and Saskia Jones, who lost their lives in the attack on Fishmongers’ Hall. Both Jack and Saskia believed passionately that there can be a glimmer of light in even the darkest and most hardened of hearts. We on the Labour Benches share that optimism. Although it is only right that those who have committed the most heinous of crimes are subjected to extended sentences, we cannot give up hope of rehabilitation. If even the smallest chance of redemption exists, we owe it to the victims of Fishmongers’ Hall to try.

Throughout the passage of this Bill, the Opposition have sought to work constructively with the Government to ensure that the courts have the powers they need to meet the continual threat of terrorism and keep terrorists off the streets, and I assure the Secretary of State that I will continue to work constructively with him over the months and years ahead. This Bill goes some way to doing that, and therefore we will support it on Third Reading.

6.36 pm

Sir Robert Neill: This is a very important Bill. The Lord Chancellor and his ministerial team are to be congratulated on delivering it. It is the second major piece of legislation that the Lord Chancellor’s Department has delivered in very different fields, if we take into account the divorce reform Bill. It deals with the most profound matter. Many of my constituents commute daily to London—or they would, under normal circumstances—and the real threat and risk of terrorism there and in our great cities is a daily matter for them. Getting this right is vital for my constituents and for the country as a whole.

That requires a balance—a balance between security, and just and due process and the liberty of the individual. I do not doubt that it was the Lord Chancellor’s overriding intention to get that right. I believe he has succeeded. There are one or two areas, which I have referred to, where perhaps we will want to see how it works in practice, but we ought to give the Bill a fair wind.

I know that the Lord Chancellor will take on board the observations of the shadow Lord Chancellor and the Justice Committee about the importance of the work done by the probation service and the Prison Service in these areas and ensure that they are not only properly supported but resourced. In particular, we must ensure not only that offenders are, where necessary, properly contained in prison and then, where possible, rehabilitated afterwards, but that those who cannot be rehabilitated are not able to corrupt and suck into their web other, more vulnerable prisoners. Giving the Prison Service resource to do that is also an important part of protection. I support the Bill.

6.37 pm

Joanna Cherry: I will not speak for long, because I have already spoken at length this afternoon about issues of concern to the Scottish National party and the Joint Committee on Human Rights.

I commend the Under-Secretary of State for Justice, the hon. Member for Croydon South (Chris Philp), on his hard work to pilot the Bill through its stages so far, and on having an open-door policy to my concerns and those of my hon. Friend the Member for East Lothian (Kenny MacAskill) about matters pertaining to sentencing in Scotland.

I also thank the hon. Members for Stockton North (Alex Cunningham) and for St Helens North (Conor McGinn); I enjoyed working with them on the Bill Committee, and it is always my pleasure to work with the hon. Member for Torfaen (Nick Thomas-Symonds) and the right hon. Member for Tottenham (Mr Lammy). We have a good working relationship, and I would like that to continue on other Bills as this Parliament goes on.

As I said earlier, terrorism is clearly reserved. The position of the Scottish National party is clear: we want to work hard with the UK Government to make sure that all communities in these islands are protected from the horrendous consequences of terrorism, but sentencing is devolved, and it is important that that is respected. I am grateful to Ministers for taking on board the concerns that I and my hon. Friend the Member for East Lothian raised about the order for lifelong restriction, and for bringing forward amendments to deal with those concerns. I am also grateful that there are ongoing discussions about the rather more difficult issue of polygraphs. In Scotland, we do not use them at present. My friend and colleague Humza Yousaf, the Justice Secretary, is in correspondence about that matter.

I add my own plea that we do not forget about the importance of rehabilitation and deradicalisation. There is not really anything about those things in the Bill. As I said earlier this afternoon, it is particularly important, when looking at children and younger offenders, that we devote thought and time to deradicalisation.

I have already made clear the Scottish National party's concerns about the lack of a clear operational case for the changes being made in relation to TPIMs, and I suspect there will be more debate about that in the other place. That is not just the view of the SNP; the concern is shared by the Joint Committee on Human Rights and the independent reviewer of terrorism legislation. I will leave it at that for now, but we will no doubt be revisiting matters if any amendments come back from the Lords.

6.41 pm

Rob Butler (Aylesbury) (Con): I rise only briefly to state my strong support for the Bill. I should declare that prior to my election, I was the magistrate member of the Sentencing Council and a non-executive director of Her Majesty's Prison and Probation Service. Accordingly, I was honoured to be a member of the Public Bill Committee for this legislation.

As we have heard several times during the debates on the Bill, the overarching responsibility of any Government is to keep their citizens safe, and one of the five set out purposes of sentencing is to protect the public, and that is rightly the priority of the Bill. Terrorist attacks cause carnage, murdering indiscriminately and injuring wantonly. The Bill sends a very powerful message to those who seek to bring terror to the lives of innocent people. It demonstrates the contempt in which we hold those who seek to kill and maim to further their warped ideologies. A minimum sentence of 14 years to be spent entirely in custody is a clear signal that if someone commits a serious offence linked to terrorism, they can expect to spend a hefty proportion of their life locked up, and rightly so.

I, too, am a firm believer in rehabilitation, and the Prison Service has worked incredibly hard to devise and implement deradicalisation programmes, but I think

most people would acknowledge that there is considerable scope for further improvement. Several times during the Committee's evidence sessions, we were told that the reoffending rate of terrorists is low—perhaps just 3%—somehow implying that we therefore do not need such lengthy sentences as proposed in the Bill, but that surely misses the point. Even one terrorist reoffending is one too many, because even one terrorist attack can kill hundreds of people. In cases of terrorism, we cannot take risks.

The Bill also sends a strong message to the public that this Government are absolutely committed to protecting lives and minimising the chance of terrorist attacks taking place. The changes to TPIMs reflect the needs of the Security Service to have every tool to keep us safe. When Assistant Chief Constable Tim Jacques, the deputy senior national co-ordinator in the UK's counter-terrorism policing, gave evidence to the Public Bill Committee, he stated:

“Protecting the public is our No. 1 priority and sometimes that means we have to intervene regardless of evidence, because the risks to the public are so great.”—[*Official Report, Counter-Terrorism and Sentencing Public Bill Committee*, 25 June 2020; c. 26, Q69.]

Our priority must be to support our Security Service and police in the heroic work they do day in, day out, often at considerable danger to themselves in their constant quest to thwart would-be terrorists from wreaking their havoc. We owe it to them to give them what they need to keep us safe.

Finally, it is vitally important that the courts take immediate note if and when the Bill is passed. I hope that sentencing guidelines can be introduced quickly to reflect the clear will of all sides of Parliament to ensure that dangerous terrorist offenders spend more time in prison.

Robert Buckland: On that point, my hon. Friend will be assured to know that the Sentencing Council is putting work in train in any event to revise the terrorism guidelines and this Bill, should it become law, will no doubt form part of its work.

Rob Butler: I am grateful to the Lord Chancellor for reassuring me of that. I know from having served on the Sentencing Council that its members will diligently proceed with their efforts. That work will surely reflect, as I was saying, the clear will of Parliament to ensure that dangerous terrorist offenders spend more time in prison, to give greater opportunity for rehabilitation, to reflect the seriousness of their crime and, most importantly, to protect the British people.

6.44 pm

Jim Shannon (Strangford) (DUP): May I say briefly that there are many MPs in this House who have been affected by terrorism? When I was talking to the hon. Member for Hertford and Stortford (Julie Marson) earlier, we were relating the stories of her friend and others. This Bill before us tonight cements and strengthens our position and offers us protection. We as MPs in Northern Ireland have felt the brunt of terrorism more than most. We know about it personally—I know about it. I often think of those whom I know who have given their lives. I think of my cousin Kenneth Smyth and his friend Daniel McCormick who were both murdered on 10 December 1971. I think of the four UDR men murdered at Ballydugan: young John Birch, Steven Smart—[*Interruption.*]

Robert Buckland: Will the hon. Gentleman give way?

Jim Shannon *indicated assent.*

Robert Buckland: I think it would be the right thing to do to allow our hon. Friend to compose himself for a moment as he remembers and shares with the House the horror of the effects of terrorism. We remain indebted to him and are always grateful to him for sharing his observations and we entirely understand how he must feel when he is reliving those moments.

Jim Shannon: I thank the Secretary of State very much for intervening. I do recall John Birch, Steven Smart, Michael Adams and Lance Corporal Bradley. I often think of the families of those who suffer from post-traumatic stress disorder and of those who were injured. We owe so much to those families. Every MP in this House has a responsibility to keep their constituents safe, as others have said, which we all adhere to and I thank them for that. Today, our Minister, the hon. Member for Croydon South (Chris Philp), who, I have to say, I am very impressed by—I mean that honestly—and also the Secretary of State have come in here and ensured that the protection of all the people of the United Kingdom of Great Britain and Northern Ireland has been cemented in legislation, and I thank them for that. We welcome the Government's commitment and we thank all in the Committee for their work and the Clerks for their administration to deliver the Bill. Madam Deputy Speaker, thank you.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Madam Deputy Speaker (Dame Eleanor Laing): We now come to Lords amendments to the Business and Planning Bill. I am going slowly here to allow a natural changeover of personnel at a 2 metre distance. I am grateful to hon. Members for their co-operation.

Business and Planning Bill

Consideration of Lords amendments

Clause 3

DETERMINATION OF APPLICATIONS

6.48 pm

The Minister for Housing (Christopher Pincher): I beg to move, That this House agrees with Lords amendment 1.

Madam Deputy Speaker (Dame Eleanor Laing): With this we may take Lords amendments 2 to 42.

Christopher Pincher: This Bill is an essential part of the Government's response to the effects of covid-19 and the restrictions that have been keeping people safe. We know that these restrictions have come at a considerable cost to our economy and to people's lives. We all have constituents who are desperate to get back to work—desperate to get back to their normal lives. This Bill will help to make that happen. This Bill will help the country get back on its feet.

The amendments that we are considering this evening do not disrupt the thrust of the Bill as it left this House. In fact, they improve it. It is worth remembering that when this Bill was last in this House we debated it over one afternoon—unusually fast, as several hon. and right hon. Members have said—to ensure that it would come into force before the summer recess and give the greatest possible benefit to the country. The Bill has received more extensive consideration in the other place, and I hope that we can agree the amendments.

I am grateful to hon. and right hon. Members for their constructive engagement with the Bill. I am particularly grateful to the right hon. Member for Doncaster North (Edward Miliband) and his colleagues in the Opposition for their collaboration. Members' thoughtfulness and involvement have been a great help in improving this legislation, and I am pleased with the result of our deliberations. I should also like to recognise parliamentary counsel, the legal advisers and staff of the other place and of this House for marshalling this Bill through all its stages.

I shall briefly summarise the amendments that have been made in the other place. First, we have improved the pavement licensing measures in several ways. We have ensured that authorities must have regard to the needs of disabled people when considering whether to grant a pavement licence, and we have ensured that non-smoking areas will be provided by businesses that are granted pavement licences. We have also ensured that local authorities can delegate decisions about pavement licences to sub-committees or to officials, and that regulations issued by Government will be laid before Parliament. Those amendments are in keeping with the policy intention of the pavement licence provisions and improve them. I therefore hope that the House will support the amendments.

Secondly, we have amended the provisions about off-sales of alcohol to combat antisocial behaviour. I am especially grateful to hon. Members for their involvement in this issue—especially my hon. Friend the Member for Kensington (Felicity Buchan); my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken), who brought to bear her considerable

experience as the leader of a London council; and the hon. Member for Hackney South and Shoreditch (Meg Hillier), who spoke eloquently when we last debated the matter in this House. I believe that collectively, they have improved the Bill. The Bill now limits off-sales to 11 pm at the latest, and any new permissions will not allow the sale of alcohol for consumption in outdoor areas of the premises that are already restricted by the premises licence. Making off-sales of alcohol easier will help the hospitality industry to recover more quickly, but in a way that does not encourage antisocial behaviour.

Thirdly, we have increased the extension of planning permission by one month. This is a modest extension, but it will provide further certainty and reassurance to developers and local authorities that planning permissions will not lapse unnecessarily as a result of the pandemic. Fourthly, in response to the report by the Delegated Powers and Regulatory Reform Committee, any extension to the provisions can be made only when it is

“necessary or appropriate for a purpose linked to the coronavirus pandemic.”

That is an important clarification.

Finally, the Bill now amends section 78 of the Coronavirus Act 2020 so that the Government can make regulations to enable specific authorities to conduct their meetings remotely. These authorities were omitted from the Coronavirus Act because of the speed with which that legislation was passed, and now is the appropriate time to include them. I hope the House will agree these Lords amendments.

I am sure that hon. and right hon. Members agree that businesses throughout our country need the benefit of these provisions this summer. As someone once put it, we need to help to fix the economy while the sun is shining. If we do not pass this Bill today, it will not take effect until the autumn, and the country will lose out on the valuable provisions over the summer months. The Bill has been much improved and scrutinised in the other place, and it is an example of how Parliament can work quickly and effectively in the national interest and set the United Kingdom on a path to recovery. I therefore trust that the House will support all the Lords amendments.

Edward Miliband (Doncaster North) (Lab): I rise to support Lords amendment 1 and the other Lords amendments that have been sent back to us from the other place. This is an important Bill, as the Minister said—particularly so for the hospitality industry. The Minister made reference to the speed with which it went through this place, and I agree that it has benefited from consideration in the Lords. I join him in thanking all the people who have worked on the Bill, including the civil servants who worked on it at speed to ensure that it can help the hospitality industry and other industries in this time of crisis.

I will briefly refer to some of the changes made by their lordships. I agree with the Minister that limiting off-sales to 11 pm is an important change. I pay tribute to Government Members for their work on this issue, and I pay particular tribute to the campaign by my hon. Friend the Member for Hackney South and Shoreditch (Meg Hillier). It is hard to say no to her, but she made a very important and correct case. Although it applies particularly to her constituency, it also applies elsewhere, and I understand why she made that case. Their lordships accepted it, and we should too.

The Minister is right to draw attention to the important issue of pavement licences and disability, which needs to be taken into consideration when local councils make decisions. The needs of the hospitality industry are clearly very important, but we cannot ignore the needs of disabled people in our country.

The other notable innovation of the Bill relates to smoke-free areas outside when additional licences are granted. That important change will enable people to enjoy the outside space—obviously, they are not able to take advantage of inside space in the old way—with the guarantee of a smoke-free environment. The Minister made reference to a number of other changes, which we support.

The one other point that I will make—I think the Minister and his colleagues will agree with this—is that although this is a necessary set of changes for the hospitality industry, it is not sufficient. We continue to have deep concerns about what we see as the premature ending of the furlough for that industry and other sectors that are in difficulty. With that said, I urge the House to support these Lords amendments.

Felicity Buchan (Kensington) (Con): I rise to support these amendments. On Second Reading, I called for a restriction on alcohol off-sales to 11 pm, so I am delighted that that amendment has been accepted. We need to strike the right balance between getting our economy up and running and the interests of residents, who in certain parts of London have been subject to a lot of anti-social behaviour—in particular, in Notting Hill in my constituency. These amendments strike the right balance, and I commend them to the House.

Sarah Olney (Richmond Park) (LD): I can only echo what the hon. Member for Kensington (Felicity Buchan) said about anti-social behaviour, which has been an absolute plague on communities across London and, I am sure, elsewhere. In my community in Richmond Park, we have had behaviour the like of which we have not seen before. It has been an enormous burden for local people.

I welcome the Lords amendments. I am slightly disappointed that the amendment that my colleague Lord Paddick put forward about serving alcohol in open glass containers was not adopted, because that would have had a significant positive impact on the situation that many people are experiencing.

To add to what I said on Second Reading, I urge the Government to think again about the number of police officers in London. We in Richmond are certainly finding that, because police officers are always focused on violence reduction and that is a particular issue for some of the inner London boroughs, we are missing out on the increase that we need for neighbourhood policing in places such as Richmond, which would do much more to keep a lid on some of the antisocial behaviour we are seeing. We have heard about the extra officers that are coming, and I really hope that they are coming very soon, because we would like to see them in Richmond.

I echo what the Minister said about the passage of this Bill, its speed and the constructive nature in which everyone has engaged with it. This is going to be a great piece of legislation, and I support the amendments.

7 pm

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I want to put on record how proud I am of the entrepreneurs in Hackney who have contributed so much to developing our night-time economy—often quite young people who have come up with interesting ideas about how to develop their premises and contribute to our economy. However, it does cost Hackney Council £1.5 million a year in extra cleaning to manage the night-time economy that we have fostered. In its original form, the Bill would have contributed to some of the behaviour we have seen in recent weeks and months in my borough. I never like to stand up here and say bad things about the constituency I represent, but we have seen some appalling behaviour—I will not repeat what I said last time.

The Minister talked about the thoughtfulness and involvement of hon. Members that has greatly improved the Bill. I say to the Government that, even in a pandemic, a little more time could create even better legislation. Given that we were in the pandemic and businesses were thinking about this much earlier, a little more time—a week, even—would have been better than the three days we originally had to consider the Bill. We could have saved ourselves a lot of trouble, because there was agreement that we needed to support the hospitality industry, but there is also agreement across the House today—happily, we have seen some important changes—that we should support the residents, who will suffer if we do not get the balance right. In fact, the businesses in my area that have been there for a long time, living in most cases pretty harmoniously with residents, want to have that long-term relationship, so they were not all in favour of the original proposals. That could have been ameliorated if hon. Members had been involved at an earlier stage.

I particularly welcome and pay tribute to my colleagues in the other place on the limit on off-sales to 11 pm—I pay tribute to the hon. Member for Kensington (Felicity Buchan), who was the first to raise that issue in this House—and the limits on extensions to that. Off-sales cannot be a permanent free-for-all. Of course, if a local area decides that it works, it is at liberty to grant a licence in a particular area or a particular part of that area, but this freedom in licensing must not continue just because we have had it during a pandemic—it has to be down to local authorities that know their area, know their residents and know and support their businesses. The decision should never be taken away and made subject to a blanket permission from central Government. I welcome the intervention from their Lordships and I thank the Minister for accepting the amendments, so that we can move quickly on to support our businesses while ameliorating the impact on our residents.

Christopher Pincher: I do not propose to detain the House any longer than simply to say thank you to you, Madam Deputy Speaker, and to right hon. and hon. Members across the House for their commitment to the Bill and their contributions to it. I wish it safe and swift passage to Royal Assent.

Lords amendment 1 agreed to.

Lords amendments 2 to 42 agreed to.

DEFERRED DIVISIONS

Motion made, and Question put forthwith (Standing Order No. 41A(3)),

That, at this day's sitting, Standing Order No. 41A (Deferred divisions) shall not apply to the Motions in the name of Secretary Matt Hancock relating to Public Health; the Motion in the name of Secretary Dominic Raab relating to Sanctions; and the Motion in the name of Christopher Pincher relating to Town and Country Planning.—(*David Duguid.*)

Business Without Debate

DELEGATED LEGISLATION

Madam Deputy Speaker (Dame Eleanor Laing): With the leave of the House, we shall take motions 4 to 8 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

PUBLIC HEALTH

That the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 (S.I., 2020, No. 684), dated 3 July 2020, a copy of which was laid before this House on 3 July, be approved.

That the Health Protection (Coronavirus, Restrictions) (Leicester) Regulations 2020 (S.I., 2020, No. 685), dated 3 July 2020, a copy of which was laid before this House on 3 July, be approved.

That the Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) Regulations 2020 (S.I., 2020, No. 719), dated 9 July 2020, a copy of which was laid before this House on 10 July, be approved.

SANCTIONS

That the Global Human Rights Sanctions Regulations 2020 (S.I., 2020, No. 680), dated 5 July 2020, a copy of which was laid before this House on 6 July, be approved.

TOWN AND COUNTRY PLANNING

That the draft Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2020, which were laid before this House on 6 July, be approved.—(*David Duguid.*)

Question agreed to.

PETITIONS

Future of the Aviation and Aerospace Industry

7.5 pm

Patrick Grady (Glasgow North) (SNP): British Airways staff have been renowned for decades for their commitment to first-class customer service, and long before lockdown and furlough, BA was in receipt of public funding, not least through the air fares of generations of Members of Parliament, peers, and Ministers from Scotland and elsewhere in the UK travelling to this place. So to say that my constituents and I are disappointed at BA's proposals for a fire and rehire policy towards its staff is a significant understatement. BA must listen and this Government must act.

The petition states:

The petition of residents of Glasgow 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; 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.

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.

[P002590]

Extension of paid maternity leave due to covid-19

7.6 pm

Gavin Robinson (Belfast East) (DUP): Covid-19 has had a significant impact on the lives of many in our country, not least mothers on maternity leave. They have been unable to avail themselves of normal health visitor support or support from their wider family. Their babies have often been left in situations of social isolation and their mothers have not benefited from wider family support. Nor have babies been able to bond with loved ones, relatives and the wider community. Members will know that a petition was signed by 233,000 people within this country, and hundreds of people have been in contact with me since I registered my support for this campaign. So it is an enormous privilege, on behalf of mothers and many throughout this country who understand the impact of coronavirus on maternity leave, that I present this petition.

The petition states:

The petition of residents of the constituency of Belfast East,

Declares that the COVID-19 pandemic has had a significant impact on and has led to increased cases of social isolation, and that new mothers on maternity leave have been particularly affected.

The petitioners therefore request that the House of Commons urge the Government to extend paid maternity leave by three months.

[P002591]

Misuse of Nitrous Oxide

Motion made, and Question proposed, That this House do now adjourn.—(David T. C. Davies.)

7.8 pm

Rosie Duffield (Canterbury) (Lab): We have all seen the tell-tale bullet-shaped silver canisters and their balloon companions littering our beaches and parks this summer. On Saturday morning, I saw yet another little pile of littered canisters at every 10 paces or so along Whitstable beach in my constituency.

Tulip Siddiq (Hampstead and Kilburn) (Lab): I commend my hon. Friend for her powerful campaign on this issue. As a former councillor in Camden, I am aware of the pressures on councils during this pandemic. Is she aware of the significant cost to councils of removing these discarded containers, and will she raise that in her speech?

Rosie Duffield: Yes, I am going to mention that. I know that my council has had so many extra rubbish collections during covid due to people gathering on beaches, which is a significant problem. I thank my hon. Friend for raising that.

Many people pass by these canisters without knowing what they are. Some will have picked them up, examined them and speculated imaginatively about their use. Among young people, the use of nitrous oxide is endemic. Every single sixth-former and university or college student in Britain will know what those silver canisters are. Nitrous oxide—also known as laughing gas, NOS, NOx, whippits, balloons or chargers—is a psychoactive drug covered by the Psychoactive Substances Act 2016. It can be taken legally, but it cannot by law be sold or given away to others for the purpose of inhalation in a recreational capacity.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on securing the debate. Many of us are aware of this issue, and I thank her for bringing it forward. The media has been full of stories, and so-called laughing gas is not a laughing matter. Does she agree that, while it is necessary in the medical field and must continue to be available in that field, we need to educate our young people about the dangers attached to its use outside the medical field?

Rosie Duffield: It is a massive honour to be intervened on by the hon. Gentleman—I have arrived! A recent report by the British Compressed Gases Association—something I never thought I would say in this Chamber—said that continued medical use will be easy, as it always has been, if we impose a restriction on sales to individuals. I have borne that in mind when doing my research, and I thank the hon. Gentleman for raising that.

The canisters are manufactured as charger bulbs for use in catering, to whip cream, among other things, and we just heard about their medical use. If someone wants to buy cream chargers, there are currently no age restrictions. A quick look online this morning showed me that I could have 24 canisters delivered to my office tomorrow for just £9.19. Teenagers tell me that boxes sell for as little as £5 locally, or I could just walk into one of the 25% of corner shops estimated to sell these chargers. If I bought some canisters for the purpose of indulging in a quick lockdown high, I would not have broken the

[Rosie Duffield]

law. Despite a few websites having small print telling me that the nitrous oxide they were selling was for professional purposes only, no one would have asked me for ID or for the items to be sent to a registered catering, medical or dental premises. That is clearly the problem here—it is far too easy to purchase nitrous oxide for use as a recreational drug, and every day up and down the country, thousands of young people are doing just that.

It is clear to me and to many of the experts I have spoken to that recreational use has become much more prevalent during lockdown. This is not in any way meant as an attack on teenagers or young people. They are not the villains of the piece. The toll on the mental wellbeing of young people forced to be apart from their friends has been really difficult. Let us be honest: every generation has experimented with and will continue to use recreational drugs and alcohol of some kind. This rise in the use of nitrous oxide is partially caused by covid-19-related shortages of other recreational drugs, which has led to a rise in their prices and a decline in their purity. Big cylinders of nitrous oxide have been stolen from hospitals and, since they have reopened, from coffee shops. That is quite unlikely to be the work of a few bored teenagers on the beach. Users, and therefore suppliers, have looked elsewhere, often to nitrous oxide, which, when combined with other quasi-legal highs, can replicate some of the effects of harder illegal substances.

Of course, there was already an uphill trend in the use of nitrous oxide. The 2018-19 national drugs survey suggested that nearly 9% of those aged 16 to 24 had tried the drug, compared with 6% five years earlier, and that for one in 25 users it had caused some kind of accident—staggering into traffic, falling off balconies or drowning in swimming pools, to name but a few. It is now second in use only to cannabis.

From consulting experts from the Royal Pharmaceutical Society, including its chief scientist, Professor Gino Martini, it is clear that use of nitrous oxide carries significant health risks. It can cause hallucinations and nausea, deep vein thrombosis and skin hyperpigmentation. Some people have been left with spinal cord damage and paralysis. For young people, the vitamin B12 deficiency that can be caused can also affect brain development and rewiring of the prefrontal cortex.

Even after the initial high and the immediate consequences of that high, nitrous oxide can have long-term effects. Users report lasting numbness on their face, around their mouths and in their hands and feet, caused by often irreversible nerve damage. Ambulance workers have recently expressed concern about the number of call-outs they are attending in recent months linked to the drug.

It is clear that there is currently not enough education and outreach being done to draw people's attention to the early signs of irreversible nerve damage—tingling in their tongue and fingers, for example. I therefore call on the Government to further support local services in disseminating harm reduction and educational materials on nitrous oxide. The Royal College of Nursing has said that there is a lack of understanding about the health consequences: well, today is the day that the Government can begin to change that. I want this debate to be the start of a national conversation on the use of nitrous oxide and the harms that it can possibly cause.

Driving while on drugs is an offence, obviously, and police forces can test for impairment and prosecute accordingly. Inhaling nitrous oxide and then driving is putting oneself, other road users and pedestrians at great risk.

Mr Steve Baker (Wycombe) (Con): The hon. Lady is making a really powerful speech. I cannot help noticing that in Wycombe we see piles of these canisters at the roadside. As a motorcyclist, I have often been conscious when looking at little steel rollers, in effect, that they could cause a major fatal accident on a bicycle or a motorcycle, or possibly in a car. I really appreciate the opportunity to put that on the record, because I hope that the Government will think about some of the wider harms that users might cause.

Rosie Duffield: I thank the hon. Gentleman for raising that point. Kent police's road policing unit has recently made a video highlighting the dangers. That is one of the things that they are really concerned about.

The data on those driving under the influence of nitrous oxide in fatal accidents is unclear, but anecdotally enforcement officers up and down the country will say that it is a big problem. Whitstable residents report to me that night after night young people are driving dangerously around the town. It is becoming a blight on our area and putting a strain on our excellent local police services. Come to Canterbury or Whitstable on a Friday or Saturday night, and you will see the drug being used everywhere.

When the users have gone home, they leave behind the consequences. They do not see the toddlers picking up the shiny thing from the beach the next day to play with. They do not see the dog trying to eat one in a park—including my own daft dog, I am afraid. They do not see the volunteers who put in hours picking up litter that otherwise would be swept out to sea, casually discarded after a few moments of fun.

Alison Thewliss (Glasgow Central) (SNP): The point that the hon. Lady is making about items being discarded at the roadside is true of Pollokshields in my constituency as well. The local environmental group has been going out and finding that this is an increasing problem in the community. I thank her very much for raising it, because it is a growing issue and the Government should be alive to the problems that it is causing in our communities.

Rosie Duffield: I thank the hon. Lady. I will be mentioning the environment in a little while.

According to last month's guest blog in the *British Medical Journal* written by three eminent voices from the pharmaceutical sector, despite the scarcity of information on the economic and health burden, a number of unsafe practices in nitrous oxide use have been reported, including inhaling it from the nozzle of a whipped cream dispenser, from plastic bags, or directly from a tank. Reported deaths have been caused by sudden cardiac arrhythmias and/or asphyxiation. Between 2010 and 2017, more than 30 people died in England and Wales from nitrous oxide use. The latest figures show an average of five people per year, but data on these deaths is not currently routinely gathered by hospitals. The number of patients presenting to healthcare services with neurological damage due to nitrous oxide consumption

is expected to rise. It can cause hypoxia and brain damage, and in some cases can be highly and instantly addictive. Symptoms such as personality changes, emotional disorders, impulsive and aggressive behaviours, hallucinations, illusions and other psychotic symptoms can all be the result of nitrous oxide abuse. Despite the name, it really is no laughing matter.

Let us not forget another really important factor, as mentioned by the hon. Member for Glasgow Central (Alison Thewliss): nitrous oxide is a powerful greenhouse gas. It can stay in the atmosphere for up to 150 years, absorbing radiation and trapping heat, so not only is its misuse a blight on our society and a danger to people's health, but it has an environmental impact too. These canisters will sit in landfills for ever.

It is clear that tighter regulations around the sale of nitrous oxide are now needed. My hon. Friend the Member for Portsmouth South (Stephen Morgan) has written to Amazon about this recently, and it is a growing concern in his constituency. I agree with the British Compressed Gases Association, which is also calling on the Government to use their consumer protection powers for much tighter regulations on sales, and which says that legitimate users, such as those using it as medical pain-relieving gas, would not be adversely affected by tighter controls. I agree also with Professor Gino Martini and his expert colleagues, who are calling for provision of identification for the purchase of nitrous oxide, raising the age of sales to people over 25 and restricting quantities per purchase.

Anna McMorris (Cardiff North) (Lab): My hon. Friend is making an excellent speech on a really important matter that has a huge impact on my constituents. Does she agree that it is important to look at the penalty for possession because, as it stands, there is none?

Rosie Duffield: My hon. Friend raises a really good point, but this is particularly about restricting the buying of nitrous oxide and what it is used for, rather than punishing the young people. However, I thank her for raising that.

One retailer of catering supplies last week had an order for 38,000 chargers from one person, and I do not think it was from a coffee shop reopening after lockdown. Quite rightly, he refused this questionable sale. Tighter regulations on sale and better education on the risks rather than overly criminalising the often young users of this drug is, in my opinion, the right way to go. We cannot stand by and simply say, "Let's leave this. After all, it is less toxic than alcohol, cannabis or ecstasy." That attitude just is not acceptable, as nitrous oxide has plenty of risks in its own right.

I am calling on the Government to introduce essential tighter restrictions on the sale of nitrous oxide, backing up our hard-working paramedics, nurses, doctors and scientists, who are all calling for more to be done so that this year's zeitgeist for nitrous oxide does not turn into a national disgrace.

Matt Vickers (Stockton South) (Con) *rose*—

Madam Deputy Speaker (Dame Eleanor Laing): Order. The hon. Gentleman is standing, but this is an Adjournment debate and it is not open to everybody to speak. Hon. Members have to have fulfilled certain conditions to do

so. I am not aware of that having happened—therefore, they have not been fulfilled. The hon. Gentleman may intervene on the Minister, if the Minister wishes to take the intervention—hon. Members can make their point but they cannot make a speech in the Adjournment debate.

7.22 pm

The Parliamentary Under-Secretary of State for the Home Department (Kevin Foster): I thank the hon. Member for Canterbury (Rosie Duffield) for securing this debate, providing the opportunity for the House to discuss the misuse of nitrous oxide, which, as comments so far have indicated, is a concern across our United Kingdom.

Sir Robert Neill (Bromley and Chislehurst) (Con): Will the Minister take on board the fact that my constituents share the concerns of the hon. Member for Canterbury (Rosie Duffield) and that of many other Government Members, too? This really needs serious action.

Kevin Foster: I take that point. As we have heard, the recreational use of this gas is a problem. Many of our constituents are concerned about the impact of the misuse of nitrous oxide, not only on the physical and mental wellbeing of users, but on their communities through associated problems such as antisocial behaviour and the small canisters left littering our streets. The Government are conscious of these concerns and the need to respond to them.

Matt Vickers: This is a huge and growing problem, and I am hoping that my hon. Friend will consider the need not only to restrict this but to educate people so that parents know what these canisters are, and young people know the risk and the harm that they do to themselves when they consume them.

Kevin Foster: Absolutely—it is about being clear that laughing gas is no laughing matter, in terms of the impact that it can have on people's health.

Nitrous oxide is considered a psychoactive substance under the Psychoactive Substances Act 2016. As has been touched on, it has legitimate uses in medicine, dentistry and even as a propellant for whipped cream canisters, but it is an offence to supply nitrous oxide if someone knows that it will be used for its psychoactive effect, or is reckless in that regard, rather than for a legitimate purpose. Those convicted under the Act may be subject to a maximum sentence of seven years' imprisonment, an unlimited fine, or both.

Craig Mackinlay (South Thanet) (Con): We have the same problem as the hon. Member for Canterbury (Rosie Duffield) on the beaches. It seems to be the fashion of the day. The Minister said that there are controls on retailers, but I have just looked online and eBay is selling these things—100 for £48.95—despite the guidance from the Government that this should not be on open sale. Something is going wrong with these online retailers, and something needs to be done.

Kevin Foster: I thank my hon. Friend for his intervention, and I will come in a minute to some things we are looking at—a package partly around online harms more

[Kevin Foster]

generally, which include, of course, things being sold online and where people are being reckless as to what may end up being done with them.

In 2016, there were 28 convictions under this legislation in England and Wales, with 152 convictions in 2017, 107 convictions in 2018 and 52 convictions in 2019. These figures include those related to nitrous oxide, but a breakdown by drug substance is not available.

In November 2018, the Government published a review of the Psychoactive Substances Act 2016, which provided detailed insight into the way in which the Act has affected the sale and use of potentially harmful psychoactive substances. The review concluded that, after the 2016 Act came into force, 332 retailers across the United Kingdom were identified as having closed down, including many so-called head shops, or stopped selling new psychoactive substances. Anecdotal evidence from the police shows that open sale of NPSs on our high streets ceased. Meanwhile, action by the National Crime Agency resulted in the removal of psychoactive substances being sold by UK-based websites.

The Government have published guidance for retailers to satisfy themselves that they comply with the law, recommending that retailers, including those operating online, should pay particular attention to the potential for abuse of nitrous oxide, especially where customers seek to buy in bulk or larger volumes, or where, by the nature of the sale, it is clear they are unlikely to be used for legitimate purposes. I would also point out that the sale of nitrous oxide for its psychoactive effects is illegal regardless of the age of the purchaser, although selling to children could well undermine a retailer's defence that they had taken appropriate steps to prevent its being misused and were effectively being reckless.

Turning to the need for tighter online regulations, the Online Harms White Paper sets out the Government's plans to make companies more responsible for their users' safety online, especially for children and other vulnerable groups. The supply of psychoactive substances for their psychoactive effect will fall within the scope of the planned legislation set out in the White Paper. The Government's initial response to the consultation on the White Paper was published in February, which gave more detail on the policy position and named Ofcom as the Government's preferred independent online harms regulator. We will publish a full response to the consultation in the coming months and, crucially, aim to bring legislation before Parliament in this Session.

The Government are committed to helping people feel safe in their local area, and are giving police the powers and resources to do this. The police funding settlement for 2020-21 sets out the biggest increase in funding for the policing system in a decade. The Government will provide a total police funding settlement of up to £15.2 billion in 2020-21, which is an increase of up to £1.12 billion compared with 2019-20, including main grant, council tax precept and national priorities. Police and crime commissioners will receive £700 million to recruit up to 6,000 additional officers by the end of March 2021. These will be shared among the 43 territorial police forces in England and Wales. The increase in officer numbers will help the forces in England and Wales tackle crime and keep our communities safe, including by tackling problems associated with nitrous oxide abuse.

Turning to the role of local government, the Anti-social Behaviour, Crime and Policing Act 2014 introduced powers such as public space protection orders that the police and local councils can use to prevent people from taking intoxicating substances, including psychoactive substances such as nitrous oxide, in specified areas. I know the hon. Member for Canterbury will be working with her local council to ensure these are used, where appropriate, in her constituency, as I saw the coverage in the local press of this debate when she had secured it.

With regard to the littering associated with the misuse of nitrous oxide, often the small canisters left lying in the street, as my hon. Friend the Member for Wycombe (Mr Baker) mentioned, can be not just unsightly but a danger to road users. Local councils have a statutory duty to keep their land clear of litter and refuse. It is, of course, an offence to drop litter, and councils have legal powers to take enforcement action against offenders. Anyone caught littering may be prosecuted in a magistrates court, which can lead to a criminal record, although instead of prosecuting, councils normally will decide to issue a fixed penalty or on-the-spot fine. We have increased the maximum fixed penalty for littering from £80 to £150 since April 2018, and from April 2019 the minimum fixed penalty was also raised from £50 to £65. We have also given councils in England outside London new civil penalty powers to tackle littering from vehicles.

We recognise that in the current circumstances local authorities may well have more challenges than usual in collecting all kinds of waste, as outlined in the speech by the hon. Member for Canterbury. The Government have therefore announced a multibillion-pound support package for local authorities, in responding to the covid-19 pandemic, to ensure these demands can be met.

Craig Mackinlay: The Minister has outlined the legislation, as well as the background to the powers that councils have and that the Psychoactive Substances Act 2016 gives us, but very few offences are taken further under that Act, which is disappointing. The frustration the public have is that although we have oodles of legislation, we do not seem to be applying it.

Kevin Foster: I appreciate my hon. Friend's frustration, and having campaigned for the 2016 Act I know what the situation was before that, when the theory was that a shop would be selling research chemicals, with the idea that a research chemist was going to walk down the street and buy something for their next project. That is why we introduced that Act. We are looking to legislate further on online harms, taking on board some of the points made about where things can be bought online, and tightening those provisions. Similarly, particularly where there are problems in local areas—for example, if people are taking substances on the street—there are powers that can be used. Similar powers can also be applied to those drinking alcohol. That is not a criminal offence in itself, but if it leads to antisocial behaviour and those tests are met, an order can be applied for to prevent that taking place in a particular location.

Mr Steve Baker: The Minister is giving a great response, but is not the truth that young people need hope and joy in their lives? We will not be able to fulfil that request tonight, but at some point the Government must start thinking about how to help young people to be happy and not need laughing gas.

Kevin Foster: I cannot understand why my hon. Friend thinks that a parliamentary Adjournment debate will not fill people with joy and happiness. They always seem to fill the hon. Member for Strangford (Jim Shannon) with joy, as well as us when we see him in his place. I do agree, however, and that is one reason why we have not looked to criminalise the possession or use of laughing gas, because that is a different position. My hon. Friend is right to say that this cannot just be about law enforcement, and that we need a wider strategy.

One part of our strategy when dealing with drug misuse is education, and we want to do all we can to prevent people from using drugs, and intervene early to prevent an escalation to more harmful use. As my hon. Friend will know, FRANK, the Government's free national drugs information and advice service, provides information on nitrous oxide, and outlines the harms such as dizziness, vitamin B deficiency and nerve damage that can result from long-term use. We continue to update FRANK to reflect new and emerging patterns of drug use.

We also support investment in evidence-based programmes that have a positive impact on young people and adults, giving them the confidence, resilience and risk management skills to resist drug use. For example, we support Rise Above, which is an online resilience-building resource aimed at 11 to 16-year-olds. It provides resources to help young people develop the skills to make positive choices for their health. Schools play a

key role in enabling young people to make positive choices about their wellbeing, including resisting drug use. Relationship, sex and health education will become a compulsory subject in schools from September 2020, with some flexibility to reflect the current challenges related to covid-19 that schools face. That subject uses evidence-based approaches to give children and young people the resilience and critical thinking skills that are needed to support decisions about drug use.

I thank hon. Members for their contributions to the debate. The Government recognise that tackling the misuse of nitrous oxide requires a multifaceted approach. This is not just about enforcement or tackling retailers; we must ensure that young people—indeed, people of all ages, as the use of this substances is not confined to young people—understand the long-term implications. As my hon. Friend the Member for Wycombe (Mr Baker) said, we must ensure that people have joy, hope and optimism in their life, and part of tackling the use of drugs is ensuring that people do not feel that they need to turn to them instead. The Government look forward to working productively with Members across the House to develop that strategy, and ensure that our communities are protected from harm.

Question put and agreed to.

7.34 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	Member eligible for proxy vote	Nominated proxy
Debbie Abrahams (Oldham East and Saddleworth)	Jim McMahan	Tracey Crouch (Chatham and Aylesford)	Caroline Nokes
Imran Ahmad Khan (Wakefield)	Stuart Andrew	Janet Daby (Lewisham East)	Mark Tami
Tahir Ali (Birmingham, Hall Green)	Mark Tami	Geraint Davies (Swansea West)	Chris Evans
Dr Rosena Allin-Khan (Tooting)	Mark Tami	Mr David Davis (Haltemprice and Howden)	Stuart Andrew
Victoria Atkins (Louth and Horncastle)	Stuart Andrew	Dehenna Davison (Bishop Auckland)	Stuart Andrew
Mr Richard Bacon (South Norfolk)	Stuart Andrew	Martyn Day (Linlithgow and East Falkirk)	Patrick Grady
Siobhan Baillie (Stroud)	Stuart Andrew	Marsha De Cordova (Battersea)	Rachel Hopkins
Hannah Bardell (Livingston)	Patrick Grady	Caroline Dinenage (Gosport)	Caroline Nokes
Mr John Baron (Basildon and Billericay)	Stuart Andrew	Martin Docherty-Hughes (West Dunbartonshire)	Patrick Grady
Margaret Beckett (Derby South)	Clive Efford	Dave Doogan (Angus)	Patrick Grady
Sir Paul Beresford (Mole Valley)	Stuart Andrew	Ms Nadine Dorries (Mid Bedfordshire)	Stuart Andrew
Jake Berry (Rossendale and Darwen)	Stuart Andrew	Jack Dromey (Birmingham, Erdington)	Mark Tami
Mr Clive Betts (Sheffield South East)	Mark Tami	Philip Dunne (Ludlow)	Jeremy Hunt
Mhairi Black (Paisley and Renfrewshire South)	Patrick Grady	Colum Eastwood (Foyle)	Conor McGinn
Ian Blackford (Ross, Skye and Lochaber)	Patrick Grady	Ruth Edwards (Rushcliffe)	Stuart Andrew
Bob Blackman (Harrow East)	Stuart Andrew	Florence Eshalomi (Vauxhall)	Mark Tami
Kirsty Blackman (Aberdeen North)	Patrick Grady	Dr Luke Evans (Bosworth)	Stuart Andrew
Mr Peter Bone (Wellingborough)	Stuart Andrew	Sir David Evennett (Bexleyheath and Crayford)	Stuart Andrew
Steven Bonnar (Coatbridge, Chryston and Bellshill)	Patrick Grady	Michael Fabricant (Lichfield)	Stuart Andrew
Andrew Bridgen (North West Leicestershire)	Stuart Andrew	Marion Fellows (Motherwell and Wishaw)	Patrick Grady
James Brokenshire (Old Bexley and Sidcup)	Stuart Andrew	Margaret Ferrier (Rutherglen and Hamilton West)	Patrick Grady
Alan Brown (Kilmarnock and Loudoun)	Patrick Grady	Vicky Foxcroft (Lewisham, Deptford)	Mark Tami
Ms Lyn Brown (West Ham)	Mark Tami	George Freeman (Mid Norfolk)	Theo Clarke
Richard Burgon (Leeds East)	Zarah Sultana	Mike Freer (Finchley and Golders Green)	Stuart Andrew
Conor Burns (Bournemouth West)	Stuart Andrew	Marcus Fysh (Yeovil)	Stuart Andrew
Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow)	Patrick Grady	Sir Roger Gale (North Thanet)	Caroline Nokes
Sir William Cash (Stone)	Leo Docherty	Patricia Gibson (North Ayrshire and Arran)	Patrick Grady
Sarah Champion (Rotherham)	Mark Tami	Preet Kaur Gill (Birmingham, Edgbaston)	Mark Tami
Douglas Chapman (Dunfermline and West Fife)	Patrick Grady	Dame Cheryl Gillan (Chesham and Amersham)	Stuart Andrew
Damian Collins (Folkestone and Hythe)	Stuart Andrew	Mary Glendon (North Tyneside)	Mark Tami
Rosie Cooper (West Lancashire)	Mark Tami	Mrs Helen Grant (Maidstone and The Weald)	Stuart Andrew
Jeremy Corbyn (Islington North)	Bell Ribeiro-Addy	Peter Grant (Glenrothes)	Patrick Grady
Ronnie Cowan (Inverclyde)	Patrick Grady	Neil Gray (Airdrie and Shotts)	Patrick Grady
Mr Geoffrey Cox (Torridge and West Devon)	Alex Burghart	Margaret Greenwood (Wirral West)	Mark Tami
Neil Coyle (Bermondsey and Old Southwark)	Mark Tami	Andrew Griffith (Arundel and South Downs)	Stuart Andrew
Angela Crawley (Lanark and Hamilton East)	Patrick Grady	Kate Griffiths (Burton)	Aaron Bell
Stella Creasy (Walthamstow)	Mark Tami	Andrew Gwynne (Denton and Reddish)	Mark Tami
		Robert Halfon (Harlow)	Lucy Allan
		Fabian Hamilton (Leeds North East)	Mark Tami
		Claire Hanna (Belfast South)	Liz Saville Roberts
		Neale Hanvey (Kirkcaldy and Cowdenbeath)	Patrick Grady

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Ms Harriet Harman (Camberwell and Peckham)	Mark Tami	Johnny Mercer (Plymouth, Moor View)	Stuart Andrew
Sir Oliver Heald (North East Hertfordshire)	Stuart Andrew	Stephen Metcalfe (South Basildon and East Thurrock)	Stuart Andrew
Sir Mark Hendrick (Preston)	Mark Tami	Nigel Mills (Amber Valley)	Stuart Andrew
Mike Hill (Hartlepool)	Mark Tami	Carol Monaghan (Glasgow North West)	Patrick Grady
Simon Hoare (North Dorset)	Fay Jones	Anne Marie Morris (Newton Abbot)	Stuart Andrew
Dame Margaret Hodge (Barking)	Wes Streeting	David Morris (Morecambe and Lunesdale)	Stuart Andrew
Mrs Sharon Hodgson (Washington and Sunderland West)	Mark Tami	Grahame Morris (Easington)	Mark Tami
Adam Holloway (Gravesham)	Maria Caulfield	James Murray (Ealing North)	Mark Tami
Sir George Howarth (Knowsley)	Mark Tami	John Nicolson (Ochil and South Perthshire)	Patrick Grady
Dr Neil Hudson (Penrith and The Border)	Stuart Andrew	Dr Matthew Offord (Hendon)	Rebecca Harris
Imran Hussain (Bradford East)	Judith Cummins	Brendan O'Hara (Argyll and Bute)	Patrick Grady
Dan Jarvis (Barnsley Central)	Mark Tami	Guy Opperman (Hexham)	Stuart Andrew
Mr Ranil Jayawardena (North East Hampshire)	Stuart Andrew	Kate Osamor (Edmonton)	Nadia Whittome
Andrea Jenkyns (Morley and Outwood)	Stuart Andrew	Kirsten Oswald (East Renfrewshire)	Patrick Grady
Dr Caroline Johnson (Sleaford and North Hykeham)	Stuart Andrew	Sarah Owen (Luton North)	Alex Norris
Dame Diana Johnson (Kingston upon Hull North)	Mark Tami	Jess Phillips (Birmingham, Yardley)	Mark Tami
Barbara Keeley (Worsley and Eccles South)	Mark Tami	Dr Dan Poulter (Central Suffolk and North Ipswich)	Peter Aldous
Afzal Khan (Manchester, Gorton)	Mark Tami	Lucy Powell (Manchester Central)	Mark Tami
Sir Greg Knight (East Yorkshire)	Stuart Andrew	Yasmin Qureshi (Bolton South East)	Mark Tami
Mrs Pauline Latham (Mid Derbyshire)	Mr William Wragg	Christina Rees (Neath)	Mark Tami
Ian Lavery (Wansbeck)	Mary Kelly Foy	Ellie Reeves (Lewisham West and Penge)	Mark Tami
Chris Law (Dundee West)	Patrick Grady	Naz Shah (Bradford West)	Mark Tami
Clive Lewis (Norwich South)	Rosie Duffield	Mr Virendra Sharma (Ealing, Southall)	Mark Tami
Mr Ian Liddell-Grainger (Bridgwater and West Somerset)	Stuart Andrew	Mr Barry Sheerman (Huddersfield)	Mark Tami
David Linden (Glasgow East)	Patrick Grady	Alec Shelbrooke (Elmet and Rothwell)	Stuart Andrew
Tony Lloyd (Rochdale)	Mark Tami	Tommy Sheppard (Edinburgh East)	Patrick Grady
Mark Logan (Bolton North East)	Stuart Andrew	Jo Stevens (Cardiff Glasgow Central)	Mark Tami
Rebecca Long Bailey (Salford and Eccles)	Cat Smith	Sir Gary Streeter (South West Devon)	Stuart Andrew
Julia Lopez (Hornchurch and Upminster)	Lee Rowley	Gareth Thomas (Harrow West)	Mark Tami
Mr Jonathan Lord (Woking)	Stuart Andrew	Richard Thomson (Gordon)	Patrick Grady
Kenny MacAskill (East Lothian)	Patrick Grady	Jon Trickett (Hemsworth)	Olivia Blake
Shabana Mahmood (Birmingham, Ladywood)	Mark Tami	Karl Turner (Kingston upon Hull East)	Mark Tami
Rachael Maskell (York Central)	Mark Tami	David Warburton (Somerton and Frome)	Stuart Andrew
Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East)	Patrick Grady	Dr Philippa Whitford (Central Ayrshire)	Patrick Grady
John McDonnell (Hayes and Harlington)	Cat Smith	Hywel Williams (Arfon)	Ben Lake
Anne McLaughlin (Glasgow North East)	Patrick Grady	Pete Wishart (Perth and North Perthshire)	Patrick Grady
John Mc Nally (Falkirk)	Patrick Grady	Mohammad Yasin (Bedford)	Mark Tami
Stephen McPartland (Stevenage)	Stuart Andrew		
Ian Mearns (Gateshead)	Mark Tami		

Written Statements

Tuesday 21 July 2020

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Offshore Wind Projects

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): This statement concerns the application made by Orsted Hornsea Project Three (UK) Ltd for development consent for the installation, operation and maintenance of the proposed Hornsea Project Three offshore wind farm, its related offshore infrastructure off the coast of Norfolk and its related onshore electrical connections within that county.

Under section 107(1) of the Planning Act 2008, the Secretary of State must make a decision on an application within three months of the receipt of the examining authority's report unless exercising the power under section 107(3) of the Act to set a new deadline. Where a new deadline is set, the Secretary of State must make a statement to Parliament to announce it. The statutory decision deadline for Hornsea Project Three offshore wind farm was reset previously to allow for further consideration of environmental issues. The latest deadline for the application was 1 July 2020.

On 1 July 2020, the Secretary of State issued a letter stating that he was minded to grant consent to the Hornsea Project Three offshore wind farm but that he required further information in respect of potential adverse environmental effects on the Flamborough and Filey coast special protection area. In order to provide Orsted Hornsea Project Three (UK) Ltd with sufficient time to provide that information and for other interested parties to comment, he has decided to set a new deadline of 31 December 2020.

The decision to set the new deadline for this application is without prejudice to the decisions on whether to grant or refuse development consents for them.

[HCWS414]

Beneficial Owners of Overseas Entities

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): My right hon. friend the Under-Secretary of State, Minister for Climate Change and Corporate Responsibility (Lord Duncan), has today made the following statement:

The United Kingdom has a reputation as a good place to do business. Our high corporate standards and market transparency give people trust and confidence in our markets. We recognise that knowing whom you are really doing business with improves confidence in commerce and investment and we continue to work on improvements to the strong systems that we already have in place.

However, the same factors that make the UK an attractive location to set up and operate a business also make it attractive to exploitation. One such area of exploitation is the UK's property market, which continues to be an attractive vehicle for criminal

investment, in particular for high-end money laundering. The risks relating to the laundering of dirty money through property are most acute where property is owned anonymously through corporate structures or trusts. The Government are therefore working to crack down on this illicit activity by creating a register of the beneficial owners of overseas entities which own or buy property in the UK.

The Government committed in primary legislation, through section 50 of the Sanctions and Anti-Money Laundering Act 2018, to report to Parliament annually on the progress that has been made towards putting in place such a register. The register is included as one of the key measures of the UK's "Economic Crime Plan 2019-22"¹, and the December 2019 Queen's Speech included a commitment to progress the required legislation.

The draft Registration of Overseas Entities Bill underwent pre-legislative scrutiny by a Joint Committee in spring 2019. The Government's response to the Committee's report was published on 18 July 2019². In this response, the Government accepted many of the Committee's recommendations, such as ensuring Companies House is given adequate resources to deal with additional filings under this register; introducing a reporting facility for inaccurate information on the register; and continuing to advance work on reforming the powers of Companies House to verify information. For example, overseas entities seeking to register with Companies House will be required to have their details verified, thereby ensuring that the new register will be sufficiently robust. The Government have been exploring how best to implement these recommendations and others proposed in the Committee's report, such as civil sanctions, and what options are available.

This register will be novel, and careful consideration is needed before any measures are adopted, as it is imperative that the register is as robust as it reasonably can be, with reliable data and sufficient deterrent effects to make it clear that the UK property market is not a safe haven for dirty money. Engagement with members of civil society, business and the property market throughout all nations of the United Kingdom has been ongoing to ensure the proposed measures work equitably across the country.

The UK continues to lead the global fight against illicit finance and this register will strengthen our already impressive controls. The Financial Action Task Force completed a landmark review of the UK's regime for tackling money laundering in December 2018, concluding that we have some of the strongest controls in the world.

¹ <https://www.gov.uk/government/publications/economic-crime-plan-2019-to-2022>

² <https://www.gov.uk/government/publications/draft-registration-of-overseas-entities-billgovernment-response-to-joint-committee-report>

[HCWS413]

Government Chemist Review

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Amanda Solloway): The twenty-third annual review of the Government Chemist has been received. The review will be placed in the Libraries of both Houses plus those of the devolved Administrations in Wales and Northern Ireland. The review will also be laid before the Scottish Parliament.

The Government Chemist is the referee analyst named in Acts of Parliament. The Government Chemist's team carry out analysis in high-profile or legally disputed cases. A diverse range of referee analysis work was carried out during 2019, such as mycotoxin contaminants, pesticides residues, food contact materials, choking hazards, food allergens and genetically modified organisms dispute cases. The Government Chemist function continues to make headway on evaluating and optimising digital PCR for food authenticity testing.

[HCWS415]

CABINET OFFICE**Senior Civil Service, Senior Military and Judiciary:
Pay Awards**

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove): I am today announcing the Government's decision on pay for the senior civil service (SCS), senior military and the judiciary.

The Government received the senior salary review body's (SSRB) report on 2020 pay for the senior civil service, senior military and the judiciary on 24 June 2020. This will be presented to Parliament and published on gov.uk.

The Government value the independent expertise and insight of the senior salaries review body (SSRB) and take on board the valuable advice and principles set out in response to the Government's recommendations outlined in the report.

Senior civil service recommendations and response for 2020-21

The SSRB recommended a 2% pay award for the SCS allocated in the following priority order:

To mitigate anomalies arising from lack of pay progression and to alleviate other pay anomalies.

To increase the pay band minima.

To provide increase to those not benefiting from increase to the minima or those benefiting by less than 1%.

The SSRB also recommended incremental steps to reduce the maxima and commented on priority work to be undertaken for the 2021-22 pay award.

The Government accept the SSRB's recommendations in full, but will continue to delay work on reducing the maxima until the capability based pay progression system is in place.

Judiciary recommendations and response for 2020-21

The recommendations made by the SSRB for the judiciary are:

A pay award of 2% for all judicial office holders within the remit group for 2020-21, applied equally to all salary groups.

Upper tribunal judges (including the surveyor members of the Lands Chamber) and

Senior masters and registrars to be moved to a new salary group between their existing salary group of 6.1 and the higher group 5.

The introduction of leadership allowances for circuit judges who take on the currently unrewarded roles of resident judges, designated family judges and designated civil judges.

The Government accept the SSRB's recommendations in full and note that these recommendations are predicated on the implementation of reform of judicial pensions, to address ongoing recruitment and retention problems.

Senior military recommendations and response for 2020-21

The Government accept the SSRB's headline pay award recommendation for senior military officers of 2-star rank and above. A 2% consolidated pay award will be implemented in September salaries and backdated to 1 April 2020.

The Government accept the SSRB's recommendations on senior military salaries to maintain the 10% increase to base pay on promotion from 1-star rank and to not change the current pay differentials for senior medical and dental officers.

The attachment can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-07-21/HCWS411/>.

[HCWS411]

TREASURY**Finance Bill 2020-21: Draft Legislation and
Tax Documents**

The Financial Secretary to the Treasury (Jesse Norman):

In line with the tax policy making framework, the Government are publishing draft legislation to be included in the Finance Bill 20-21, to allow for technical consultation and provide taxpayers with predictability over future tax policy changes.

Alongside this, the Government are making announcements on tax administration, business rates, and a number of other areas of tax policy. The Government are also publishing a number of previously announced tax policy documents. Measures that come into effect immediately or retrospectively are previously announced, or are technical amendments to ensure legislation works as intended.

As announced on 28 April, the Government have extended the consultation periods for plastic packaging tax, R&D SME Tax Credit PAYE cap, construction industry scheme abuse, and notification of uncertain tax treatment by large businesses in response to the covid-19 outbreak. As a result of this extension, the Government will publish the draft legislation for these measures later in the autumn.

Reform of tax administration

The Government are announcing a roadmap for making tax digital, alongside their long-term plans for tax administration reform. These reforms are intended to make it easier to pay tax due, enhance resilience, effectiveness, and support for taxpayers.

The Government are publishing a document setting out their vision for a trusted, modern tax administration system that is fit for the 21st century and keeps pace with the many countries already operating digital tax regimes. This sets out an ambition for the tax system to work closer to real-time, improving its resilience, effectiveness and support for taxpayers.

The Government are committed to delivering a modern tax service for the UK's increasingly digital businesses and their agents.

Digital tools and services can make it easier for businesses to keep on top of their tax affairs, and improve their productivity. Independent research commissioned by HMRC shows that businesses within MTD which fully integrate their accounting and tax software report spend less time on their tax. Micro-businesses who use software to manage their accounts have over 10% higher productivity, according to the Enterprise Research Centre.

Digital tools also reduce the scope for avoidable errors which cost the Exchequer £8.5 billion in lost revenue in 2018-19, and make the tax administration system less burdensome for those taxpayers who want to do the right thing.

The covid-19 pandemic has also highlighted the need for a more flexible, resilient and responsive tax system that provides businesses and HMRC with more up-to-date information on businesses and their finances, and enables easier identification and better targeting of taxpayer support.

The Government are therefore announcing a roadmap for HMRC's Making Tax Digital programme. Since April 2019, most VAT-registered taxpayers with a turnover above the

VAT threshold have needed to operate Making Tax Digital for their VAT returns, keeping their records digitally and updating HMRC through secure software. Over 1.4 million taxpayers are successfully using this system. This includes over 30% of VAT-registered businesses with turnover below the VAT threshold who have joined voluntarily. The Government will introduce legislation in Finance Bill 2020-21 to extend Making Tax Digital for VAT to all businesses below the VAT threshold from April 2022, to ensure every VAT-registered business takes the step to move to a modern, digital tax service.

The Government remain committed to extending Making Tax Digital to other taxes. The Making Tax Digital programme will therefore be extended through new regulations to businesses and landlords within income tax self-assessment from April 2023. This timetable allows businesses, landlords and agents time to plan, and gives software providers enough notice to bring new Making Tax Digital products to market, including free software for businesses with the simplest tax affairs. HMRC will expand its pilot service from April 2021 to allow businesses and landlords to test the full end-to-end service before the requirement to join.

The Government will also consult in the autumn on the detail of extending Making Tax Digital to incorporated businesses with Corporate Tax obligations.

A consultation response will be published setting out how the Government will amend HMRC's civil information powers, to ensure the UK can continue to comply with international tax transparency standards.

Further policy announcements:

The Government have made a number of further policy decisions which are being announced today, relating to:

Business rates revaluation

Under current legislation, the next revaluation would take effect on 1 April 2022 based on pre-covid-19 property values as of 1 April 2019. In May 2020, the Government announced a postponement to provide greater certainty for firms affected by the impacts of covid-19.

The Government are today announcing that the next revaluation of non-domestic property in England will instead take effect on 1 April 2023. So that it better reflects the impact of covid-19, it will be based on property values as of 1 April 2021.

Small brewers relief

The Government have concluded their review of this relief. In order to support growth, boost productivity and remove "cliff-edges", the scheme's taper will be smoothed. It will take effect more gradually over a wider range of production, starting at 2,100 hectolitres per year, and be converted to a cash basis. A technical consultation will be brought forward in the autumn. The Government will also consult on the potential for a grace period for small breweries that decide to merge.

Post-EU exit alcohol review

The Government recognise the need to reform the current duty system to support the alcoholic drinks and pubs sector in the longer term, and will publish a call for evidence before end September 2020.

Tackling promoters of tax avoidance

Tackling promoters of tax avoidance—The Government are publishing a consultation and draft legislation on further, tougher measures to tackle those who promote and market tax avoidance schemes, as announced at spring Budget. This builds on the anti-avoidance regimes that have already been introduced by the Government, which have helped to reduce the avoidance tax gap from £3.7 billion in 2005 to 2006 to £1.7 billion in 2018 to 2019. The Government will bring forward further ambitious proposals in the autumn to strengthen their response to promoters who seek to sidestep the rules.

Employee share ownership

Enterprise Management Incentives (EMI)—The Government will legislate in Finance Bill 2020-21 to ensure that employers can issue new EMI share options to individuals who have been furloughed, have taken unpaid leave or have had their working hours reduced below EMI's current statutory working time requirement as a result of covid-19.

Previously announced publications

The Government have published the following tax policy documents, previously announced at the spring Budget:

The business rates review call for evidence.

The call for evidence on pensions tax administration.

The consultation on the design of a carbon emissions tax.

The consultation on national insurance contributions holiday for employers of veterans.

The consultation on whether qualifying R&D tax credit costs should include investments in data and cloud computing.

The consultation on the economic crime levy.

The summary of responses to the call for evidence on the operation of insurance premium tax.

The summary of responses and Government next steps to the aggregates levy review.

The summary of responses to the non-UK resident SDLT surcharge consultation.

For other consultations, the Government are continuing to consider the responses and will respond in due course.

Technical tax changes

In addition, the Government are publishing a small number of technical tax changes, which are previously announced or provide technical easements for policy. These include measures relating to:

Changes to termination payments rules, post-employment notice pay (PENP) calculation at s. 402D(1) ITEPA 2003, and amendment of s.27 ITEPA 2003—Changes to current PENP calculation to avoid unfair outcomes if an employee's pay period is defined in months, but the contractual notice period is expressed in weeks, and changes to ensure non-residents who receive PENP are taxed fairly.

Legislation with immediate effect

The Government have published legislation for the following measures that will have immediate or retrospective effect:

Corporate interest restriction amendments—The first amendment clarifies the way special provisions apply for real estate investment trusts; this comes into force today. The second amendment ensures that no penalties arise for the late filing of an interest restriction return where there is a "reasonable excuse"; this applies from 1 April 2017 when the CIR rules commenced.

Enterprise Management Incentives (EMI) amendments—This legislation will apply retrospectively from 19 March, and is in addition to protecting existing EMI share options holders from the effects of covid-19, as legislated for in the Finance Act 2020, previous Finance Bill.

Annual Tax On Enveloped Dwellings—This measure introduces a new relief from the annual tax on enveloped dwellings (ATED) for housing co-operatives, those which are not publicly funded providers of social housing, which own UK residential property valued in excess of £500,000. The measure will come into effect retrospectively from 1 April 2020, allowing eligible housing co-operatives to claim a refund for the 2020-21 chargeable period.

In addition to these policy announcements, consultations and technical amendments, the Government are publishing draft legislation as announced at the spring Budget:

Benefit charge

Collective money purchases pension schemes

S4C Section 33 VATA

Conditionality: hidden economy

Draft legislation is accompanied by a Tax Information and Impact Note (TIIN), an Explanatory Note (EN) and, where applicable, a summary of responses to consultation document. All publications can be found on the www.gov.uk website. The Government's tax consultation tracker has also been updated.

[HCWS400]

DEFENCE

Armed Forces Pay

The Secretary of State for Defence (Mr Ben Wallace): Today I am announcing the Government's decision on pay rises for the armed forces.

The armed forces pay review body (AFPRB) has made a recommendation for a 2% increase for the 2020 pay award. We are accepting this recommendation in full (to be implemented in September salaries, backdated to 1 April 2020), and I am today laying the 2020 report.

The pay award represents an annual increase of £643 in the nominal average salary in the armed forces (which is at the corporal level), as well as an annual increase of £545 in the starting salary for an officer.

For all cohorts, this is additional to the non-contributory defined benefit pension and access to incremental pay progression.

The AFPRB also made recommendations on rises and changes to other targeted forms of remuneration and on the increase to food and accommodation charges which have been accepted. Where applicable, these rate changes will be backdated to 1 April 2020.

The Government greatly value and appreciate the role military personnel have in delivering essential services. This year we are delivering a real-terms pay increase for the third time. The hard work and dedication of our people throughout this difficult period are important to us and not taken for granted.

We are conscious that public sector pay awards must deliver value for money for the taxpayer. The coronavirus is having a very significant impact on the economy and the fiscal position, and the Government will need to continue to take this into account in agreeing public sector pay awards.

The attachment can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-07-21/HCWS410/>.

[HCWS410]

EDUCATION

Teachers' Pay Award

The Secretary of State for Education (Gavin Williamson): The 30th report of the School Teachers' Review Body (STRB) is being published today. Its recommendations cover the remit issued in September 2019. The report contains recommendations on the pay award for teachers that is due to be implemented from September 2020.

The STRB has recommended a 5.5% uplift to the minima of the main pay range and a 2.75% uplift to the maxima of the main pay range and the minima and

maxima of all other pay ranges and allowances in the national pay framework. These recommendations are equivalent to a 3.1% increase in the overall pay-bill.

The STRB has also recommended advisory pay points on the main pay range and upper pay range.

I am pleased to confirm my proposed response is to accept these recommendations in full.

This teachers' pay award—the largest since 2005—helps to recognise the extraordinary efforts of our teachers and leaders. It provides for a substantial above-inflation increase to the pay ranges for all teachers and leaders.

For example, for an experienced teacher at the top of the upper pay range this pay award could mean an increase of between £1,114 and £1,364, depending on location. Furthermore, this pay award is the continuation of several years of substantial pay awards—last year all pay ranges were uplifted by 2.75% and in 2018 uplifts to pay ranges averaged at 2.4%.

Furthermore, this Government made a commitment to increase starting salaries nationally for teachers to £30,000 by 2022-23. This pay award takes the first step to delivering this commitment, with a 5.5% increase to starting salaries worth between £1,341 and £1,677 depending on location. This will mean that starting salaries for new teachers will be between £25,714 and £32,157 depending on location in the 2020-21 academic year.

These substantial increases to teacher starting pay will help ensure teaching is rightly regarded as a well-rewarded and prestigious profession, enabling us to attract the most able graduates and career changers into teaching to support improved outcomes for pupils.

This pay award also takes a decisive step towards a pay structure which better supports teacher retention, with large increases to early career pay where we know retention is most challenging. Alongside other crucial reforms such as the early career framework and new national professional qualifications, this pay award will help to ensure we are retaining great teachers through the crucial early career phase.

Finally, this pay award will be affordable, on average, nationally for schools thanks to this Government's three-year investment package announced at the 2019 spending round. We are increasing core schools funding by £2.6 billion this year, £4.8 billion in 2021-22 and £7.1 billion in 2022-23, compared to 2019-20. As previously set out, from 2021-22 the funding schools currently receive through the teachers' pay and pension grants will be part of schools' core funding allocations, as determined by the schools national funding formula, and there will be no increase to these grants in respect of this year's pay award.

A full list of the recommendations and my proposed approach for all pay and allowance ranges can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-07-21/HCWS402/>.

My officials will write to all of the statutory consultees of the STRB to invite them to contribute to a consultation on the Government's response to these recommendations

and on a revised schoolteachers' pay and conditions document and pay order. The consultation will last for eight weeks.

[HCWS402]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Office for Environmental Protection: Contingency Fund Advance

The Secretary of State for Environment, Food and Rural Affairs (George Eustice): DEFRA has sought a repayable cash advance from the Contingencies Fund of £215,000.

The requirement has arisen because there is an urgent requirement to proceed with setting up the Office for Environmental Protection (OEP) in advance of Royal Assent of the Environment Bill.

Under managing public money rules, expenditure to make preparation for the delivery of a new service prior to Royal Assent requires an advance from the Contingencies Fund. The cash advance will pay for essential set up expenditure on public appointments, minimal staff recruitment to begin, and essential services that are needed for establishing for the OEP. The need to spend now in advance of Royal Assent is driven by the necessary timelines associated with recruitment, procurement and set up which are expected to take several months. This will ensure that the OEP can be brought into operation and begin exercising its statutory functions as soon as practical after Royal Assent of the Environment Bill.

Parliamentary approval for additional resources of £215,000 for this new service will be sought in a supplementary estimate for Department for Environment, Food and Rural Affairs. Pending that approval, urgent expenditure estimated at £215,000 will be met by repayable cash advances from the Contingencies Fund.

[HCWS401]

HEALTH AND SOCIAL CARE

NHS Pay Review Body: Government Response

The Minister for Care (Helen Whately): I am responding on behalf of my right hon. Friend the Prime Minister to the 33rd report of the NHS Pay Review Body (NHSPRB). The report has been laid before Parliament today (Cm260). Copies of the report are available to hon. Members from the Vote Office and to noble Lords from the Printed Paper Office.

As this is the third and final year of the three-year Agenda for Change pay and contract reform deal (2018-19 to 2020-21), the NHSPRB did not make any pay recommendations for 2020-21.

This multi-year deal has delivered year-on-year pay increases for our much valued NHS staff, and as part of this we have increased the starting salary for a newly qualified nurse by over 12% and increased the lowest starting salary within the NHS by over 16%.

The Government welcome the 33rd report of the NHSPRB and are grateful to the chair and members for all their work and helpful observations at what is a challenging time for our NHS. The report rightly recognises the hard work and dedication of our NHS staff in

responding to the covid-19 pandemic, and makes helpful observations on effective workforce planning and how best to support the development of the NHS workforce.

The upcoming People Plan will seek to address many of the observations made by the NHSPRB, and the Government remain committed to delivering on their manifesto commitment to deliver 50,000 more nurses in the NHS by 2025.

[HCWS409]

Doctors and Dentists Remuneration Body: Government Response

The Minister for Care (Helen Whately): I am responding on behalf of my right hon. Friend the Prime Minister to the 48th report of the Review Body on Doctors' and Dentists' Remuneration (DDRB). The report has been laid before Parliament today (Cm259). I am grateful to the chair and members of the DDRB for their report.

This report has been produced during what is an incredibly challenging time for our NHS and the DDRB report rightly recognises the tremendous effort of all of our clinical staff on the frontline of the covid-19 response. They have shown true resolve, professionalism and dedication throughout this challenging time for our NHS.

Thanks to the Government's investment in the NHS and the certainty provided in the long-term funding settlement, the Government are pleased to accept the DDRB's recommendations in full, providing a much deserved pay rise for our doctors and dentists working across the NHS.

The Government greatly value and appreciate the role public sector workers have in delivering essential public services, and we are delivering a real-terms pay increase to show that we mean it. The hard work and dedication of our public servants are something we do not take for granted.

We are conscious that public sector pay awards must deliver value for money for the taxpayer. Covid-19 is having a very significant impact on the economy and the fiscal position, and the Government will need to continue to take this into account in agreeing public sector pay awards. It is important that public sector pay is fair to both public sector workers and the taxpayer. Around a quarter of all public spending is spent on pay and we need to ensure that our public services remain affordable for the future.

Today's pay award is worth on basic pay:

- Between £2,200 and £3,000 for consultants
- Between £1,100 and £2,100 for specialty doctors
- Between £1,500 and £2,600 for associate specialists

This Government have invested heavily in our NHS and its workforce. We have backed the NHS by passing the NHS Funding Act which enshrines in law the largest cash settlement in NHS history as well as clearing billions of pounds worth of debt for NHS trusts. We also pledged that all public services would get whatever financial support they needed to deal with the covid-19 pandemic and we are working at pace to ensure the supply of vital funding and resources continues. We have also delivered on a manifesto commitment to

address the tax issue in doctors' pensions by listening closely to the concerns of senior clinicians. The Chancellor confirmed at Budget that both annual allowance taper thresholds will be increased by £90,000 from 6 April 2020, removing anyone with income below £200,000 from the scope of the tapered annual allowance. The incentive to take on extra NHS work is now restored, and clinicians can earn an additional £90,000 before reaching the new taper threshold. These measures will take up to 96% of GPs and 98% of NHS consultants outside the scope of the taper based on their NHS income.

The DDRB was asked not to make a pay recommendation for contractor general medical practitioners (GMPs) or doctors and dentists in training as both groups are moving into the second year of their respective multi-year deals. The significant investment in GMP core practice funding, as part of the five-year contract, provided greater certainty for GMPs to forward plan. The contract as agreed in 2019, and via further amendments in 2020, has also set out significant additional investment in a new state-backed indemnity scheme, the introduction of primary care networks and reimbursement for additional staff. For doctors and dentists in training the multi-year deal will mean all junior doctor pay scales will have increased by 8.2% by the end of the deal, and in addition circa £90 million is being invested to reform the contract, including to create a new, higher pay point to recognise the most experienced doctors in training.

Affordability has to be a consideration of Government when responding to the DDRB. Accepting the DDRB's recommendations will require difficult trade-offs and reprioritisation of spending within the wider context of the original financial plan set out in the NHS long-term plan. However, the Government deem accepting the DDRB's recommendations as important to reward and retain valued NHS staff.

In addition to retaining existing staff, the Government are committed to increasing workforce supply. That is why by September this year we will have opened five new medical schools in England so that we can continue to grow our domestic medical workforce. The new schools will help to deliver a 25% increase in the number of available places and by September we expect there will be an extra 1,500 medical students entering training each year, compared to 2017.

The Government's response to the recommendations is as follows:

Accept the recommendation for a uniform 2.8% uplift in pay across the whole of the DDRB's remit group with the exception of those already in multi-year deals. This includes uplifting the value of the GMP trainers grant, the GMP appraisers' grant and the minimum and maximum of the pay range for salaried GMPs.

To accept the recommendation to freeze the value of national and local clinical excellence awards (CEAs), commitment awards, distinction awards and discretionary points.

Salaried GMPs

For salaried GMPs the minimum and maximum pay range will be uplifted. As self-employed contractors, it is largely up to GP practices how they distribute pay to their employees. Employers have the flexibility to offer enhanced terms and conditions—for example, to aid recruitment and retention.

Specialty doctors (new grade 2008) and associate specialists (closed grade)

For specialty doctors and associate specialists (SAS doctors) the Government take note of the DDRB's comments on the need for improved recognition and career development. Negotiations on a multi-year pay agreement, incorporating contract reform, for this group of doctors are progressing and we hope to reach agreement in time for the next pay year.

Clinical excellence awards

The Government also acknowledge the DDRB's comments on clinical excellence awards and its reasons for not recommending an increase in their value. With this in mind, we will progress our plans to reform these awards with a view to introducing new arrangements from 2022.

General dental practitioners

A 2.8% general uplift in the pay element of their contract backdated to April 2020.

The Government have also fully acknowledged the DDRB's comments on the lack of progress on the dental contract reform and we appreciate the frustration with the pace of reform. NHS England and the Department of Health and Social Care need to be confident that the prototype contract, which has been tested, has proven that it has the ability to maintain or increase access, improve oral health, and is affordable for the NHS while also being sustainable for dental practices, before taking decisions on wider national implementation.

[HCWS407]

HOME DEPARTMENT

National Crime Agency Pay Award

The Secretary of State for the Home Department (Priti Patel): The National Crime Agency (NCA) Remuneration Review Body has recently made recommendations on pay and allowances for NCA officers designated with operational powers. I would like to thank the Chair and members of the review body for their work on gathering evidence from the NCA, the Home Office, HMT and the trade unions, resulting in their detailed and thorough report. The review body's work is of great value, ensuring that officers of a lower grade than deputy director designated with operational powers are properly remunerated for their work.

This Government are committed to helping the NCA in its fight against serious and organised crime (SOC). That is why they commissioned an independent review of SOC capabilities, funding and governance and why they committed to strengthening the NCA in their election manifesto.

SOC is evolving rapidly in both volume and complexity. I have been clear that the NCA needs to transform to meet the threat head on. Part of this transformation includes being able to attract, recruit and retain the right people. This review body's recommendations help support the NCA to achieve that goal and are as follows:

For officers on the standard ranges:

the pay range minima for grades 1 to 4 increase by 2.5%;

the pay range minima for grades 5 and 6 increase by 4.25% and 4.5% respectively;

the pay range maxima for grades 1 to 6 increase by 1.5%; and all officers should receive a consolidated pay award that maintains their percentile position on the pay range.

The spot rates for grades 4 and 5 are increased by 3% and 4.5% respectively.

London weighting allowance is increased by 2.5% to £3,424

Shift allowance is increased to 20% of base pay.

These awards will be fully funded within the NCA's existing budget. The small number of officers electing to remain on the terms and conditions of pre-cursor organisations will remain on their previous pay rates.

This award represents a significant real terms increase, the third year in a row where this is the case. The average salary at the NCA is £36,794, this is up by 4.3% since 2018.

The Government continue to balance the need to ensure fair pay for public sector workers with protecting funding for frontline services and ensuring affordability for taxpayers. The effects of coronavirus continue to have a significant impact on the economy and the fiscal position and the Government will need to continue to take this into account in agreeing public sector pay awards.

[HCWS405]

Police Pay

The Secretary of State for the Home Department (Priti Patel): The sixth annual report of the Police Remuneration Review Body (PRRB) was published today. The body made recommendations on pay and allowances for police officers up to and including the chief officer ranks in England and Wales. We value the role of the independent PRRB and thank the Chair and members for their detailed consideration and observations of the matters raised in relation to police pay.

The Government are extremely grateful for the commitment shown by our police officers up and down the country, in keeping the public safe during these unprecedented and challenging times.

The Government have accepted in full the PRRB's recommendation that a consolidated increase of 2.5% should be awarded to all ranks at all pay points, with a corresponding increase to London weighting and the dog handlers' allowance, with effect from 1 September 2020.

The PRRB also recommended the removal of the lowest point of the sergeants' pay scale; and that the maximum rate of London allowance should increase by £1,000 to £5,338 a year for officers appointed on or after 1 September 1994 and not receiving replacement allowance. The Government have accepted these recommendations. These changes will take effect from 1 September 2020.

This is the second year in a row that we have awarded an increase of 2.5% for our police officers and delivers an above inflation increase. Police constables will earn up to £1,002 more this year.

The Government hold in the highest regard the role that public sector workers have in delivering essential public services and we are awarding a real terms pay

increase. The hard work and dedication of our public servants throughout this difficult period is something we do not take for granted.

The Government continue to balance the need to ensure fair pay for public sector workers with protecting funding for frontline services and ensuring affordability for taxpayers. The effects of coronavirus continue to have a significant impact on the economy and the fiscal position and the Government will need to continue to take this into account in agreeing public sector pay awards.

[HCWS404]

Security Industry Authority: Annual Report and Accounts

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): The 2019-20 Annual Report and Accounts for the Security Industry Authority (HC647) is being laid before the House today and published on www.gov.uk. Copies will be available in the Vote Office.

[HCWS406]

JUSTICE

Prison Service Pay Review Body: Government Response

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): I am today announcing the Government's decision on pay rises for prison staff.

The Prison Service pay review body (PSPRB) has made its recommendations for the 2020-21 pay award. The Government value the independent expertise and insight of the PSPRB and take on board the valuable advice, principles outlined, and constructive challenge to the Government's evidence outlined in the report.

Today I am announcing that we are accepting in full the recommendations made by the review body for implementation from April 2020. For clarity these are recommendations 1, 2 and 4 to 7.

This will deliver a pay rise of at least 2.5% for all prison staff—with cumulative awards of up to 7.5% for some staff when progression pay is taken into account. For a band 3 prison officer on the modern terms and conditions the pay settlement is worth on average £1,086.

This is the third year in a row that we have put in place an award of at least 2% for our prison staff and delivers an above-inflation increase. In addition to their pay, prison officers continue to benefit from defined benefit pensions, which are amongst the most generous available. We are conscious that public sector pay awards must deliver value for money for the taxpayer. Government will continue to take this into account in agreeing public sector pay awards in future.

This award will support the recruitment and retention of prison officers and managers and recognises the essential contribution they make every day—which has only been highlighted by their professional and dedicated response to the unique challenges of delivering safe prisons during the pandemic.

In addition to its core recommendations to be implemented from April 2020, the PSPRB has also recommended a further overall increase of £3,000 for "band 3" prison officers on modernised terms and conditions from September 2020 (recommendation 3).

It is only right that such a substantial increase for our largest staffing group is considered more carefully over the coming months as we move towards the spending review; due to the exceptional costs associated with implementing this recommendation, the impact on the overall pay structure, and the changing labour market conditions due to the exceptional economic impacts of the pandemic. The Government will also need to consider the recommendation in the context of the pay rises being given to other hard-working public servants.

Furthermore, we wish to open discussions with recognised trade unions on the implications of this recommendation and how any such uplift in pay might be best implemented in an affordable and mutually beneficial manner alongside workforce reforms that deliver the best value for money for taxpayers.

The Government will therefore announce their response to this recommendation later in the year.

The report has been laid before Parliament today and a copy can be found online. I am grateful to the chair and members of the review body for their report.

The report can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-07-21/HCWS408/>.

[HCWS408]

PRIME MINISTER

Intelligence and Security Committee: Publication of the Russia Report

The Prime Minister (Boris Johnson): The Intelligence and Security Committee of Parliament (ISC) has today laid before Parliament a report on Russia, examining

the Russian threat to the UK and the UK's response. I welcome the report and thank the former Committee for the work that has gone into this; this has clearly been an extensive effort spanning almost two years.

The Government are publishing their response to the ISC's Russia report immediately, recognising the significant public interest in the issues it raises. Copies of the response have been laid before both Houses.

The Committee has also today laid before Parliament its annual report 2018-19. This report highlights the breadth of the Committee's oversight role and I thank them for their important work.

I would like to thank the former Committee for their work in the last Parliament, and I look forward to working with the newly appointed Committee in the future.

[HCWS403]

WORK AND PENSIONS

Office for Nuclear Regulation: Corporate Plan and Strategy

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): My noble Friend the Parliamentary Under-Secretary of State, Department for Work and Pensions, Baroness Stedman-Scott, has made the following written statement.

Later today I will lay before this House the Office for Nuclear Regulation Corporate Plan 2020-21 and the Office for Nuclear Regulation strategy 2020-25. These documents will also be published on the ONR website.

I can confirm, in accordance with schedule 7, Section 25(3) of the Energy Act 2013, that there have been no exclusions to the published documents on the grounds of national security.

[HCWS412]

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**not later than
Tuesday 28 July 2020**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE
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Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

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