

**Tuesday
24 November 2020**

**Volume 684
No. 140**



**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Tuesday 24 November 2020

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

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

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

Oral Answers to Questions

FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE

The Secretary of State was asked—

Deportation: Human Rights Compliance

Richard Burgon (Leeds East) (Lab): What recent steps he has taken with the Home Secretary to ensure UK Government compliance with international human rights law in the handling of deportation cases. [909149]

The Minister for Asia (Nigel Adams): Deportations, removals and returns are a Home Office lead. The Home Office is responsible for ensuring that action is in compliance with the relevant legal frameworks. The Foreign Secretary and the Home Office meet regularly to discuss international business, and Foreign, Commonwealth and Development Office Ministers periodically discuss FCDO support for return flights to specific countries with Home Office colleagues, most recently the resumption of flights to Nigeria and Ghana following a pause due to the covid-19 pandemic. The UK's international legal obligations, including those under international human rights law, underpin all those exchanges.

Richard Burgon [V]: The Julian Assange case is just one of many recent cases that have led to greater public discussion of the issue of extradition between the US and the UK in recent years. There are concerns across the House about our country's extradition treaty with the USA. One is that the US can request extradition in circumstances Britain cannot, something the Prime Minister labelled "unbalanced" earlier this year. Another is that provisions within the treaty are not properly upheld—for example, the treaty bans extradition for political offences. What is the Minister doing to ensure that the ban on extradition for political offences is always upheld?

Nigel Adams: As the hon. Member may already know, changes were made under the previous Government to make the system more balanced. I can tell him that the FCDO is committed to upholding the full range of

rights set out in the universal declaration of human rights and in international human rights treaties to which we are a state party.

Mahboob Ahmad Khan

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): Whether the Government have made representations to the Government of Pakistan on the killing of Mr Mahboob Ahmad Khan in Peshawar on 8 November 2020; and if he will make a statement. [909150]

The Minister for Asia (Nigel Adams): We strongly condemn the murder of Mr Mahboob Khan, another recent and apparently religiously motivated killing of an Ahmadi Muslim in Pakistan. On 8 November, my ministerial colleague Lord Ahmad of Wimbledon, the Minister for South Asia and the Commonwealth, publicly condemned the murder of Mr Khan. On 16 November, he raised concerns about killings of Ahmadi Muslims in Pakistan, including Mr Khan's murder, with Pakistan's human rights Minister.

Margaret Ferrier [V]: I thank the Minister for his response. Given that four Ahmadi Muslims have been murdered on the grounds of faith in the past four months, the latest being 31-year-old Dr Tahir Ahmad, murdered at home in Punjab just last Friday, what further representations can his Department make to the Government of Pakistan on ending their state-sponsored persecution of Ahmadi Muslims in Pakistan, which is rooted in federal laws that explicitly target Ahmadi Muslims?

Nigel Adams: I thank the hon. Lady for her question. She may be aware that we had a very robust Adjournment debate highlighting this issue last night. We remain deeply concerned by reports of discrimination and violence against any religious communities in Pakistan, including the Ahmadiyya Muslim community. We raise regularly at senior level with Pakistan our concerns about the mistreatment of Ahmadiyyas and other religious communities. On 3 November, FCDO officials in Islamabad met representatives of the Ahmadiyya community in Rabwah to engage with their concerns, as well as raising the matter with Pakistani authorities.

UK-US Co-operation

Neil Gray (Airdrie and Shotts) (SNP): What recent discussions he has had with President-elect Joe Biden's transition team on future co-operation between the UK and the US. [909187]

The Secretary of State for Foreign, Commonwealth and Development Affairs and First Secretary of State (Dominic Raab): We send our warmest congratulations to President-elect Joe Biden and Vice President-elect Kamala Harris on winning the election. Whether it is on trade, security or defence, we do more together than any other two countries and we see huge opportunities in the months ahead.

Neil Gray [V]: As President-elect Biden embarks on building his internationally focused team, including, as Secretary of State Antony Blinken, who said that Joe Biden would bring aid back to the centre of foreign

policy, does the Foreign Secretary regret that the UK Government's disgraceful plans to change the law to cut aid spending below 0.7% not only sends the wrong message to the rest of the world, but gets the relationship with the new Administration they did not want to see off to a bad start?

Dominic Raab: Actually, we consistently showed that we are a leading, if not one of the leading countries, on aid. That will continue. We also—this will matter to the United States—indicated the increase in defence spending, which shows what a dependable ally we are. All the soundings that we have had—that I have had—with the incoming leadership show that there are huge opportunities on climate change and covid to strengthen the relationship even further.

Lisa Nandy (Wigan) (Lab): I echo the Secretary of State's congratulations to President Biden and, in particular, to the Vice President-elect on this historic election. However, the spectacle of democracy under attack in the United States has sent shock waves around the globe. Even after the transition announcement yesterday, the President has continued to say that he will “never concede to fake ballots”.

Ron Klain says that the President has “set back” the democratic norms of the United States. Does the Foreign Secretary now regret emboldening those who attack democracy by refusing to assert that all votes should be counted and that processes need to play out, or will he stand with me and the incoming White House chief of staff in defence of free and fair elections?

Dominic Raab: First, I warmly join the hon. Lady in paying tribute to and welcoming the historic election of Vice President-elect Kamala Harris. Frankly, the stuff that the hon. Lady said about emboldening critics of the US elections could not be further from the truth. What we have said consistently—[*Interruption.*] She might want to listen to the answer to her question. What we have said consistently is that the US has the checks and balances in place to produce a definitive result. It has. We warmly welcome the new Administration. We look forward to working with them.

Lisa Nandy: Global alliances are based on shared values: democracy, the rule of law and human rights. Human rights will be a key pillar for the Biden Administration. They rightly recognise that Yemen is the world's worst humanitarian catastrophe, sustained by US and UK support. The war has gone on for more than five years, with a dangerous rocket attack in Jeddah just yesterday. Does the Secretary of State agree with the incoming US Secretary of State, the National Security Adviser and the ambassador to the UN that it is time to end participation in, or any form of support for, the disastrous Saudi-led campaign? Will he now commit to playing the UK's part by ending arms sales to Saudi Arabia?

Dominic Raab: I certainly agree with the hon. Lady that we have to pursue every effort to get peace in Yemen, both on the humanitarian side and on the political track. That is why we have been fully supportive of the UN special envoy, Martin Griffiths. I have been out to Saudi to encourage, promote and cajole the

Saudis into doing the right thing. Of course, the Houthis need to move. Actually, the most important thing is a concerted regional push for a political end to this wretched conflict.

Hong Kong Opposition Lawmakers

Geraint Davies (Swansea West) (Lab/Co-op): What steps the Government plan to take in response to the disqualification of four pro-independence opposition lawmakers in Hong Kong. [909152]

The Secretary of State for Foreign, Commonwealth and Development Affairs and First Secretary of State (Dominic Raab): Beijing's imposition of new rules to disqualify elected legislators constitutes a clear breach of the UK-China joint declaration. This is only the third time we have judged a breach, and the second in six months. China has once again broken its promises and undermined Hong Kong's high degree of autonomy.

Geraint Davies [V]: As the Foreign Secretary said, the Chinese Government have breached the Sino-British joint declaration twice in the past six months, so when will he implement the Magnitsky sanctions against the Chief Executive of Hong Kong, Carrie Lam? What steps is he taking to tighten capital flows into China via Hong Kong from the City of London?

Dominic Raab: I thank the hon. Gentleman for his interest. He will know that we have already made a new offer to British nationals overseas, suspended our extradition treaty with Hong Kong and extended our arms embargo on mainland China to Hong Kong. On the Magnitsky sanctions, this is not just something that we can decide at our fiat. We need the evidence to back it up. We are looking at and assessing that, working with our international partners. On 18 November, I led and issued a statement with our Five Eyes Foreign Ministers condemning the latest China move in relation to legislators. That was hot on the heels in October of 39 countries joining the UK in the UN Third Committee with a statement on Hong Kong as well as Xinjiang.

Climate Change: International Co-operation

Simon Fell (Barrow and Furness) (Con): What recent progress the Government have made through international co-operation on tackling climate change. [909153]

The Minister for the Middle East and North Africa (James Cleverly): As the UK will be the the host of COP26 and the president of the G7 next year, securing greater global ambition on climate change is a diplomatic priority for this Government. Ministerial colleagues in the FCDO and my right hon. Friend the Foreign Secretary regularly raise this subject, and he has raised it with countries, including Japan and South Korea, earlier this year. This strategy is working. China has pledged to become a carbon-neutral country by 2060 and Japan and South Korea have committed to become net zero by 2050. On 7 November, the Prime Minister appointed my right hon. Friend the Member for Berwick-upon-Tweed (Anne-Marie Trevelyan) as the international champion on adaptation and resilience for COP26.

Simon Fell: My constituents in Barrow and Furness have welcomed the Government's focus on renewable energy, but it is clear that a global approach is required to deal with this crisis. Can my right hon. Friend reassure the House that the Department is working flat out on COP26 and the climate ambition summit to make it a success?

James Cleverly: My hon. Friend is absolutely right that the answer to this lies in global co-operation. The United Kingdom is leading from the front, and we are pressing foreign Governments for greater action and higher commitments at the climate ambition summit on 12 December. Our posts across the globe have engaged with host Governments, businesses and civil society on climate change issues ahead of COP26, and we will continue to do so in the run-up to the climate ambition summit this December.

Alyn Smith (Stirling) (SNP): Climate change is going to drive the future crisis that humanity is facing. Parts of the world will get wetter and parts drier, with all the world more climatically unstable, and with population growth and resource scarcity. Climate change is going to be at the heart of every crisis that we will face.

The UK is undertaking the integrated review of foreign and defence policy right now. I will be grateful for an assurance from the Minister that climate change will be high on the agenda of that review, and that he will take good note of the Scottish National party's suggestions, which we submitted to the review in good faith. We all need to work together on this, because climate change is a crisis facing humanity as a whole.

James Cleverly: The hon. Member is right to highlight the fact that climate change is going to be an important factor in the foreign policy of all countries around the world. We recognise that, in terms of pressure on food production and resources, the potential implications and the conflicts that may come about as a result. That is why climate change and our response to it, development and diplomacy will all go hand in hand through the integrated review.

Alyn Smith: I am grateful to the Minister for that reassurance. I suggest that he has a read of the SNP submission to the integrated review. There are some very good ideas in there, not least to maintain development at the heart of climate mitigation and to fund it properly. If I were a Minister in a Government who stood on a manifesto in December to maintain 0.7%, I would be considering my position were that to be walked back upon. Is he considering his?

James Cleverly: I am very proud of the fact that the United Kingdom is and will remain one of the most generous aid donors in the world. We have focused relentlessly on ensuring that the work of the United Kingdom Government across all Departments focuses on addressing the poorest in the world, as well as the implications of climate change.

ASEAN Countries: UK Relations

Antony Higginbotham (Burnley) (Con): What diplomatic steps he is taking to strengthen UK relations with ASEAN countries. [909154]

The Minister for Asia (Nigel Adams): We are very much strengthening our relations with the 10 countries of the Association of Southeast Asian Nations. Last month, I had a meeting with the ASEAN Secretary-General. I have also met all ASEAN ambassadors to London. The Foreign Secretary visited Vietnam in September and met ASEAN Foreign Ministers. Last week, I was in the Philippines and met Secretary of Foreign Affairs Locsin, among others.

Antony Higginbotham: I welcome the Minister's meeting in the Philippines. He knows that our relationship with the Philippines is not just about security and defence, but extends to the 30,000 healthcare workers in this country who came from the Philippines. May I press him on the conversations that he has had with the Government in Manila about those 30,000 workers and how we can strengthen the healthcare relationship?

Nigel Adams: My hon. Friend is absolutely right to raise that. While I was in Manila last week, I met a range of Cabinet Secretaries, including the Health Secretary and the Foreign Minister, as I said, and the British Red Cross. As my hon. Friend knows, there is currently a ban on Filipino nurses leaving the country. They are fantastic, committed health workers and we are very grateful to the 30,000 of them in the national health service. I am pleased to report that we managed to secure important progress in that regard. Following the discussions that I had with the Health Secretary, the Philippines President has confirmed that he will lift the ban, allowing our NHS to recruit these highly skilled and excellent health service workers.

Tom Tugendhat (Tonbridge and Malling) (Con): I very much welcome my hon. Friend's efforts with ASEAN and his emphasis on the Indo-Pacific. He will no doubt have seen the fantastic Policy Exchange report by my hon. Friend the Member for East Surrey (Claire Coutinho), who has been instrumental in emphasising some of these points. Does he agree that this tilt towards the Asia-Pacific is fundamental to defending democracies in the region, to ensuring that British interests are valued and to respecting the individual rights of countries that for too long have been pressed by China to come within a different orbit?

Nigel Adams: I thank the Chairman of the Select Committee for his question. He is absolutely right, and I also applaud the work of my hon. Friend the Member for East Surrey in this regard. Our tilt towards the Indo-Pacific region as part of the integrated review is testimony to how much we value that part of the world. There are a number of issues that we will raise with China. We are concerned in particular about issues involving the South China sea, and these are conversations that we have regularly with China. I made our legal position on that very clear here at the Dispatch Box a couple of months ago. Our support in that area has been widely supported by our ASEAN friends.

Hungary: Same-sex Couple Adoption

Christine Jardine (Edinburgh West) (LD): What representations he has made to the Government of Hungary on proposals to ban adoption for same-sex couples in that country. [909155]

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Wendy Morton): The UK is committed to the principle of non-discrimination on grounds of sexual orientation and/or gender identity. If it is passed, the legislation will reserve adoption for married couples, which in Hungary means heterosexual couples. While there would be an avenue for exceptions, adoption would be very difficult for same-sex couples in the future, as well as for single people. Our embassy in Budapest is closely monitoring the discussions of the proposal in the Hungarian Parliament, and will be discussing it with Hungarian officials and civil society actors.

Christine Jardine [V]: This unacceptable development in Hungary is a very worrying one, and is part of a wider movement to define families as a union between a male and female husband and wife and children. Does the Minister agree that we have to take every possible opportunity to impress upon the Hungarian Government how unacceptable this is to so many people in our communities here in the United Kingdom?

Wendy Morton: We are completely opposed to all forms of discrimination and we continue our work to uphold the rights and freedoms of lesbian, gay, bisexual and transgender people in all circumstances. We are really concerned that the amendment of Hungary's Registry Act, which was passed by the Hungarian Parliament in May, will have an adverse impact on the rights of transgender people, and I raised our concerns about the amendment to the Act with the Hungarian Deputy Minister for Foreign Affairs and Trade in April. I can assure the hon. Lady that our embassy in Budapest takes all appropriate opportunities to discuss the rights of transgender people with senior government officials and civil society.

Ethiopia

Mr Laurence Robertson (Tewkesbury) (Con): What recent assessment he has made of the security situation in Ethiopia. [909156]

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What recent assessment he has made of the (a) political and (b) security situation in the Tigray region of Ethiopia. [909167]

The Secretary of State for Foreign, Commonwealth and Development Affairs and First Secretary of State (Dominic Raab): We are very concerned about the conflict in the Tigray region of Ethiopia, in terms of both the humanitarian impact and the risk of spillover and spread through the region.

Mr Robertson [V]: Having chaired the all-party parliamentary group for Ethiopia and Djibouti for a long while, I have seen the relative peace that Ethiopia has lived in since 1987, and the last thing it needs at the moment, following the locust problem and covid, is this situation. Does the Foreign Secretary therefore agree that the best way forward, and the only realistic way forward, is to find a peaceful solution to the problems? Will he also do everything he can to ensure that aid continues to get to the Tigray people who need it?

Dominic Raab: I thank my hon. Friend and pay tribute to the work that he has done in this regard. I share his concern. I spoke to Prime Minister Abiy on 10 November. We have made it clear that there needs to be a de-escalation of violence, humanitarian access and protection of civilians. Of course, there are also all sorts of regional implications, which is why I have also spoken to the Prime Minister of Sudan and the Foreign Ministers of Egypt and South Africa. This will require not only regional but international efforts to secure peace and protect the humanitarian plight there.

Stuart C. McDonald [V]: As the Foreign Secretary said, this conflict has implications for the whole region, including Somalia, with Ethiopian troops being pulled out of that country to be redeployed to Tigray. Given reports that President Trump also intends to move troops out of Somalia, and given the threatening presence there of al-Shabaab and Islamic State, what discussions has the Foreign Secretary had with international partners about ensuring that Tigray does not end up helping to destabilise Somalia, too?

Dominic Raab: The hon. Gentleman is absolutely right. As my hon. Friend the Member for Tewkesbury (Mr Robertson) made clear, Ethiopia has been a relative success story lately, but there is a real danger for the people of Ethiopia and he has highlighted the risks of spillover to Sudan, Somalia and Eritrea, which will be very damaging not only for people in the region, but for wider equities. As I say, I have spoken to regional leaders. I will speak to the Deputy Prime Minister of Ethiopia soon. Of course, we will be engaging with the Americans. I was in Berlin yesterday talking with the E3 and our European colleagues. We have expressed our concern, and we are doing everything we can to bring peace and a de-escalation of the conflict.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The war and famine in Ethiopia in the 1980s are seared into the memories of the British people and the world, and yet again we are on the brink of another tragedy for the people of that wonderful country: hundreds of civilians hacked to death, tens of thousands of refugees, hundreds of thousands cut off from assistance, women and children caught in the violence between rebels, and a Government now threatening to shell a city. Can the Foreign Secretary say why it has taken until today for the United Nations Security Council to meet on this? What more are we doing to secure humanitarian corridors and access for independent human rights monitors? Does he not agree that this is another reason why it would be the wrong time to cut our 0.7% commitment to humanitarian assistance?

Dominic Raab: I share the hon. Gentleman's horror at some of the reports of the civilian casualties. We take this incredibly seriously, energetically and actively at the United Nations. Let me reassure him that UK funding is already helping those in urgent need of assistance. In Ethiopia specifically, the UK funds the World Food Programme, the United Nations High Commissioner for Refugees, UNICEF and the UN Office for the Co-ordination of Humanitarian Affairs.

Yemen

Adam Holloway (Gravesend) (Con): What recent assessment the Government have made of the (a) political and (b) humanitarian situation in Yemen. [909157]

The Minister for the Middle East and North Africa (James Cleverly): The humanitarian situation in Yemen is dire. As my right hon. Friend the Foreign Secretary warned in September, Yemen has never looked more likely to slide into famine than it does now. Almost 16 million people—53% of the population—are currently unable to afford food. In response, the UK is rapidly disbursing the £200 million-worth of aid commitment this year. We fully support UN special envoy Martin Griffiths, who is seeking the parties' agreement to proposals for a nationwide ceasefire and formal talks.

Adam Holloway: Would my right hon. Friend give us some indication of the progress of the UN efforts?

James Cleverly: We strongly support the UN's efforts, and we regularly engage with all parties that have an interest in Yemen. On 18 October, I spoke to the spokesman Mohammed Abdul-Salam about the peace process and the Safer oil tanker; on 6 October, I spoke to the Yemen Foreign Minister about the progress; and on 17 September the Foreign Secretary co-hosted a P5+ ministerial meeting to encourage all parties to engage fully with the proposals that the UN has put forward.

Saudi Arabia: Human Rights Defenders

Alex Cunningham (Stockton North) (Lab): What discussions he had with the Government of Saudi Arabia at the G20 on human rights defenders in that country. [909158]

The Minister for the Middle East and North Africa (James Cleverly): Our strong relationship with Saudi Arabia allows us to raise human rights concerns through a range of ministerial and diplomatic channels. Ahead of the G20 leaders' summit, I raised human rights concerns with the Saudi ambassador, including the continued detention of at least five women human rights defenders. The UK also signed the UN Human Rights Council joint statement in September calling for the release of all political detainees. We will continue to raise human rights concerns with the Saudi authorities.

Alex Cunningham: Women in Saudi Arabia now have the right to drive, but some of those who fought for that basic equality remain behind bars. The UK is, as the Minister suggests, Saudi Arabia's closest European ally, but does he understand why the detention of women human rights defenders by the Saudi Arabian authorities is an important test of our Government's commitment to defending human rights? Will he call on them to release these women and all political prisoners immediately?

James Cleverly: We welcome the improved situation for women in Saudi and encourage the Saudis to continue steps in that direction. As I have already said, we engage on this specific issue at both ministerial and official level and will continue to urge the Saudis to go further.

Wayne David (Caerphilly) (Lab): The Minister knows full well that the human rights situation in Saudi Arabia is terrible, and many people believe it is getting worse. Now that the G20 summit has been held, what precisely do the Government intend to do to put pressure on the Government of Saudi Arabia to release human rights

activists, including women's rights activists who are being held for fighting for freedoms that we in this country take for granted?

James Cleverly: I spoke to the Saudi ambassador about this very issue on 16 November. As I say, it is important that we recognise when progress has been made. Saudi is embarking on a reform programme and we are seeking to ensure that that goes further and faster, but as I said in response to the previous question, we do engage at ministerial level and at official level to encourage the release of women's human rights defenders.

Covid-19 Vaccines

Ms Angela Eagle (Wallasey) (Lab): What steps the Government are taking to help ensure equitable access to covid-19 vaccines for people living in the global south. [909159]

Sara Britcliffe (Hyndburn) (Con): What diplomatic steps the Government are taking to support the development of a covid-19 vaccine (a) in the UK and (b) throughout the world. [909180]

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Wendy Morton): The UK is committed to rapid, equitable access to safe and effective vaccines through multilateral collaboration. We strongly support the COVAX advance market commitment, which is the international initiative to support global equitable access. The UK is the largest bilateral donor to the AMC, having committed up to £548 million to help provide vaccines for up to 92 developing countries. The UK also committed £71 million in non-official development assistance to participate in the COVAX facility for self-financing countries, in order to secure options to vaccines for UK domestic use.

Ms Eagle: In a pandemic we are only as strong as our weakest link. Is the Minister convinced that, even though we are one of the largest donors, we are doing enough to ensure that developing nations have the infrastructure they need to organise a mass roll-out of the vaccine?

Wendy Morton: A pandemic response is absolutely what we need to tackle this virus, and that requires global collaboration. The UK strongly supports multilateral approaches so that we can meet both domestic and global needs, and that work goes alongside UK deals with individual vaccine developers. I am sure that, like me, the hon. Lady will welcome AstraZeneca's commitment to non-profitable access during the pandemic and the fact that AstraZeneca estimates that up to 3 billion doses will be available globally by 2021.

Sara Britcliffe: My question follows on from that asked by the hon. Member for Wallasey (Ms Eagle). What specific steps is my hon. Friend the Minister taking to ensure that the UK is at the forefront of providing vaccines to vulnerable countries around the world?

Wendy Morton: I know how interested so many Members are in the access to and distribution of these incredibly important vaccines as part of our covid-19 response.

Our £250 million of funding for the Coalition for Epidemic Preparedness Innovations is helping to develop vaccine candidates that can be scaled up and accessible for developing countries. Our commitment of up to £548 million to the COVAX AMC will contribute to the target of supplying 1 billion doses for 92 developing countries in 2021 and vaccinations for up to 500 million people. We have also worked with the World Bank to secure up to \$12 billion in financing to support developing countries' access to covid-19 vaccines, treatments and tests.

Myanmar: ICJ Case

Rushanara Ali (Bethnal Green and Bow) (Lab): What assessment he has made of the implications for his policies of Canada and the Netherlands formally joining the Gambia in the International Court of Justice case on the genocide of Rohingya people by the Myanmar Government. [909160]

The Minister for Asia (Nigel Adams): The UK Government have been clear about their political support for the ICJ process, and we continue to urge Myanmar to comply with the provisional measures ruling. We are aware of the intention of the Netherlands and Canada to intervene and understand that they will take a final decision once the case progresses. We are monitoring the case closely and continue to consider whether UK intervention would add value to its merits.

Rushanara Ali: I am grateful to the Minister for that answer. However the failure to secure justice and hold the Burmese Government and the military in particular to account sends a dangerous message to other Governments that genocide and ethnic cleansing are acceptable policy tools. We are seeing that elsewhere in the world, too. I have asked this question of the Minister and the Foreign Secretary time and again, but, let me ask it once again: can the Minister say very clearly that the UK Government will join that case? If he cannot say so today, will he commit to saying so soon? Very eminent British lawyers, such as Philippe Sands, are involved and are asking the British Government to support it, because if they do not, people will quite rightly ask whether it is a case of the UK Government taking the stance that it is acceptable to commit acts of genocide on Muslim minorities.

Nigel Adams: I congratulate the hon. Lady on her work on this issue, alongside the former Foreign Secretary, my right hon. Friend the Member for South West Surrey (Jeremy Hunt). She is absolutely right to say that accountability is vital. The Myanmar military has committed atrocities against the Rohingya and other minorities, and there has been no tangible progress on accountability. We have been very clear about our support for the ICJ process. It is putting pressure on Myanmar to protect the Rohingya and to work towards genuine accountability. She mentioned genocide. We agree with the UN fact-finding mission that the events of 2017 constitute ethnic cleansing. We are clear that the question of whether genocide took place is a legal determination to be made by a competent court. The ICJ is a competent court and we welcome its consideration of the issue. I look forward to welcoming her and my right hon. Friend to discuss these issues in the FCDO shortly.

Nuclear Non-Proliferation Treaty Review Conference

Beth Winter (Cynon Valley) (Lab): What the Government's priorities are for the nuclear non-proliferation treaty review conference in 2021. [909162]

The Minister for the Middle East and North Africa (James Cleverly): The United Kingdom's priority is to reinforce the non-proliferation treaty as a vital part of the international security architecture and to highlight the UK's strong track record across all three pillars of the treaty. Building on the successful 2020 UK-led P5 process, we will work to promote transparency between nuclear and non-nuclear states and submit a national report to highlight our achievement in support of the NPT. The UK will also emphasise the important role of peaceful uses of nuclear energy in achieving the sustainable development goals.

Beth Winter [V]: Given that the UK is a signatory to this treaty, does the Minister agree that the logical next step would be for the UK now to become a signatory to the UN treaty on the prohibition of nuclear weapons, taking the lead from the First Minister of Wales, who has welcomed this treaty? In that way, we in the UK can take a lead internationally to create a future throughout the world without nuclear weapons.

James Cleverly: The UK has reduced by half its nuclear arsenal since the end of the cold war, but we will not sign or ratify the prohibition of nuclear weapons. We do not believe that this treaty brings us any closer to a world without nuclear weapons, and it will not improve the security environment.

Fabian Hamilton (Leeds North East) (Lab): I hope the Minister will agree with me that the UK must seize the opportunity of the nuclear non-proliferation treaty review conference early next year to push multilateral nuclear disarmament back up the global agenda and take the steps necessary to bring about a world free from the threat of nuclear weapons. With major non-signatories, such as India and Pakistan, still remaining, will the Minister outline how the Government plan to encourage those countries and others to commit to signing the treaty?

James Cleverly: I think that everyone from all parts of this House will share the desire to see a world without nuclear weapons. However, we do need to ensure that at no point do we compromise the United Kingdom's defence. We worked at the P5 conference of NPT nuclear weapon states that took place in February 2020 to demonstrate our engagement with the wider non-proliferation treaty community, and we will continue to work on our priorities: transparency, the UK national report, disarmament verification and peaceful uses of nuclear energy.

UK Preparedness: End of the Transition Period

Simon Baynes (Clwyd South) (Con): What progress his Department has made on ensuring UK preparedness for the end of the transition period. [909163]

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Wendy Morton):

Although it remains our intention and hope to reach agreement with the EU, as a responsible Government we continue to make extensive preparations for a wide range of scenarios. The FCDO is leading communication campaigns aimed at UK nationals living in the EU and UK travellers to the EU to help to ensure that they take the actions they need to take to be ready for the end of the transition period. We have also launched the UK nationals support fund, providing up to £3 million to support at-risk and hard-to-reach UK nationals who might need additional support to apply for residency in their host EU member states.

Simon Baynes: Will the Minister tell us how businesses and organisations in Clwyd South and the rest of the UK can access practical advice and support from the Government to ensure that they are ready for the end of the transition period?

Wendy Morton: My hon. Friend is right to ask such questions on behalf of his constituents. Let me point him in the direction of some areas of support. First, the Welsh Government provide an online EU transition portal at www.businesswales.gov.wales, where businesses and organisations can find up-to-date advice from the Welsh Government; there is an online query service and a helpline. For the UK as a whole, the best place to start is the gov.uk website, which provides comprehensive and up-to-date advice and includes step-by-step guides in key areas. From a business perspective, it might also be of interest to my hon. Friend to know that we continue to make excellent progress in our negotiations for a comprehensive free trade agreement to come into force in 2021, and we have agreed with the European economic area and European Free Trade Association states a continuity deal to ensure that trade flows continue at the end of the year while we finalise the more ambitious FTA that we are negotiating.

Quality Education for Girls

Damian Hinds (East Hampshire) (Con): What assessment he has made of the effect of the covid-19 pandemic on the Government's commitment to ensure that girls throughout the world receive 12 years of quality education.

[909164]

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Wendy Morton):

Since 2015, the UK has supported 15.6 million children to help them to gain a decent education. Sadly, due to covid-19, 1.6 billion learners were out of education at the peak of school closures, and an estimated 8 million girls are at risk of not returning. As one of our key priorities, we are working with countries directly and supporting the efforts of the Global Partnership for Education, Education Cannot Wait, UNICEF and the UNHCR to get girls back to school.

Damian Hinds: Britain's contribution to ensuring girls' education is one of the most important and proudest parts of our entire work in international development. How will the Minister ensure that the Global Partnership

for Education conference is a success, and that countries around the world continue to step up to the plate on this most essential agenda?

Wendy Morton: My right hon. Friend makes an important point. I know of his continued interest in education, particularly girls' education. I assure him that we have established regular senior engagement with the Global Partnership for Education and our Kenyan co-hosts to ensure a successful replenishment that delivers major funding for girls' education. We will secure significant pledges through bilateral engagement and in global forums from both traditional donors and new partners, and through domestic and global networks we will build attention to and expectation around this important replenishment.

Sarah Champion (Rotherham) (Lab) [V]: The Minister is aware that girls can only benefit from education if we tackle child marriage, female genital mutilation and all gender-based violence. NGOs report that funding for GBV programmes is not keeping up with the rise in cases due to covid-19. In October, the United Nations Population Fund stated that

"funding for GBV prevention and response remains unacceptably low."

Is the UK going to further increase UK official development assistance for GBV programmes to combat the secondary impacts of covid-19 on women and girls? Is the money ring-fenced? And will the Minister be challenging the Chancellor's attack on foreign aid, which will undermine all this work?

Wendy Morton: The hon. Lady may attempt to draw me into the debate on aid, but she knows that I am not going to speculate on that. She emphasises the importance of girls' education. The UK is a world leader in our education expertise and our development spend. As I said, since 2015—[*Interruption.*] Opposition Front Benchers may mutter, but let us be absolutely clear: the UK has supported 15.6 million children to gain a decent education, and 8 million of those are girls. Our country direct programme for research and funding to organisations such as the Global Partnership for Education and Education Cannot Wait makes the UK a global leader in promoting girls' education.

Armenia and Azerbaijan

Andy Carter (Warrington South) (Con): What recent assessment the Government have made of the political situation between Armenia and Azerbaijan. [909165]

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Wendy Morton):

The Government welcomed the news of the 10 November peace deal agreed between Armenia and Azerbaijan. I spoke to Azerbaijani Foreign Minister Bayramov on 13 November welcoming the news of the deal. It is now important that the co-chairs of the OSCE Minsk group—France, the US and Russia—continue to work together to ensure a sustainable peaceful solution that is based on the Minsk basic principles. In the meantime, the UK is also playing its part in dealing with the humanitarian impact of the fighting.

Andy Carter [V]: I thank my hon. Friend for her response and the work that she is doing on this issue, which has been raised by a number of constituents in Warrington South who are concerned, in part, because this conflict is not covered in the UK media. Does she agree that the critical action to ensure that the conflict in Nagorno-Karabakh comes to an end is continuing UK support for the OSCE Minsk group and dialogue between Azerbaijanis and Armenians?

Wendy Morton: My hon. Friend makes an important point about making sure that we seek and maintain a lasting peaceful settlement to this conflict. He is absolutely right: now that the proper fighting has ended, it is critical that the members of the Minsk group work together to deliver a lasting peaceful settlement. The UK has consistently supported the work of the co-chairs of the Minsk group to deliver that. Continued dialogue between Azerbaijan and Armenia is essential to prevent any further loss of life and to bring about a permanent negotiated end to this conflict.

Topical Questions

[909209] **Paul Howell** (Sedgefield) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Foreign, Commonwealth and Development Affairs and First Secretary of State (Dominic Raab): Since the last oral questions, I have opened the first ministerial meeting of the global Media Freedom Coalition of 37 countries, which the UK co-chairs alongside Canada; I have spoken to Prime Minister Abiy of Ethiopia to call for an urgent ceasefire in the Tigray region; and I have worked with my Five Eyes counterparts to issue a joint statement expressing serious concern regarding China's imposition of new rules to disqualify legislators in Hong Kong.

Paul Howell: Will the Secretary of State identify opportunities to pressure the Chinese Government into ratifying the forced labour convention, the abolition of forced labour convention, and the 2014 protocol to the forced labour convention, allowing the UK to be sure that supply chains being used by UK businesses and government are in no way supporting the Chinese Government's persecution of the Uyghurs? Does he agree that if UK business cannot get a full assurance, they should preferably onshore their supply chains back to UK plc?

Dominic Raab: I warmly welcome the spirit of my hon. Friend's question, although I think we need to be realistic about what China is going to be willing to sign up to. Therefore, for our part, we work very closely with UK businesses. It is very important—a hallmark of global Britain—that our businesses conduct themselves with integrity. We were the first country to produce a national action plan on the UN guiding principles on business and human rights, and the first country, with the Modern Slavery Act 2015, to ask businesses to report on their supply chains and how they could be affected. We are very proud of our international leadership in this area.

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): Our existing 0.7% aid commitment sends

“a strong signal that the UK is a reliable partner for long-term economic, social, environmental and educational advancement across the globe”,

and this is “cheaper than fighting wars”—not my words, but those of the CBI and the former Chief of the Defence Staff, General Lord David Richards. Does the Secretary of State agree that rowing back on our promise to the world's poorest people would jeopardise our soft power status ahead of the year when the UK will host the G7 and COP26, and will he recommit to his manifesto pledge, made exactly a year ago today, to spend 0.7% of GNI on aid?

Dominic Raab: ODA and our aid budget will remain at the absolute centre of the work we do as a force for good. I am afraid that we will have to wait for the spending review to hear what the Chancellor has to say on that.

[909211] **Tom Randall** (Gedling) (Con): Does my right hon. Friend agree that the aggressive language from the Chinese Foreign Ministry, saying that the west “should beware of their eyes being poked and blinded”,

demonstrates that country's contempt for freedom and democracy, and that now is the time for stringent actions, including targeted sanctions? If the current sanctions regime does not allow for the targeting of those responsible for what is happening in Hong Kong, will the Government consider new regulations that target those authority figures who are truly guilty, not innocent Hongkongers?

Dominic Raab: I totally share my hon. Friend's objective. With the Magnitsky sanctions, the key thing is to target those directly responsible. That requires evidence, and we work very closely with all our international partners to share our experience and compare notes in relation to that. The recent comments follow on from the solidarity that we as Five Eyes, alongside the US, Canada, Australia and New Zealand, have shown in relation to human rights, in particular in Hong Kong. It also follows on from the wider caucus of 39 countries that backed the UK in the UN Third Committee on not only Hong Kong, but the issue of Xinjiang.

[909215] **Jack Brereton** (Stoke-on-Trent South) (Con): Christians, Muslims and others have been persecuted for their faith across India. What are the UK Government doing to ensure that people have freedom of religion and belief worldwide?

The Minister for Asia (Nigel Adams): My hon. Friend is right to raise that. Protecting and promoting the freedom of religion or belief is an important part of our bilateral and multilateral relationships, and we do not shy away from acting on our concerns. We continue to deliver the recommendations of the report by the Bishop of Truro. Of the 22 recommendations, we have fully delivered 10 and made good progress on another seven, and we are on track to deliver all 22 by the time of the three-year review in mid-2022.

[909212] **Douglas Chapman** (Dunfermline and West Fife) (SNP) [V]: It was reported last week that the Government are considering reducing our international aid spending from 0.7% to 0.5% of our GNI, despite 0.7% being a commitment enshrined in UK law and a firm Conservative manifesto promise. Does the Secretary of State agree that the pandemic landscape has changed things in such a way that this spending is probably needed now more

than ever, and the FCDO must build up the resilience of vulnerable and developing countries to tackle current and future pandemics? Is the 0.7% commitment written in stone?

Dominic Raab: The hon. Gentleman is right to point to the important work that we do through ODA and on development. The Prime Minister hosted the Gavi summit, working with countries around the world to ensure that there is equitable access to a new vaccine. In relation to the 0.7% commitment and our future ODA spending, I am afraid he will have to wait for the spending review tomorrow.

[909219] **Chris Grayling** (Epsom and Ewell) (Con): My right hon. Friend is aware of my concern about the economic collapse that the pandemic has caused in some of the world's most important conservation areas and the resulting increase in poaching and the illegal wildlife trade in many areas. Can he reassure me that, over the coming weeks and months, he will target more of our aid budget at helping communities in those areas, protecting wildlife and tackling the illegal trade, which is damaging so much of our conservation?

The Minister for the Middle East and North Africa (James Cleverly): The full extent of the impact of covid-19 on the illegal wildlife trade is not known, but my right hon. Friend is right to raise this issue. We know that it is a serious crime undertaken by organised criminal networks. We have contributed £250 million to the Global Environment Facility, which runs the world's biggest programme to tackle the illegal wildlife trade. He will understand that I am not able to give full details of future ODA spending commitments at this point.

[909213] **Stella Creasy** (Walthamstow) (Lab/Co-op) [V]: Tomorrow is the International Day for the Elimination of Violence against Women, as declared by the United Nations. British citizen Caitlin McNamara has spoken publicly about being seriously sexually assaulted by Sheikh Nahyan, the United Arab Emirates Minister for Tolerance. Has the Foreign Secretary raised that case with his counterparts in the UAE and demanded action on it? Have the Government looked at using Magnitsky sanctions, given that this gentleman is based in the UK and has property here? What are the Government doing in this case to show that it is not just words but deeds that matter when it comes to gender-based violence?

James Cleverly: The FCDO takes all reports of sexual assaults abroad extremely seriously. Miss McNamara had a deeply distressing experience in the UAE earlier this year. Consular officials from the embassy supported her when she reported the incident to them, and the FCDO consular staff are standing by to do everything they can to support Miss McNamara and her legal team.

[909220] **Michael Fabricant** (Lichfield) (Con) [V]: My right hon. Friend will know that we enjoy very close security and other relationships with the United States of America. This will indeed have been strengthened by the Prime Minister's announcement of increased defence spending and, of course, our membership of the Five Eyes. However, my right hon. Friend will know that this morning the Dunn family lost their appeal against the

Foreign Office regarding the recall of Anne Sacoolas to the United Kingdom to face trial for death through dangerous driving. Could my right hon. Friend make a statement about that, and does he think that, with the change of Administration, she might now be able to come back to the United Kingdom?

Dominic Raab: I thank my hon. Friend for raising this case. He is right to say that the High Court has found that the Foreign Office behaved lawfully, properly and in good faith throughout. However, I appreciate that, as he will know, that will be no solace to the family, who are still very much grieving for the loss of their precious son. We have made it very clear that we are on the side of the Dunn family. We have consistently called for Anne Sacoolas to return. We will continue to do so, including, as my hon. Friend asked, in relation to the new Administration. I also negotiated the change of the arrangements as they affect the Croughton base so that a case like this—an injustice like this—cannot happen in the future. In relation to the claim that the family are bringing in the US, I have made it clear that we are willing to support it in various ways.

[909216] **Stephen Timms** (East Ham) (Lab): Kenyan Government pensions in respect of service often decades ago have not been paid since early last year. A cross-party group with constituents affected has just written to the Minister for Africa—the Under-Secretary of State for Foreign, Commonwealth and Development Affairs, the hon. Member for Rochford and Southend East (James Duddridge)—about this. Will the Minister meet us to discuss what more can be done to ensure that payments do resume and that the arrears due are paid as well?

Dominic Raab: I thank the right hon. Gentleman, who I know always raises this case and these issues very assiduously and conscientiously. Of course, I will make sure that he can have a meeting with the Africa Minister to look at what further we in the FCDO can do.

[909222] **David Simmonds** (Ruislip, Northwood and Pinner) (Con): I welcome the Government's commitment to fighting disease abroad, and I have personally seen the benefits that UK projects have brought to parts of Africa affected by malaria. Does my right hon. Friend agree that the £500 million investment by the UK in tackling malaria is both a welcome step against disease abroad and a benefit at home?

Dominic Raab: I thank my hon. Friend, and he is absolutely right. The UK is a founding member of the Global Fund to Fight AIDS, Tuberculosis and Malaria. Malaria deaths have halved since 2002. That is an incredible achievement, and vital to bringing stability and hope to those countries affected.

[909217] **Debbie Abrahams** (Oldham East and Saddleworth) (Lab) [V]: The human rights abuses that Kashmiri people have faced over generations are unacceptable. The 2018 and 2019 United Nations human rights reports documented the scale of these abuses, and since August 2019 things have only got worse. Just last week, shelling between India and Pakistan—two nuclear powers—across the line of control saw at least 15 people killed. This follows on from escalating tensions between India and China in the Galwan valley since the summer. Kashmiris feel that

they have been abandoned by the international community, including the UK. What is the Foreign Secretary doing to contribute to an international coalition to support India and Pakistan in negotiations on de-escalating the immediate crisis, and will he commit to targeting development funding to support Kashmiris?

Nigel Adams: I thank the hon. Lady for her question, and for her continued emphasis in this regard. These matters about the region of Kashmir have to be settled bilaterally between Pakistan and India. What I can say is that we do raise this issue at every opportunity with both authorities. I am more than happy to ask the Minister for South Asia to meet the hon. Lady, so that she can gain a deeper insight into the actions that the Government are taking.

[909224] **Simon Baynes** (Clwyd South) (Con): Will the Secretary of State comment on the FCDO's activities promoting Wales in the world, particularly around the time of St David's day each year? What other Wales-focused activities does it conduct in its embassies and diplomatic missions globally?

Dominic Raab: An important part of the work we do involves promoting all four corners of the United Kingdom. We do that in our post through a celebration of St David's day, as well as other national festivals, and we do it all around the world. Through the GREAT UK Challenge Fund, the FCDO promotes Welsh businesses and Welsh culture. My hon. Friend might be interested to know that in the last financial year we supported 40 projects promoting the devolved nations, including 14 in Wales, and with the Department for International Trade we helped to attract 62 foreign direct investment projects, creating 2,736 new jobs. That demonstrates the value to the people of Wales of the United Kingdom Government, including their foreign policy.

[909225] **Robert Largan** (High Peak) (Con): The International Atomic Energy Agency has confirmed that Iran is building an underground nuclear facility, and that its enriched uranium stockpiles are now more than 12 times the limit set out in the 2015 nuclear deal. Given those facts, will the Minister confirm to the House that in the event of continued non-compliance by the Iranian regime, the UK is prepared to consider sanctions?

Dominic Raab: I was in Berlin yesterday for an E3 meeting with my French and German counterparts on exactly that issue, and on how we are taking forward accountability within the scope of the joint comprehensive plan of action. More than 200 EU sanctions are listed in place against Iran, and with our E3 partners we are continuing the JCPOA to maintain and constrain Iran's nuclear programme as best we can. We are looking to re-engage with the new US Administration, to see how we can strengthen that even further.

Alun Cairns (Vale of Glamorgan) (Con): The Minister for Europe is aware that my 18-year-old constituent, Tom Channon, tragically died at the Eden Roc complex in Mallorca in July 2018. That followed a similar death, that of Tomas Hughes, just weeks earlier. I believe there is a strong criminal case to be pursued for prosecution for negligence, and on 10 July this year I wrote to the president of the provincial court. I have pursued the

matter persistently, but I still have not received a reply. Covid will have played a part, but does the Minister agree that waiting five months after the deaths of two 18-year-olds, two years earlier, is wholly unacceptable?

Nigel Adams: My right hon. Friend is right to raise that case. Deaths abroad of our constituents are always tragic, and our consular staff at post have spoken with the president of the provisional court in Palma. We have asked him for a response to my right hon. Friend's letter. He is right to point out that there are some enormous workloads as a result of the covid pandemic, but the president has assured us that he will respond to the letter in due course. We will continue to push on behalf of my right hon. Friend and his constituents.

Wes Streeting (Ilford North) (Lab): Given that the Rajapaksa Government in Sri Lanka have effectively withdrawn from the commitments that the country made at the UN Human Rights Council, can we count on the Foreign Secretary to show the leadership we need to secure a new UN resolution, and ensure the prosecution of historical war crimes and accountability for previous human rights abuses, as well as an effective challenge to the present Government for ongoing human rights abuses?

Nigel Adams: The hon. Gentleman is right to raise that issue, and I applaud his work with the all-party parliamentary group for Tamils, alongside that of other colleagues. We will work closely with our international partners and the Human Rights Council on how best to take forward this important issue. The Minister responsible for Sri Lanka, Lord Ahmad of Wimbledon, raised a number of those concerns, including the harassment of civil society and the militarisation of civilian functions, when he spoke with the Sri Lankan Foreign Minister on 5 November. We have been clear in our support for the UNHRC framework, in our discussions both with the Government of Sri Lanka and with the UNHRC in February, June and September.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): My right hon. Friend the Secretary of State has witnessed the most appalling attacks and bullying by the dictatorial Chinese Government against Australia, including sanctions just because it asked for an independent inquiry into the covid issue. We stand together with our oldest friend and ally, so will the Secretary of State please now publicly condemn the actions of China, and support Australia at this very difficult time?

Dominic Raab: We stand absolutely shoulder to shoulder with Australia. I had exchanges with Marise Payne, the Australian Foreign Minister, at the weekend, and as we have shown, not just on the issue that my right hon. Friend has mentioned, but on Hong Kong, with the Five Eyes alliance, we will always stand shoulder to shoulder to make sure that we protect our key interests, protect our values, and show the solidarity that he expects and requires.

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.

12.35 pm

Sitting suspended.

Leaseholders and Cladding

12.40 pm

Mr Clive Betts (Sheffield South East) (Lab) [V]: To ask the Secretary of State for Housing, Communities and Local Government if he will make a statement on whether leaseholders are expected to pay for the removal of dangerous cladding from their homes.

The Minister for Housing (Christopher Pincher): I congratulate the hon. Member for Sheffield South East (Mr Betts), the Chair of the Select Committee on Housing, Communities and Local Government, on securing the urgent question, which is of huge interest and concern to many of our constituents up and down the country.

The question of who pays for remediation works is key for the Government and many of our constituents. We have been clear that leaseholders should not have to worry about the cost of fixing historical safety defects in their buildings that they did not cause. Tests have shown clearly that aluminium composite material—the kind of cladding found on Grenfell Tower—is the most dangerous form of cladding material. We continue to engage with building owners, regulators and the wider industry to ensure that it is removed from high-rise residential buildings as quickly as possible.

ACM remediation costs are being funded through several sources, including warranties, building owners and developers. We have provided £600 million to fund the removal of ACM where funding has been a key barrier to remediation and the Chancellor of the Exchequer has allocated a further £1 billion to be spent on removing other types of unsafe cladding over the current financial year.

It is important to remember that this is a multi-year problem. Remediation work cannot be done overnight and it must be done properly so that it makes buildings and residents safe. That forms part of the ongoing discussion that my right hon. Friend the Secretary of State has with other Departments.

However, I am clear, and I hope that the House is clear, that public funding does not absolve the industry from taking responsibility. We expect developers, investors and building owners who have the means to pay to cover remediation costs themselves without passing on costs to leaseholders, but we recognise that there are cases where that might not be possible, and cases where there may be wider costs relating to historical defects. The Government are determined to identify suitable financial solutions and remove barriers to remediation.

The Government have asked Michael Wade to accelerate his work with leaseholders and the financial sector to develop proposals to protect leaseholders from the costs of remediating historical defects wherever possible. However, we must also ensure that the bill does not fall wholly on taxpayers. We will update leaseholders on that work before the Building Safety Bill, which has just completed its prelegislative scrutiny, is introduced in Parliament.

Mr Betts: Thank you, Mr Speaker, for giving me the opportunity to ask my urgent question. The Housing, Communities and Local Government Committee has just carried out prelegislative scrutiny of the draft Building Safety Bill. In general, the Bill is very welcome. It implements the recommendations of the Hackitt report,

post Grenfell. However, clause 89 contains provisions for leaseholders to be charged a building safety charge. That could cover future costs, but it could also be used to recover the cost of dealing with historical defects, such as the removal of dangerous cladding. That is the concern.

I have a number of questions for the Minister. First, will he confirm very clearly and straightforwardly that leaseholders should not have to pay any of the costs of removing dangerous cladding from their homes, as has been the Government's policy for some time? Those leaseholders bought their properties in good faith. They have not done anything wrong and they should not be financially distressed as a result.

If the Minister thinks that leaseholders should have to pay something—the Building Safety Minister said to the Select Committee that he thought an affordable amount was reasonable—how would he define an affordable amount? The Building Safety Minister said it was something that did not bankrupt an individual. However, if leaseholders are not going to pay—I hope the Minister will confirm that point—I accept that he should pursue developers, freeholders and others. In the meantime, if developers have gone out of business or are refusing to pay, does the Minister accept that, at least in the interim, the Government are going to have to step in and fund all the costs?

If the Minister accepts that point, does he also accept that the £1.6 billion so far made available to remove dangerous cladding will be totally inadequate? The Select Committee heard that to make all high-rise buildings totally safe and remove all defects, the total bill could be as high as £15 billion. Leaseholders should not have to pay that.

Finally, does the Minister accept that, without assurances on these points, many people are going to have a very miserable Christmas? They are trapped in properties that they cannot sell, that they often cannot insure and where they are having to pay for waking watches, and wondering how on earth they are going to pay the bills that could arrive on their doormats at any time.

Christopher Pincher: I am grateful to the hon. Gentleman for his urgent question and for welcoming the proposals that we have tabled in the draft Building Safety Bill. He asks a number of important questions.

First, the hon. Gentleman asks whether the building safety charge will be retrospective. We envisage that the building safety charge will cover ongoing costs that leaseholders may have to pay for legal costs, building safety inspections and the like. In our proposals, we have said that the Secretary of State will be able to prescribe costs to ensure that unfair building safety charge costs do not fall unreasonably on the leaseholder.

We will of course look very carefully at the 80-page report from the Select Committee. I think there are somewhere north of 40 recommendations in the report. We want to look at it carefully and considerately, because we recognise it forms an important part of our answer to the challenge of building safety. I hope that we can develop a cross-party approach to our further scrutiny of the Bill when it comes before Parliament.

The hon. Gentleman asked me whether leaseholders will pay any costs at all. The point of introducing £1.6 billion of public money is to make sure that in the buildings that are most at risk and where there is no

[*Christopher Pincher*]

means to pay, the state steps in and supports those leaseholders, but, fundamentally, we expect developers and owners to step up and execute their responsibility to pay where buildings have been defective.

I cannot say that there will not be some costs at some point related to some defect in historical building safety that will not fall upon the leaseholder, but we want to make sure, through the public money that we are spending and through the work of Michael Wade, that we find innovative solutions to make sure that such costs are as minimal as possible. We cannot write an open cheque on behalf of the taxpayer. That would send the wrong signal to developers and those who are responsible for these buildings that they do not have to pay because the taxpayer will.

The hon. Gentleman asks about my noble Friend the Building Safety Minister in the other place. I can tell him that Lord Greenhalgh is working round the clock to find solutions to the challenges that face leaseholders up and down the country. He is determined, with the work that he is doing with insurers, developers and the financial services sector, to ensure that we come up with those solutions, and I look forward to working with him closely as the Bill, which he will introduce to Parliament, works its way through both Houses.

Sir Peter Bottomley (Worthing West) (Con): It is on record that I am a leaseholder, but I am not affected by these proposals or problems.

The hon. Member for Ellesmere Port and Neston (Justin Madders) and I chair the all-party parliamentary group on leasehold and commonhold reform. We give our support to the work of the Select Committee, which, in this report, as in its previous one on lease renters, has laid out starkly one of the problems of some particular tenants. Social tenants do not have to pay, ordinary tenants do not have to pay; it is leaseholder tenants who have been lumbered with unimaginable anxiety and with costs beyond possible chance of payment. Until we get a full grip not just on the very high buildings and the aluminium cladding but on all the problems, including the developers who used wood for balconies in ways that were against the house building regulations, we are going to be left with a frozen part of the housing market in every single one of our constituencies.

We are grateful for the work that my right hon. Friend and his colleagues have done, but he should go on paying attention, as I think Lord Greenhalgh has, to the work of the Leasehold Knowledge Partnership, which was the first campaigning charity to get a grip of the scale of the problem. Also, will he say a word about waking watches, which are going on too long and at too high a cost?

Christopher Pincher: I am grateful to my hon. Friend for his contribution and for his ongoing interest in and commitment to this very important area of work. As I said earlier, we do not want leaseholders to carry the burden of these costs. That is why we are working with Michael Wade, who has a 40-odd-year history in the insurance market, to find innovative solutions to what is a very complicated problem. It is why we have also put aside a significant amount of public money in this financial year to remediate the buildings that are most at risk where the owners have no other means of paying.

My hon. Friend also asks about waking watch. We have published data on the costs of waking watch so that leaseholders are able to see the relative differences in charges by waking watch providers. It is entirely wrong that some providers charge so much, and I would point leaseholders to that data so that they can better understand where they may get better service. They may also know that alarm systems can pay for themselves within seven weeks and obviate the need for waking watch.

Mike Amesbury (Weaver Vale) (Lab): The Housing, Communities and Local Government Committee's scrutiny report on the draft Building Safety Bill, published today, makes powerful yet sobering reading, not just for Members across the Chamber but, importantly, for the hundreds of thousands of leaseholders who are trapped in this living nightmare, left to foot the cost of a broken building safety system that they did not create. Before this, we had another powerful HCLG Committee report, a Public Accounts Committee report and a National Audit Office report, which repeatedly made it clear that, well over three years on from Grenfell, where 72 people lost their lives, the Government need to step up and step in to make buildings safe with a greater sense of urgency.

There are too many aspects of the building safety crisis to mention: the cost of remediation being passed to leaseholders and, yes, the interim costs such as waking watch; the snail's pace of the work; other safety issues, such as firebreaks and wooden balconies not covered by the funding; the lack of prioritisation according to risk other than simply the height of buildings; and the ongoing saga of the external wall survey forms, despite this weekend's botched announcement by the Secretary of State. How many reports are we going to need?

By my count, the Government have promised 11 times in this Chamber and beyond that leaseholders should be protected from the cost of remediation. Now we witness Minister after Minister shifting sand, referring to "affordable" costs put on the shoulders of leaseholders and enshrining in the draft Building Safety Bill the building safety charge—clause 89, there in black and white for people to see. Will the Minister tell me and the House what additional invoice paid in 28 days he defines as "affordable" or, as referred to at the Dispatch Box today, "reasonable"? Will he please answer that question?

Finally, will the Minister explain why those companies and developers that knowingly engineered false test results for insulation and cladding products, then riddled thousands of homes with flammable materials, are getting away scot-free?

Christopher Pincher: I am obliged to the hon. Gentleman for his questions. It is not true to say that leaseholders are being left to foot the bill. He and the House know full well that the taxpayer is spending £1.6 billion in this financial year to help remediate those buildings most at risk where the owners are unable to pay. Of course, those discussions across Government are ongoing. We keep the situation under review. However, I remind the House that it is not fair simply to place such a burden on the taxpayer. Developers and owners must step up and play their part.

The hon. Gentleman raised the question of the external wall system 1 form, which he knows is a form produced by the Royal Institution of Chartered Surveyors; it is

not a Government form. I am pleased that, as a result of the negotiations undertaken by my right hon. Friend the Secretary of State and Lord Greenhalgh, the EWS1 form will no longer be necessary for those buildings that are not clad. The industry has made that clear. That will be to the benefit of about 450,000 leaseholders. But there is more to do, and we will continue to do it.

The hon. Gentleman asked me what affordability is. It is a very subjective matter, because what is affordable to one person is not to another. We want to ensure that, as a result of the work that my noble Friend is doing with the financial services sector and the insurance sector, we come up with appropriate and innovative solutions to ensure that unfair costs do not fall on leaseholders for defects that may be identified down the line.

The hon. Gentleman also referred to commentary on lies told about fire safety tests. I entirely agree that that was wrong. It was outrageous. When firms have been proven to lie, they must of course receive the full force of the law.

Mr Speaker: Order. I note that we have 62 people to get through, so I am concerned. I recognise that everyone needs to get in, because they all have personal circumstances, so if we can help each other, that might just get us through.

Nickie Aiken (Cities of London and Westminster) (Con): While I welcome the fact that a number of responsible property owners have taken the necessary steps, supported by Government funding, to remove dangerous cladding from their buildings, the leaseholders and residents of Paddington Walk in my constituency are still under pressure from their buildings' owner, European Land, to pay for the works required to remove ACM cladding. As those residents said to me in an email sent this morning: "Manufacturers are responsible for defective kettles or cars. Why is it different for the most expensive purchase anyone will ever make in their life?" Does my right hon. Friend agree that, given the billions of pounds being made available by the Government, it is now inexcusable that many building owners have still failed to remove dangerous cladding and are still trying to pass the cost and, indeed, the buck to leaseholders, who have suffered enough in this living nightmare?

Christopher Pincher: I quite agree with my hon. Friend. The buck ought to lie with the owners, their developers or the warrantee holder. She will know that we have spent a great deal of public money to remediate those buildings that are most in need of it, as I have described, but the responsibility of the developers—there are some very good developers out there—must be fully understood by us in this House and by them as an industry to remediate buildings that need it and to restore the reputation of their sector.

David Linden (Glasgow East) (SNP): I congratulate the hon. Member for Sheffield South East (Mr Betts), the Chairman of the Select Committee, on securing the urgent question.

Despite the building safety programme applying only in England and Wales, its advice is still being used by insurance companies and mortgage providers in Scotland to guide decisions. This is leading to many people north

of the border ending up in the same position as those south of the border: essentially mortgage prisoners and having their properties valued as worthless. The Minister knows that this is not just an issue of commonality for buildings over 18 metres; it includes those under 18 metres, too. So what measures will the Government be bringing forward, particularly with an eye to tomorrow's spending review? What discussions has he had with lenders and insurance companies to make it clear that applying this process to Scotland is unfair? Will he agree to meet a delegation of Scottish MPs to look more closely at the issue impacting our constituents in this regard?

The problems for leaseholders arising from the 18-metre rule raise the question: why is the archaic and often unjust institution of leaseholding continuing in England at all? Might this, therefore, be an opportunity to follow Scotland's example and abolish this outdated practice and the negative consequences that are so common with it?

Christopher Pincher: I am obliged to the hon. Gentleman for his questions. I will touch on two points that he raised. He is right: the financial services sector has commonalities throughout the United Kingdom, not simply in England but in Scotland, Wales and Northern Ireland. That is why the Secretary of State and Lord Greenhalgh have held a series of meetings with UK Finance and other components of the financial services sector. It is why an agreement has been reached that the EWS1 form should not apply to buildings without cladding, which, as I say, will help 450,000 or so leaseholders around the country. There is more work to do. I trust that the Scottish financial sector will take note of the advances we have made very recently in England and which we will continue to make. The hon. Gentleman raises the question of 18 metres. That is the guidance provided to us by Judith Hackitt and her committee and we are following that guidance. He also refers to leasehold reform. A leasehold reform White Paper will be forthcoming. Perhaps we may, at that time, be able to debate the advantages and disadvantages of the Scottish system and see where we are able to learn from them and possibly they are able to learn from us.¹

Sir David Amess (Southend West) (Con): A number of constituents in a low-rise block of flats in Southend West have been unable to get their properties insured because of cladding issues. It will cost £400,000 to remove the cladding and their service charges will escalate. Will my right hon. Friend please reiterate the principle that those costs should not be passed on to tenants or leaseholders?

Christopher Pincher: I am happy to reiterate that point to my hon. Friend. Lord Greenhalgh has had a series of meetings with the insurance industry to make sure it fully understands and takes on board that point. He will continue to do so, as my hon. Friend will continue to campaign doughtily on behalf of his constituents.

Mr David Lammy (Tottenham) (Lab): I have to say to the Minister that I never dreamed that, three and a half years after my friend Khadija Saye died with her mother in Grenfell Tower, I would be here begging him to sort this problem out. I have over 1,000 residents in the Tottenham Hale Village in my constituency, a development

1. [Official Report, 26 November 2020, Vol. 684, c. 9MC.]

[Mr David Lammy]

built by Bellway Homes, which made £500 million in profits in 2018 and another £500 million in 2019, and has shown complete disregard for my constituents living in these buildings with combustible cladding. What is the Minister going to do about leaseholders in that situation when it is clear that his building safety fund is inadequate to meet the task? Will he meet me and my constituents, so we can sort this three and a half years after the Government promised it would be fixed?

Christopher Pincher: I am obliged to the right hon. Gentleman for his question. I sympathise with him for his personal loss and the loss of many of his friends and associates at Grenfell Tower. He asks what is being done to accelerate the pace of remediation in London, where there have been challenges that are unique to our capital. Lord Greenhalgh convened a summit of the London Mayor and the London Fire Brigade back in September to address an action plan to accelerate the work of London remediation. There was a further progress tracking meeting last month, and there are case conference meetings to address specific buildings in the capital and beyond. I remind the right hon. Gentleman that there were some 2,700 applications for the £1 billion that we put aside for non-ACM cladding. We will work through those. We have now agreed that a significant number of them meet the criteria, and the first funding of those applications is about to begin. I am confident that the funding will be fully allocated by the end of the financial year in 2021, for which the money was made available.

Dr Liam Fox (North Somerset) (Con): This is an issue of huge concern to many of my constituents in Portishead. It must be an absolute principle that leaseholders must be protected from the cost of remediation for safety issues that were not their fault. I welcome the Government's support and approach. A £1.6 billion taxpayers' commitment is huge, but the taxes of working families up and down the country should not be used to absolve developers, insurers and owners from their proper responsibilities. When will my hon. Friend come forward and set out how these responsibilities will be enforced?

Christopher Pincher: I am obliged to my right hon. Friend for his question. He is absolutely right. As I said in my earlier remarks, first and foremost the responsibility must fall squarely on the developers of these properties, their owners and warranty holders. There are some good developers that have worked hard to remediate ACM cladding; about 50% of the buildings that have had ACM cladding remediated have been done, and are being done, by the private sector. Pemberstone, Mace, Peabody, Barratt Developments and others are all working to remediate their buildings. We have been clear that those that do not, such as those referred to by my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken), must recognise that they will receive the full force of the law. I can tell the House that, from December, those responsible for buildings where remediation is not forecast to start by the end of 2020 will be publicly named, as a further incentive for them to get going.

Tim Farron (Westmorland and Lonsdale) (LD): It would be an inexcusable outrage if the costs of making buildings safe in the light of the Grenfell tragedy fell in

practice not on the developers or the Governments whose disregard of safety led to that tragedy, but instead fell on the innocent leaseholders; yet, in effect, that is the Government's default position, as people are left with homes they cannot afford to make safe and homes that they cannot sell. Will the Government accept Lords amendment 13 to the Fire Safety Bill in the name of my noble friends Baroness Pinnock and Lord Shipley in order to stop this injustice?

Christopher Pincher: The hon. Gentleman asks about an amendment that is being sent down to us from the other place. We will, of course, examine very closely the wording of that amendment, but my understanding is that it is a defective one, notwithstanding the issues that he raises and the concerns that he properly posits about leaseholders footing the bill. I hope I have been clear to the House about my view on that. My understanding of the particular amendment is that it would be retrospective, which raises all sorts of legal challenges. It would also mean that building owners would be responsible for the normal wear and tear of buildings, which I am sure the whole House will accept would not be appropriate. We will look closely at the amendment, but I do not think that I can say at this stage that we can support it.

Tom Hunt (Ipswich) (Con): I spoke about this issue soon after being elected. It affected one tower in my constituency. Since then, the problem has ballooned, and every week more of my constituents seem to be dragged into this. I agree that responsibility should ultimately lie with the freeholder, but the reality is that while the Government have that dispute with freeholders, it is the leaseholders in the middle who have this uncertainty hanging over them. Just last week, residents at Cardinal Lofts on Ipswich waterfront were all notified by quite a distant building manager that they had to pay £300 a month for a waking watch, at a time of uncertainty about employment for many of them because of the pandemic. That is completely wrong. I am glad that some support has been provided by the Government, but we need far more certainty far sooner. Will the Minister meet me and colleagues to talk in detail about the timeline for providing that certainty?

Christopher Pincher: My hon. Friend has raised this particular issue with me before, and I know that he has campaigned hard and long on it since his election just 11 months ago. I am happy to meet him to discuss that. The issue of waking watch has been raised by other Members. As I said, we want to ensure that leaseholders are aware of waking watch costs and the opportunities to mitigate them. It is the reason why we want developers to get on and remediate, and it is also why we have put £1.6 billion of taxpayers' money aside to ensure that we can remediate those buildings where owners cannot, so that the waking watch issue becomes moot.

Clive Efford (Eltham) (Lab) [V]: It is a disgrace that three and a half years on, people still do not know whether the properties they live in are safe, and others cannot sell because they cannot get external wall system certificates. I am told by surveyors who would willingly carry out this work that they cannot do so because they cannot afford the huge premiums that are being charged by insurance companies. That is leading to a huge backlog

in this area of work. It is essential to get that moving. What is the Minister going to do about that, and would he consider paying those premiums, so that we can remove the backlog and start to get some idea of the problem we are facing?

Christopher Pincher: The hon. Gentleman asks what we are doing to speed up the surveying process. We are making more professionals available to undertake EWS assessments. We are spending some £700,000 to fund the training of those assessors, and we will produce about 2,000 of them over the next six months, which should help to speed up the process.

Chris Grayling (Epsom and Ewell) (Con): In my constituency, the biggest concern for residents has been the inappropriate application of these rules and the EWS form to much lower-rise buildings than were ever envisaged and the resulting problems created for them in selling flats, moving flats and so forth. I welcome the announcements made by my right hon. Friend last weekend; I am grateful to him for that. Can I ask him to keep up the pressure on the different professionals and organisations involved, to ensure that this problem really does disappear? These homeowners should not be subject to pressures because of something that is not designed for their kind of property.

Christopher Pincher: My right hon. Friend can ask, and we will.

Andrew Gwynne (Denton and Reddish) (Lab) [V]: I often wonder how Ministers would react if they received a letter, often out of the blue, saying that the cost to make their home safe far exceeded their annual salary, sometimes by multiple amounts. We know that there have been more than 2,800 applications for the building safety fund. Can the Minister inform the House how many have been allowed to proceed to a formal application so far and how much has actually been paid out of the fund to date?

Christopher Pincher: I can tell the hon. Gentleman that 2,704 applications were received. A significant number of them, I regret to tell the House, were not sufficient to allow an immediate assessment, but more than 100 have been assessed successfully to move on to the next stage. The first tender for payment has been agreed, and I am confident that by the end of the financial year for which this money was set aside, it will have been fully allocated, and remediation work will have begun.

Sir Roger Gale (North Thanet) (Con) [V]: In his opening remarks, my right hon. Friend said that people should not be required to pay for faults that they did not cause, and he is absolutely right. Further to the point raised by the Father of the House my hon. Friend the Member for West Worthing (Sir Peter Bottomley), I have in my constituency one block that has social housing, private rented accommodation and full and shared leaseholders; will my right hon. Friend assure the House that the leaseholder element will not ever be faced with a disproportionate bill that would in effect pay for those who do not pay at all?

Christopher Pincher: I am obliged to my right hon. Friend for his question. As I said earlier, I cannot say that there will not be some cost that may occur at some

point to leaseholders for historical defects work that may be undertaken, but we do want to make sure that, as a result of the work that Michael Wade is doing with the financial services and others, any such costs are fair and reasonable and can be carried. That is why we have put aside that £1.6 billion to make sure that the cost of remediation for cladding such as ACM and high-pressure laminate can be funded by the taxpayer when the developers are not able to fund it, so that the cost does not fall on the leaseholder.

Ms Karen Buck (Westminster North) (Lab): We have already heard about the difficulties that leaseholders have had with the EWS1 form backlog when they are seeking to sell. At the weekend, the Secretary of State claimed that his proposal to remove the requirement for this certification from properties without cladding had been cleared by and had the backing of mortgage lenders; in fact, UK Finance and the Building Societies Association both said that they did not back the scheme and had not been consulted, and that it did not solve anything and left 1.9 million homeowners in the lurch. Will the Minister tell us whether or not leaseholders who do not have cladding will be required to have the certification, and whether his proposal now has the backing of finance lenders?

Christopher Pincher: It is my understanding that buildings that do not have cladding will not need an EWS1 form. We clearly need to do more work with the financial services sector to advance the issues that have arisen with the EWS1 form but, as a result of the negotiations and the agreements made over the weekend, we anticipate that something like 450,000 holders will no longer need to use an EWS1 form.

Dr Matthew Offord (Hendon) (Con) [V]: I wish to press the Minister on that specific point. Will he confirm that UK Finance has officially acknowledged that leaseholders of residential properties without external cladding do not need to provide an EWS1 form to finance, remortgage or sell their properties? Where can my constituents view that confirmation?

Christopher Pincher: As I said to the hon. Member for Westminster North (Ms Buck), my understanding is that the industry has confirmed that the EWS1 form will not be necessary for buildings that do not have cladding. As I am saying it from the Dispatch Box, I would imagine that is the view of the Government.

Dean Russell (Watford) (Con): I welcome the EWS1 form measures because they will have a real impact and provide certainty for many in my constituency. However, a number of Watford residents, especially in places such as Outlook Place, are still finding it difficult to sell or remortgage their homes, so what reassurances can my right hon. Friend offer to those living in buildings with cladding that are under 18 metres?

Christopher Pincher: I am obliged to my hon. Friend, who I know has been campaigning long and hard on this issue in Watford. As I have said, as a result of some considerable and lengthy negotiations with the financial services sector, we have agreed that EWS1 forms will not be necessary for buildings for sale that are not clad in the same way as some buildings that are in grave

[*Christopher Pincher*]

difficulty. That will help 450,000 people around the country, a number of whom I suspect will be my hon. Friend's constituents. There is more work to do on this matter and we will continue to undertake it.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I need to declare my interest in that I am a leaseholder in an affected block, but in my case, my developer is paying for the full remediation works. The Minister must acknowledge that this is one of the biggest consumer and safety failures in a generation. For all that I chair the Public Accounts Committee—we have published a report on this issue—and I watch taxpayers' money very closely, surely the Government need to step up, just as they did when the former Secretary of State signed a ministerial direction sanctioning the expenditure of millions of pounds because he knew that it would take too long to go through the legal process of tracking down the actual owners of buildings for the most dangerous cladding. The Government need to step up. We need 10 times the amount that has been pledged. Surely the Minister must recognise this. Too many leaseholders are trapped and will never be able to move.

Christopher Pincher: I am grateful to the hon. Lady, and I know that she is a very considerate and assiduous Chair of the Public Accounts Committee. The Government, though, have stepped up. We put £600 million on the table to remediate ACM-clad buildings, and about 79% of those have now either completed or begun their remediation. Ninety-seven per cent. of social housing buildings have had that remediation completed. We stepped up again with £1 billion through the building safety fund to remediate buildings that have other non-ACM-style dangerous cladding, but we must not absolve the developers and the owners of their responsibility to make sure that remediation takes place in the buildings for which they are responsible. We work with them to make sure that happens while we keep the general situation under review.

Felicity Buchan (Kensington) (Con): I welcome the additional money for training for assessors, because I understand from the industry that this is a very important issue, in terms of several of the delays. I am frustrated, however, that three and a half years on from the appalling Grenfell tragedy that happened in my constituency, we still have many outstanding issues. What assurance can my right hon. Friend give me that we will not be having the same conversation in six or 12 months' time? Are there any interim measures that we can put in place to support leaseholders?

Christopher Pincher: I am obliged to my hon. Friend. I appreciate the unique challenge that she has as the Member of Parliament for Kensington. As I said earlier, the £700,000 of public money that we are putting aside to support the training of assessors will deliver about 2,000 assessors—clearly qualified assessors—who will be able to undertake the assessment work over the next 12 months, so I trust that that will also be a means by which we will not be having this conversation again any time in the future. The public money that we have set aside beyond that—the £1.6 billion—is also designed to

ensure that the worst, most dangerous buildings are dealt with quickly and effectively. I hope and trust that the conversations we have ongoing with developers and owners to make sure that they step up to the plate will mean that very soon, we will remediate all the buildings that are affected, and that we will be able to see value and trust restored to those buildings and the development sector.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): My constituent is a leaseholder in one of the 2,700 blocks—I think that is what the Minister said—that have applied to the building safety fund, which has approximately enough money to remedy about 600 blocks. She does not know whether her flat is safe. She cannot sell it and she does not know how much her liabilities may be. The Minister can talk about finding innovative solutions, but it is three and a half years since Grenfell and we still do not see builders, owners or developers paying for remediation. Will he guarantee to my constituent that she will not have to be liable—that she will not have to pay for these costs—and does he agree that this is just one more example that shows that the leasehold system is broken and needs to be reformed?

Christopher Pincher: The leasehold system and its reform will form part of a Government White Paper and separate debates in this Chamber, and I am sure that the hon. Lady will play her part in those.¹ It is not true to say that developers and others are not funding remediation. As I have said, firms such as Pemberstone, Mace, Peabody, Barratt and, I think, Legal and General are all stepping forward with funds to remediate buildings for which they are responsible, resulting in some 50% of ACM-clad buildings being remediated by the private sector. I do not know the specific issues of the buildings in her constituency to which she refers, but I am happy to talk to her separately about them. I am confident that the £1 billion of public money that we will set aside through the Building Safety Bill will be allocated by the end of this financial year, as we said it would be, and that remediation of those non-ACM buildings will begin.

Kevin Hollinrake (Thirsk and Malton) (Con): I draw the House's attention to my entry in the Register of Members' Financial Interests. In many cases there are insurmountable legal problems involved in trying to charge building owners and freeholders for these sums, and developers will often point the finger elsewhere. We know that responsibility lies with the developers and installers, with the manufacturers of insulation and cladding in many cases, and, let us be honest, with successive Governments for their approach to building regulations, which must be described as ambiguous. This cannot be left at the door of the leaseholders. Is it not right that the Government should now step in, increase the building safety fund, get the work done and claim back the moneys wherever possible and from whoever possible, and where they cannot, do so by means of a cross-sector levy?

Christopher Pincher: My hon. Friend is an expert in this field and I pay tribute to him for the work that he has undertaken. Mr Wade, our adviser, is working hard with us and with the sector to develop solutions that will help and support leaseholders. In the meantime, as I say, the Government have stepped up and provided a significant amount of public money to remediate the buildings that are most in need of it where there is no

1. [Official Report, 26 November 2020, Vol. 684, c. 10MC.]

other means of paying, but it must be right that we ask developers and those responsible for these buildings to pay. To signal that the state will simply step in and sub them will not encourage them to do the right thing, and it is for developers, owners and warranty suppliers in the first instance to ensure that the buildings for which they are responsible are remediated.

Daisy Cooper (St Albans) (LD): Leaseholders in St Albans are already facing estimated bills of between £50,000 and £120,000 each for fixing safety defects in their buildings that they did not cause. These are not bills that are in the far-off distant future; these are costs that are being passed on to leaseholders right now, including through increased service charges. In the last three years, leaseholders in St Albans have seen their service charges rise from under £1,000 a year to £6,000 a year. Some of my residents cannot afford to pay these bills any more, and that will affect their ability to continue working in some professions, so will the Government get a grip and take urgent action to ensure that leaseholders no longer have to pay, as they are already doing, and that they do not have to foot the bill for these costs?

Christopher Pincher: I am obliged to the hon. Lady. She is right. We recognise, as she will, that there are many cases in which leasehold agreements allow the building owners—the freeholders or their managing agents—to pass on remediation costs to the leaseholders of individual flats. That is why we have instituted the work of Michael Wade to ensure that leaseholders are protected from any charges for historical remediation that are unfair. The fundamental responsibility—the first responsibility—for the remediation of those buildings must lie with the developers, the building owners and the warranty holders, and not with the leaseholders.

Theresa Villiers (Chipping Barnet) (Con): I thank the Government for the substantial investment in tackling this problem, including for the social sector. Will the Minister encourage housing associations that have been funded to do this work to get it done as quickly as possible? That is the best thing to do to keep people safe, but also it is really tough on tenants to be effectively living in a building site for months on end, as has been the case in Desmond House in East Barnet in my constituency.

Christopher Pincher: My right hon. Friend is a doughty campaigner for her constituents in Chipping Barnet, and I will do exactly as she advises.

Stella Creasy (Walthamstow) (Lab/Co-op) [V]: Hundreds of families in Walthamstow have finally managed to get their foot on the property ladder through shared ownership and now, as a result of this crisis, find themselves in properties that are almost worthless and facing huge bills. Will the Minister reconsider the decision to exclude bills that were incurred before 11 March, because many of those people have already tried to do the right thing and have incurred huge cost to themselves through the remediation works? Surely we should not penalise those people who have tried to act promptly on this matter.

Christopher Pincher: I am obliged to the hon. Lady. The decision of the Government was to make sure that those buildings that were most in need of remediation and whose owners could not pay should be, as it were, first in the queue for Government help. We want to work with the sector, with the leaseholder community and with the adviser Michael Wade to find solutions that will ensure that unfair bills do not fall upon leaseholders who are not responsible for the troubles that they face.

Marco Longhi (Dudley North) (Con) [V]: I should draw your attention, Madam Deputy Speaker, to my entry in the Register of Members' Financial Interests. As a landlord myself, I make it my utmost priority to ensure that my tenants are safe in their homes. What steps is my right hon. Friend taking to ensure that all landlords are taking their duties seriously and acting on their tenants' concerns?

Christopher Pincher: I can tell my hon. Friend that we have written to all those responsible for buildings, including their owners, where remediation has not started to remind them of their responsibilities and our expectation that remediation will begin by the end of the year. My Friend the noble Lord Greenhalgh has convened roundtable meetings with owners and with local authority leaders to address the challenges that they face locally. We have made it clear that, from December, those responsible for buildings where remediation has not started and is not forecast to start by the end of this year will be publicly named. Those are active steps that we are undertaking to remind landlords and owners of their responsibilities.

Ruth Cadbury (Brentford and Isleworth) (Lab): In October, more than 1,000 of my constituents—leaseholders, shared owners, tenants and students—were asked to leave the Paragon Estate in Brentford within seven days because the current owners, Notting Hill Genesis, had found significant fire safety and structural issues. They were unrelated to flammable cladding, because that had been removed two years ago. In September 2019, Richmond House in Worcester Park, a four-storey block of only 23 leasehold flats, was destroyed by fire in 11 minutes. Both estates were developed by the Barclay Group, and both had the same significant fire safety defects. The week before last, the *Sunday Times* said that

“the scandal over building safety spreads far beyond dangerously clad tower blocks”

and could affect 4 million people. What are the Government doing right now to protect all those at risk of dying at home because of failures in the building safety regime?

Christopher Pincher: The building safety fund was designed specifically to deal with the removal of unsafe non-ACM cladding where the buildings are over 18 metres and where materials, even before the combustible cladding ban was put in place in 2018 under statutory guidance, should not have been used on high-rise buildings. That fund is available, and, as I have said, it is already being disbursed round the country and will be completed by the end of this financial year. We will continue to work with the financial sector, as I have described, using Michael Wade. We will continue to work with developers to make sure that their responsibility is executed and support for leaseholders is provided. As for the specifics

[*Christopher Pincher*]

of the case that the hon. Lady raised, I am not aware of it, but I am happy to discuss it with her outwith the Chamber.

Bob Blackman (Harrow East) (Con) [V]: As a member of the Housing, Communities and Local Government Committee, I have had the opportunity to scrutinise the draft safety Bill. The report that we published today has unanimous cross-party support, and I urge my right hon. Friend and his colleagues to look at it in very great detail indeed. I do not expect—it would be unreasonable to do so—an immediate reaction today following publication. However, during the inquiry, a concern arose from Lord Greenhalgh’s evidence about costs being passed on to leaseholders. My right hon. Friend has said that proposed amendments to the Fire Safety Bill are defective in some way, but would he commit, on behalf of the Government, to make it clear that the Government will ensure that it will be illegal for the cost of remediating unsafe cladding on buildings to be passed on to leaseholders in any shape or form?

Christopher Pincher: I am obliged to my hon. Friend. I can guarantee that we will look very closely at the report. As I have said, there are some 80 pages and 40-odd recommendations. I shall look very closely at pages 22 to 39, which may include reference to proposals from another place.

Patrick Grady (Glasgow North) (SNP): As my hon. Friend the Member for Glasgow East (David Linden) said, this is not a problem that stops at the border. I have constituents in the Partick area and elsewhere who are trapped in houses that they cannot sell and cannot get fixed as a result of advice assigned for an English model of ownership and management that does not apply in Scotland. When did the Minister last engage with his Scottish Government counterparts on this, and when will he next engage with them? Will he respond to the request from my hon. Friend, and meet a delegation of MPs from Scotland to discuss how this particularly affects our constituencies?

Christopher Pincher: We discuss a range of issues with our colleagues in the Scottish Government—and officials discuss with officials—in the usual way, all the time. I am very happy to discuss with the hon. Gentleman any particular arrangements that he may wish to raise, and I will make sure that any such issues are raised with my noble Friend Lord Greenhalgh.

Antony Higginbotham (Burnley) (Con): While discussions take place with property developers and freeholders about who will fund the cost of this, we should never forget that there are leaseholders and tenants living in these buildings, so will the Minister set out what steps have been taken to keep those people safe, as they are living in fear?

Christopher Pincher: We have put a great deal of public money aside to make sure that buildings that need remediation—and where there is no other means of making them safe quickly—are made safe through the ACM fund and the building safety fund. We will continue to work closely with the industry to make sure that other buildings are remediated and made safe. I look forward to further contributions from my hon. Friend in that regard.

Andy Slaughter (Hammersmith) (Lab): The Minister answered a series of questions on this subject yesterday, and all his answers contained the same formulation of words: “to protect leaseholders from unaffordable costs”. Does he realise that that leaves leaseholders in limbo? What he needs to do now is either define what “unaffordable” means—better than “just below the bankruptcy threshold”, as in a previous attempt by one of his colleagues—or recommit to exempting leaseholders from those costs, as well as social landlords, as there are costs not only for leaseholders but for tenants?

Christopher Pincher: As I said earlier, I cannot give a commitment that there will be no costs that a leaseholder will ever have to pay with respect to some historical defect. We want to make sure, through the building safety fund and the ACM fund, and through our work with developers and owners, that the costs of cladding issues that confront many people and are the subject of great debate in the House are protected for leaseholders.

The hon. Gentleman asks me about affordability, which is a very subjective matter. I want to make sure, through the funds we have made available and the work Michael Wade is doing with the sector, that people are able to get on with their lives, restore value to their properties, and live as normally as possible without the spectre of costs hanging over them.

Barry Gardiner (Brent North) (Lab): The Ministry of Housing, Communities and Local Government blames the building control inspectors. The building control inspectors blame the construction company. The construction company blames the developer. The developer blames the lack of proper regulation. What is clear is that no one blames the thousands of leaseholders in my constituency who are now trapped in their homes, paying for everyone else’s mistakes. So will the Minister accept that the buck stops with him to get those who are responsible to pay up, if necessary through a windfall tax on the industry, to sort out the regulation and to keep my constituents safe and solvent?

Christopher Pincher: The buck stops with those responsible for the development of these buildings, the owners and the warranty holders, and that—getting them to pay—is what we are working to make sure happens.

Gareth Bacon (Orpington) (Con): I have been contacted by a number of constituents who are leaseholders in buildings under 18 metres in height that have cladding on them. They are unable to remortgage or to move home because mortgage providers are refusing to lend without the EWS1 form and the freeholder has not provided it. Will my right hon. Friend confirm whether or not an EWS1 form is required for buildings with cladding that are under 18 metres in height? If it is not, will the Government commit to reinforcing that message to mortgage providers, so that my constituents can move on with their lives?

Christopher Pincher: I can certainly confirm that buildings that are without cladding should not have an EWS1 form apply to them. EWS1 forms can be applied in other egregious circumstances, and we are working with the sector to make sure that we obviate, as far as is possible, the responsibility of leaseholders to provide

those forms. There is more work to be done to ensure that buildings can have their value restored to them and that people can move effectively without recourse to an EWS1 form.

Munira Wilson (Twickenham) (LD) [V]: In my local authority of Richmond upon Thames, remediation work has been either started or completed on fewer than 50% of buildings with dangerous cladding. Leaseholders living in these buildings, such as the residents of the Sandy Lane estate in my constituency, are living at constant personal and financial risk. So may I press the Minister again: will he, in the first instance, commit to covering the costs of both the assessment and the remedial work, to keep not just my constituents safe, but leaseholders across the capital and the country, and claim the money back from freeholders and developers later?

Christopher Pincher: As I said a moment ago, some 79% of all identified high-rise ACM buildings have either completed or started their remediation, and some 97% of social sector buildings have either completed or started their remediation. I know that there are specific challenges in London, which is why the Secretary of State and Lord Greenhalgh have undertaken roundtables with the Mayor, the fire brigade and the sector to ensure that the pace of acceleration is speeded up. We want to make sure that this work is done. We will continue to work with the developer community and with leaseholders to make sure that it is. Where necessary, as we have already demonstrated, public money will be spent, but in the first instance the responsibility should fall on those who built these buildings or who own them.

Huw Merriman (Bexhill and Battle) (Con): The Minister is quite right that the buck should stop with those who are responsible, but in the case of the 66 leaseholders in the Landmark in Bexhill, their builder and developer have both gone out of business, and indeed the insurer is not in business either. Ultimately, while the freeholder should of course be responsible, legally they may not be. What can be done to ensure that leaseholders are not responsible and do not face years of court action or bankruptcy? Surely we need to look at an industry levy to make sure that the industry that is ultimately responsible carries the can.

Christopher Pincher: The work of Michael Wade is designed to address some of the challenges that my hon. Friend raises. In the interim—I am sorry to labour this point—that is why we put aside a very significant amount of public money to alleviate the risk to the buildings that are most at risk of fire and that are most dangerous, and where there is no other means of the owner paying, so that, fundamentally, leaseholders in those circumstances are made safe. The work of Mr Wade will focus particularly on the matters that my hon. Friend raises.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The bottom line is that this is a national scandal. It is a UK-wide problem that is going to require UK-wide solutions, such as the Minister has described, regarding the EWS1 forms that have affected my constituents. I have been absolutely appalled by the utterly amoral behaviour of many of the developers and construction companies, raking in billions while trying to dump the costs on to leaseholders in my constituency and so many others around this country. Has the Minister actually

hailed in the likes of Redrow, Laing O'Rourke and Taylor Wimpey? If he is saying that they are ultimately responsible, what is he actually going to do to make them pay? Will it be a levy or some other measure? When will we see these innovative insurance products, because the reality is that my constituents are paying thousands in increased premiums right now?

Christopher Pincher: I understand the concerns of the hon. Gentleman and the passion with which he expresses the concerns of his constituents. We have named and shamed the owners and developers who did not step up to the plate and properly and quickly remediate ACM-clad buildings. We made it clear that where we anticipate that the remediation of other buildings will not have begun by the end of this year, we will name and shame those owners and developers too. That is the work that Mr Wade is undertaking to develop the solutions that will mitigate the effect of any costs on leaseholders and make sure that we draw this terrible situation to a reasonably quick and satisfactory conclusion. I think that will answer some of the concerns that the hon. Gentleman has raised. We want to get on with this, and get on with it quickly, and that is the work that Mr Wade is undertaking.

Stephen Metcalfe (South Basildon and East Thurrock) (Con) [V]: Although I welcome the funding that the Government have made available to remove unsafe cladding, and praise the owners who have stepped up to get the process under way, there are, sadly, many owners who have not done that, leaving residents in Basildon trapped in homes they cannot sell. Further to the point made previously, what more can the Government do, other than naming and shaming, to force building owners to start the process of cladding removal and to fund it where they can?

Christopher Pincher: Local authorities have a suite of measures with respect to enforcement—fines and the like that can be brought to bear to address the concerns, or some of the concerns, that my hon. Friend raises. As I have said previously and shall say again, the work of Michael Wade, a very experienced player in the insurance sector with 40 years' experience behind him, is to bring the sector together to find sensible and innovative solutions that will result in the costs that may fall to leaseholders being mitigated. That is the solution to this problem, not simply writing a blank cheque on behalf of taxpayers, which would send entirely the wrong message to the developers and the owners of these buildings, who are, in the first place, responsible for remediating the issues that they have caused.

Charlotte Nichols (Warrington North) (Lab): I should make the declaration of interest that I am a leaseholder, although I am personally unaffected by the matter we are considering. However, I have heard from a number of constituents who are—or whose children are—affected. Does the Minister agree that the principle is simple? They have purchased flats in good faith that have subsequently been shown to have been built potentially dangerously. As my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) said, that extends far beyond combustible cladding. If they had bought some other item with inherent faults, they would not be expected to pay for repairs, so those leaseholders should not be liable for remedial works to make their homes safe, should they?

Christopher Pincher: Our actions are designed to ensure that the hon. Lady's constituents and others around the country are not liable for the costs of cladding. I cannot say to her that there will not be some costs that fall on leaseholders that have some connection with defects in their properties, but we are working hard with Mr Wade and others to ensure that we have solutions to mitigate that, and we must make sure that developers and owners step up to the plate and remedy the situations that they have created. Where they cannot, thus far the Government have demonstrated that we will step in and support remediation of buildings, but we cannot and should not offer a blank cheque on behalf of taxpayers. The primary responsibility must reside with the developers who built those buildings.

Robert Halfon (Harlow) (Con) [V]: I welcome what my hon. Friend is doing, particularly on fairness for leaseholders, but what measures can he take to support Harlow locally to improve the quality of social housing, given the urgent need to ensure that our social housing stock is fit for purpose and we can build an even better Harlow for residents, for the 21st century and beyond?

Christopher Pincher: My right hon. Friend campaigns for Harlow as possibly no other colleague campaigns for any constituency in the country. He was integral to our work on space standards for upbuilding and ensuring that buildings have light in all habitable rooms. In answer to his question, I point him to our affordable homes programme, under which £12.2 billion will deliver 180,000 affordable new homes in the next five years, and to our reforms to the housing revenue account, which will allow local councils more easily to build social homes if they wish. Harlow may wish to pursue those two endeavours.

Lilian Greenwood (Nottingham South) (Lab): I have been contacted by numerous leaseholders in my constituency who, through no fault of their own, are worried sick because they are being told that they need to pay thousands of pounds for essential fire safety works, including the removal of unsafe cladding. Some are vulnerable or on low incomes, and all fear losing their home or being trapped in a financial nightmare. I think that the Minister agrees with the Housing, Communities and Local Government Committee that leaseholders should not be required to pay for the remediation of historical building safety defects, but what is his advice to my constituents, who are receiving enormous service charge bills that they cannot afford and should not be asked to pay?

Christopher Pincher: I entirely sympathise with the situation that the hon. Lady's constituents and those of other right hon. and hon. colleagues face. We are entirely cognisant of the fact that individual legal contracts between owners and leaseholders allow owners to pass on costs to their leaseholders. That is one of the reasons we invited Michael Wade to do the work that he is doing. We will work as fast as we can to ensure that the solutions that we are working through are available to mitigate any costs that leaseholders may fear they have to pay. That is also why we will continue to make public funds available, as we have through the ACM fund and the building safety fund, to remediate buildings that are most in need and for which there is no other means of quick and easy remediation.

Caroline Nokes (Romsey and Southampton North) (Con): Leaseholders are not just living in limbo. As we have heard this afternoon, they are living in fear. They are paying over the odds in insurance to live in fear, and in some cases they are paying well over £1,000 a year in waking watch charges. I recognise that my hon. Friend has done an enormous amount of work on that, but may I please impress upon him the urgency? At this economic time, people simply cannot afford those charges on an ongoing basis.

Christopher Pincher: I entirely accept the points made by my right hon. Friend. We will continue to work with the insurance sector on the insurance challenges that leaseholders face, with the financial services sector on the challenges with mortgage costs that leaseholders face, and with developers to make sure that remediation takes place swiftly and effectively, so that this problem is resolved.

Stephen Timms (East Ham) (Lab): Will the Minister set out much more clearly the criteria for the much-needed grant funding? Residents at Waterside Park in my constituency are worried that their management company wants to apply to the building safety fund, even though the development recently received a B1 rating so remediation is not required. Would such an application be appropriate?

Christopher Pincher: I point the right hon. Gentleman to the specific criteria in the building safety fund, which was published earlier this year. As I have said and will say again, we will work with Michael Wade to make sure that there are solutions to what is a very complicated issue. There may be more than one element to the package of solutions to resolve this challenge. I do not want to give a running commentary to the House on the progress of that work, but it is ongoing, and we hope that we can make some further and concrete announcement soon to give succour to the right hon. Gentleman and reassurance to others in the House.

Scott Benton (Blackpool South) (Con): I welcome the £1 billion the Government have made available through the building safety fund for the removal of unsafe non-ACM cladding. Is my right hon. Friend able to update the House on the number of applications to the fund and how quickly those can be reviewed and processed so that the work can finally be done?

Christopher Pincher: I am grateful to my hon. Friend. He campaigns hard and long for his constituents in Blackpool South. We have now advanced more than 100 applications and the first payments for work will be made imminently. I am confident that the full allocation of £1 billion that the Chancellor made available in the Budget earlier this year will be made by the end of this financial year, for which the money was made available.

Ms Lyn Brown (West Ham) (Lab) [V]: Hundreds of constituents are affected by safety problems, from social housing tenants in Canning Town to leaseholders in Stratford. Those in the Prime Minister's flagship Olympic park have had the Olympic dream turned into a nightmare. This crisis is getting worse. Just two weeks ago, four more blocks were placed on waking watch. They have been told there is a risk of fire, which increases their fear. They are trapped in unsellable homes and there is a dread that,

at the end of all this, there is going to be an unaffordable bill for them to pay. Why can the Government not understand that this continuing uncertainty and punishing of leaseholders is plain wrong, and that the notion of affordability is massively contentious and concerning? Perhaps we can have a meeting.

Christopher Pincher: I entirely understand the concern of the hon. Lady and her constituents. The Government are working hard and at pace to remediate these buildings and resolve the issues that her constituents face. I am very happy to meet her to discuss the specific issues in her constituency, but she can be assured that I have every sympathy with the plight of her constituents. We are working very hard, very quickly to make sure those issues are resolved.

Neil O'Brien (Harborough) (Con) [V]: Will my right hon. Friend update the House on what progress is being made in removing both ACM and non-ACM cladding in the social housing sector?

Christopher Pincher: Some 97% of buildings with ACM cladding in the social sector have been remediated or have remediation under way. Of course, we continue to work on the remediation of non-ACM cladding, and we will work with local authorities to make sure that that is done as swiftly as possible. Another Member asked me if I would encourage housing associations to work more swiftly to remediate their properties—I think it was my right hon. Friend the Member for Chipping Barnet (Theresa Villiers)—and I said to her that, yes, we will. I say to my hon. Friend: yes, we will work harder with social housing operators to make sure that their properties are remediated.

Stephen Hammond (Wimbledon) (Con): Like so many colleagues across the House, I have had many constituents write to me about the problems they are suffering with cladding, remediation and getting some answers from both finance and insurers, so I will not repeat all of what has been said before. Could I just say to my right hon. Friend that I have an outstanding meeting request with his colleague Lord Greenhalgh, and I wonder whether he might facilitate that for me?

I heard the Minister's answer a moment ago to the question about whether or not the Government would look at the amendment from the House of Lords, and I listened carefully to his answer. Can he tell me whether or not the Government are sympathetic to the amendment, and whether or not the Government might put forward their own amendment that would be in order?

Christopher Pincher: My hon. Friend encourages me to facilitate a meeting with Lord Greenhalgh, and I am happy to try to assist him in that regard. Regardless of the rather byzantine practices in the other place, I trust that we can make that happen for him.

My hon. Friend asks whether we have sympathy with the amendment sent down to us from the House of Lords. I understand what the amendment is trying to achieve. I believe it is defective, but of course we will look at it from the point of view that another Chamber in this Parliament has sent us an important amendment, and we will give it appropriate consideration.

Florence Eshalomi (Vauxhall) (Lab/Co-op) [V]: I receive emails from constituents in Vauxhall almost daily about this cladding scandal. A constituent who lives at Beregaria Court on Kennington Park Road emailed me yesterday and said:

"I am a leaseholder and do not own any other part of the building, I had no say in how this was built, until recently I didn't know what cladding was, have just been working and saving for years and putting it all into 1-bedroom apartment that now is worth nothing."

Such constituents bought their homes in good faith, so I have one question to the Minister: do the Government agree with me that in principle it is wrong to make leaseholders pay for these bills?

Christopher Pincher: I pay tribute to the hon. Lady. I know she campaigns hard for her constituents, and we have had many exchanges across the Chamber about the concerns that her constituents have raised with her. We entirely agree that it is not right that leaseholders who have done the right thing—who have invested in a property or have chosen a place to call home—should find themselves burdened by costs for which they are not responsible. That is why we are working with the financial services sector—Michael Wade is working on this—to try to make sure that any costs respecting historical defects of buildings are obviated. The hon. Lady will understand when I say that the taxpayer should not be held responsible for an open-ended cheque. We have already spent over £1.5 billion of public money to ameliorate those buildings most in need of it. The fundamental responsibility must lie with developers, but I entirely understand the point of view that the hon. Lady has expressed on behalf of her constituents. Leaseholders who have done the right thing should not fall liable to unfair costs.

David Johnston (Wantage) (Con): On behalf of my constituents who are affected by and anxious about this situation, can I add my voice to the cause that leaseholders should not have to pay for these charges? They have done nothing wrong. Can my right hon. Friend assure me that he will push lenders not to require the EWS1 form if it is not really needed, and also push the Royal Institution of Chartered Surveyors, which is training 2,000 other assessors, to deploy those in the areas of the country that most need them? If they are too thinly spread across the country, it will not do enough to reduce the delays.

Christopher Pincher: I am grateful to my hon. Friend for his thoughtful contribution. Yes, we will continue to work with the lending sector to ensure that the EWS1 form is fully and properly understood and is not misused, and that its use does not bleed across in a way that is inappropriate. We will of course roll out the 2,000 assessors as quickly as we possibly can. I will take on board his point and consider how those assessors can be best and most effectively deployed.

Hilary Benn (Leeds Central) (Lab): For the past hour and a half, the Minister has had to listen to testimony about the nightmare that all our constituents, including mine in Leeds city centre, are living with. He knows that leaseholders simply do not have the billions that are still required to fix the problem. He knows that without funding from elsewhere, they will continue to live in unsafe homes, as waking watch and insurance bills mount. He knows that some of them will eventually lose their homes,

[Hilary Benn]

because they will be made bankrupt by those costs. He knows how much anguish this nightmare is causing them. He also knows that an answer must be found, but I think the question that leaseholders who have been listening to this urgent question would like to put to him is: when will the Government come forward with that answer?

Christopher Pincher: I am grateful to the right hon. Gentleman. The question he puts is a fair one, and the way in which he put the issues he raised was entirely reasonable and fair. We will bring forward proposals as quickly as we can, to ensure that costs to leaseholders are mitigated. He will understand that this is a complicated issue that tracks back over political generations. To unpick that challenge, and to ensure that remediation is done effectively, that liability falls where it should, that the taxpayer is not subjected to unfunded commitment and that leaseholders have the right thing done by them is a challenge, but one that we are rising to and one for which we will bring forward proposals as quickly as we can.

Sir Robert Neill (Bromley and Chislehurst) (Con): The Minister may well have seen on Sunday on the television my constituent Ritu Saha talking, not for the first time, about the agony that she and her neighbours in Northpoint in Bromley are going through, for all the reasons that have just been set out by the right hon. Member for Leeds Central (Hilary Benn) and many others.

Of course there are complications in sorting out liability and dealing with some of the technical issues of remediation. I entirely accept that, and the work being

done, but will the Minister recognise that the moral point is not complicated? At the end of the day, leaseholders who have done nothing to create this situation, and who relied in good faith on a regulation that ultimately Government—of whatever description—own, should not be out of pocket for whatever reason. If that takes more money, will the Minister at least give the commitment that where it is a failure of regulation and no fault of the leaseholder, they will not ultimately have to pick up the tab?

Christopher Pincher: I am grateful to my hon. Friend. I have heard the testimony of Ritu Saha and others in his constituency. I understand the point that he makes. I hope that in answering him quickly, he will not in any way think I am diminishing that point, because it has also been made by other colleagues across the House. We will work at pace to ensure that leaseholders who through no fault of their own find themselves in this terrible situation are not subjected to unfair costs. Costs ought to fall in the first instance to the developers and owners—and their warranty providers—who built the properties. The Government have set aside funds in this financial year to support those buildings that require immediate remediation and where there is no other means of so doing. We will continue to keep the situation under review, but we will work with the sector to ensure that remediation is done by those with whom responsibility lies.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the Minister for his very comprehensive answers.

Virtual participation in proceedings concluded (Order 4 June).

Point of Order

2.9 pm

Sir Charles Walker (Broxbourne) (Con): On a point of order, Madam Deputy Speaker. I have just witnessed an elderly lady who was peacefully protesting with a handful of other people be arrested and carried spread-eagle to a police van just outside the precincts of the House of Commons. This is a disgrace. It is un-British, and it is unconstitutional. This Government and our Prime Minister need to end these injustices now. Madam Deputy Speaker, will you bring the Prime Minister and/or the Home Secretary here today to sort this out? She was an old lady robbed of her dignity for having the courage to protest about having her fundamental rights and those of my constituents and others removed.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Gentleman for his point of order. I can see that this is an extremely distressing situation. I shall of course ensure that Mr Speaker is aware of his comments, but there are also Ministers here who I am sure will ensure that the hon. Gentleman's very strong views on the incident are fed back.

I shall suspend the House for three minutes, to allow for the safe exit and entry of Members.

2.11 pm

Sitting suspended.

BILL PRESENTED

TELECOMMUNICATIONS (SECURITY)

Presentation and First Reading (Standing Order No. 57)

Matt Warman, supported by the Chancellor of the Exchequer, Secretary Dominic Raab, Secretary Priti Patel, Michael Gove and Secretary Alok Sharma, presented a Bill to make provision about the security of public electronic communications networks and public electronic communications services.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 216) with explanatory notes (Bill 216-EN).

National Health Service Reserve Staff

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

2.14 pm

Alan Mak (Havant) (Con): I beg to move,

That leave be given to bring in a Bill to establish a system of reserve National Health Service staff; and for connected purposes.

The coronavirus pandemic is the biggest challenge that our health service has faced since its creation 70 years ago. Our inspirational doctors, nurses, paramedics, and clinicians of all disciplines have risen to that challenge, alongside our NHS leaders and non-clinical staff across the country. Those include Mark Cubbon and his team at the Queen Alexandra Hospital in Portsmouth, and Dr Raj Laly, a GP from my constituency of Havant, who also both contributed to the research for this Bill.

Supplementing that immense effort is an army of volunteers, operating on a scale not seen in this country since perhaps the Women's Land Army of the second world war. As the coronavirus outbreak grew, my right hon. Friend the Secretary of State for Health and Social Care issued his clarion call for volunteers to help the NHS, and the public responded with great energy and in huge numbers. More than 750,000 people, from all walks of life, signed up to become NHS volunteer responders. As of today, they have collectively completed more than 1 million tasks, from shopping and collecting prescriptions, to driving people to hospital and telephone befriending them. I am sure the whole House will join me in thanking everybody who came forward to support their friends, colleagues, neighbours, family and communities since the outbreak began.

Those selfless people build on a strong tradition of volunteering that has existed in the health service for many decades. There are thought to be around 80,000 volunteers across all acute trusts in England, contributing more than 13 million hours of volunteering every year. The true figures are likely to be much higher. Those dedicated individuals carry out hundreds of roles, including volunteering on wards, providing administrative support, fundraising, organising patient participation groups, helping patients to find their way around hospitals, supporting relatives of the sick and picking up medicines from pharmacies.

One lesson we must learn from the coronavirus outbreak, and an opportunity we must seize, is ensuring that we retain the skills, experience and commitments of both our existing base of volunteers, and those people who have come forward since the pandemic began. To achieve those goals, we should create the NHS reserves—a new, but recognisable and trusted, NHS brand that will fit effectively into the existing NHS family. The NHS reserves will be a new uniformed standing reserve of clinical and non-clinical volunteers, who can be called up to support our hospitals, GP surgeries, pharmacies and other healthcare providers whenever more help is needed. That might be during public health emergencies, seasonal increases in demand, or critical incidents such as terrorist attacks or major accidents. The NHS reserves brand will also help to formalise and give greater status and recognition to the many existing health service volunteers, and provide a way to retain and use the skills of recently departed or retired staff.

[Alan Mak]

The House will know that our country already has a proud history of exceptional reserve services. They are founded on dedicated and skilled people who, often at a moment's notice, rush to the scene of an emergency, give up their spare time to serve their community, or bravely defend our country. Those reservists are the very best of us. For example, the armed forces reserves not only contributed large deployments to Afghanistan and Iraq, but provided around 15% of all the military personnel who made the London 2012 Olympics such a resounding success. The Police Special Constabulary is made up of more than 10,000 fully trained volunteers who work alongside full-time officers with the same uniform and equivalent powers. The Fire and Rescue Service has its well-known system of retained firefighters who respond to emergencies around the clock. In fact, the NHS is the only one of our major emergency services not to have a formal national reservist structure. The new NHS reserves that I propose would change that for the better, embodying many of the characteristics that have made our other reserve services so successful.

Every NHS reservist would wear the same uniform and have the same equal status as their regular health service counterparts. That would strengthen their role in hospitals and clinical settings, and give confidence to patients and staff. Rightly, when it comes to healthcare, patients expect the very best treatments and the highest standards from our NHS. Therefore, every NHS reservist would receive appropriate training, and anyone working in a clinical discipline would be vetted and have to maintain the same up-to-date qualifications as their full-time colleagues. Professional bodies such as the General Medical Council, and charities such as St John Ambulance, would play a key role in that, given their expertise.

In practical terms, reservists in clinical disciplines could support or perform a range of roles, such as vaccinators, therapists, triage nurses or telemedicine providers, or help with continuing healthcare. They could also provide general cover in non-specialist clinical roles if private sector staff supply agencies, locums or staff banks were not available to help at short notice. On the non-clinical side, reservist roles could include drivers, electricians, logistics specialists, IT experts and communications professionals, and could also include and formalise the many hundreds of other non-clinical tasks that hospital volunteers currently carry out daily across our country.

Every year, around 75,000 clinical staff leave the NHS. They are people with relevant skills who could help at times of national or local emergency. Therefore, the NHS reserves would also offer a route for experienced staff to continue helping the health service after stepping down from paid employment. That would build on the important and valuable work already done by the General Medical Council and the Nursing and Midwifery Council that has allowed around 25,000 doctors and nurses to temporarily rejoin their registers to help in the fight against coronavirus.

I anticipate that, just like our other successful reserve services, NHS reservists will supplement, not supplant, any roles currently undertaken by NHS employees, while offering many other benefits to the health service.

To make the NHS reserve system function well, we will also need a new national reservists register, where the health service can capture details about volunteers and their skills, possibly using the NHS app as one channel. This central source of information will be accessible to NHS trusts, hospital chief executives and other healthcare bodies around the country, enabling the NHS to know who can be called up, including those with expertise who are not currently employed by the health service. This would be a useful resource in its own right, and it is not one that the health service currently has access to.

The pandemic has shown just how much people love our NHS and how ready they are to support the health service when times are tough. I am grateful the Secretary of State for Health and Social Care for supporting my Bill and agreeing to launch a pilot in all seven NHS regions across England. I thank him, his advisers and his Department for their help over many months. Some Members have already signed up to become parliamentary champions for the NHS reservists, and I welcome others who would like to promote the NHS reserves in their constituencies.

I strongly believe that we have a once-in-a-generation opportunity to harness the passion, skills and commitment of those who have already volunteered for the NHS and those who would like to do so in the future. By launching the NHS reserves, we will be creating a positive long-term legacy after coronavirus that will benefit our health service in every community for many years to come. I commend the Bill to the House.

Question put and agreed to.

Ordered.

That Alan Mak, Sir Iain Duncan Smith, Sir Graham Brady, Jeremy Hunt, Damian Green, Greg Clark, Joy Morrissey, James Cartledge, Kevin Hollinrake, Tom Tugendhat, Danny Kruger and Andrew Griffith present the Bill.

Alan Mak accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 12 March 2021, and to be printed (Bill 217).

PRIVATE INTERNATIONAL LAW (IMPLEMENTATION OF AGREEMENTS) BILL [LORDS] (PROGRAMME) (NO. 2)

Motion made, and Question put forthwith (Standing Order No. 83A(7)).

That the following provisions shall apply to the Private International Law (Implementation of Agreements) Bill [Lords] for the purpose of supplementing the Order of 2 September 2020 (Private International Law (Implementation of Agreements) Bill [Lords] (Programme)):

Consideration of Lords Message

(1) Proceedings on the Lords Message shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

Subsequent stages

(2) Any further Message from the Lords may be considered forthwith without any Question being put.

(3) The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(David T. C. Davies.)

Question agreed to.

Private International Law (Implementation of Agreements) Bill [Lords]

Consideration of Lords message

After Clause 1

IMPLEMENTATION OF OTHER AGREEMENTS ON PRIVATE
INTERNATIONAL LAW

2.24 pm

The Parliamentary Under-Secretary of State for Justice (Alex Chalk): I beg to move, That this House agrees with Lords amendments 1A and 1B.

Madam Deputy Speaker (Dame Rosie Winterton): With this it will be convenient to consider the Government motion to agree to Lords amendments 4A to 4E.

Alex Chalk: Private international law, sometimes known as conflict of laws, comprises rules applied by courts and parties involved in legal disputes for dealing with cases raising cross-border issues. The rules generally apply in the context of civil law, including specialist areas such as commercial, insolvency and family law. PIL typically includes rules to establish whether a court has jurisdiction to hear a claim that has cross-border elements, which country's law applies to such a claim, and whether a judgment of a foreign court should be recognised and enforced. However, it can also encompass rules on co-operation between courts and other public authorities in different countries involved in dealing with cross-border issues, such as service of documents, taking of evidence abroad or even establishing efficient procedures to assist with the resolution of cross-border disputes.

These agreements are important. They are the sort of thing that a member of the public, or a business trading across borders may not know they need until a difficulty or a disagreement arises. Without these agreements, cross-border legal disputes can become expensive and difficult to resolve. With them, the path to resolution is clearer and smoother.

Sir Robert Neill (Bromley and Chislehurst) (Con): I am grateful to the Minister for giving way so early in his speech. As he will know, I have to chair the Justice Committee in a few moments, but may I thank him for stressing the importance of this not just for the big financial institutions and businesses of this country, but for individuals? Will he confirm that, in accepting the amendments, we have managed to achieve an improvement to the Bill through the very constructive approach for which he in particular has been responsible? Will he also confirm that, as well as the Bill, it is the Government's firm intention to seek to join the Lugano convention on the enforcement of judgments and other international co-operation at the earliest possible date, so that we do not have any gap after the end of the implementation period, and to move on to the other international conventions—Hague and others?

Alex Chalk: I thank the Chairman of the Justice Committee for his remarks, and for the contribution he has made throughout the passage of the Bill. I am quite confident that we are in a better place because we have looked at it constructively. That is, in large part, because

of the contributions he has made, together with others. Yes, this is about individuals as well as businesses, and yes, we want to use this as the vehicle to get into Lugano, which will be good for the rule of law, good for individuals, good for certainty and good for businesses.

I was making the point that these agreements mean the path to resolution is clearer and smoother. Just by way of a couple of examples, these agreements can help a family when relationships break down and one spouse moves abroad, and they can help to sort out arrangements for custody, access and maintenance in the best interests of the children. These agreements can provide a framework for a small business to seek redress when left out of pocket by a supplier based in another country.

Christian Matheson (City of Chester) (Lab): The Minister is explaining the scope of the Bill and I am trying to understand it. We all represent constituents, and I have a couple of constituents' cases, including one where there is a dispute over a property in Cyprus and another where a constituent was involved in an assault in Italy. They both relate to issues that are not cross-border, but relate specifically to incidents or disputes in those countries. Are that kind of cases covered by the Bill, or does the Bill look at issues only where there are cross-border affairs that need to be resolved?

Alex Chalk: I am grateful to the hon. Gentleman for asking that question. The Bill is more likely to affect the former example, rather than the latter. On the specific issue of a criminal offence, that is likely to fall outwith the Bill. There is, of course, a regime for cross-border co-operation in that regard, but that normally sits outside private international law agreements, which tend to be about family issues—whether maintenance and enforcement are involved, and which agreements are going to be upheld by which courts—and commercial agreements, for example, between a widget manufacturer in the hon. Gentleman's constituency and a supplier in another part of the world. This relates to agreements that are already in existence which we want to roll over, but also creates the framework for us to agree and implement future agreements.

The Bill contains two substantive clauses. The first ensures the continued implementation of three Hague conventions on various aspects of private international law that are currently implemented—at least until the end of the transition period—under the European Union (Withdrawal Agreement) Act 2020. The second concerns the implementation of further PIL agreements—the point that I was just making—by secondary legislation. This clause was removed from the Bill in the Lords on Report, but was returned by this House in Committee back in October. Although clause 1 is not subject to the amendments in front of us today, the need to have these provisions in force by 31 December creates an imperative to resolve the outstanding issues without delay.

2.30 pm

Let me update the House on the Bill's return to the House of Lords, where the Government made a series of amendments to aspects of the delegated powers in the light of the observations that had been made there. Those amendments were accepted by the other place last Thursday, and I am seeking that this place also agrees to this amended version of the power to ensure that the

Bill can be enforced by the end of the transition period. Before I turn to the detail of the changes, let me say that these amendments were made after careful and respectful reflection on the views expressed across the House during the Bill's passage through this place, and following extensive consultation with peers who had previously challenged the approach taken to delegated powers in the Bill. We recognised that there were peers who had significant experience and expertise in this area, and it was right to take their views carefully into account.

The amendments focus on aspects of the power that have attracted most attention—and, in some quarters, concern—in previous debates. We were pleased to acknowledge the observations of the noble and learned Lord Pannick, who described our amendments as significant and “constructive”.

These fall into three categories, the first of which is in respect of criminal offences. Lords amendment 4A limits the power so that it cannot be used to create criminal offences punishable by prison sentence. Although private international law agreements generally do not require contracting parties to create criminal offences, there are exceptions. Typically, where there are criminal offences, they are limited in scope. A good example is the current implementation of the Lugano convention in Northern Ireland, which was referred to a few moments ago by the Chair of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill). This includes an offence that applies when a person who is obliged to pay maintenance under a maintenance decision of a relevant foreign court subject to recognition and enforcement in Northern Ireland fails to update a Northern Ireland court with changes to their address.

This offence is included in the implementation, so the approach to enforcement is consistent whether the maintenance decision was made by a court in Northern Ireland or a relevant foreign court. The Lords amendment would still allow this offence and others like it to be implemented under the delegated power. However, it would require more serious criminal offences—specifically those punishable by imprisonment—to be implemented via primary legislation and the additional scrutiny that that entails. That is the proper thing to do. If we as the state require people to be imprisoned and have their freedoms taken away from them, it is important that Parliament considers that with the utmost care, although I should make it clear that the UK has no plans to join an agreement that would require the creation of an offence punishable by imprisonment.

For the sake of completeness, it is important to note that introducing criminal offences by secondary legislation is not of itself unusual. Research by the University of Glasgow recently found that the majority of all new criminal offences are created by secondary legislation, although it is right to say that the authors of that paper did deprecate that. That is the first point, about criminal offences.

The second set of amendments—Lords amendments 1A, 1B, 4C, 4D and 4E—add a five-year sunset period to the regulation-making power that is extendable on a recurring basis by affirmative statutory instrument. Essentially, this reviewable sunset requires the Government to consult on and get parliamentary approval for their private international law strategy every five years. The need to come back to Parliament every five years—if the Government still consider this a necessary power—does

not just provide Parliament with additional scrutiny; the mere existence of the review process will influence how Governments approach using the power and encourage them properly to consider whether the power has met its original policy intent.

Mr Jonathan Djanogly (Huntingdon) (Con): As things stand, is it the Minister's intention that there will be only one five-year period—that in five years' time the Government will drop it? Or is his current intention that it will be extended if other things come up?

Alex Chalk: The legislation is clear that it can be extended more than once, but the real point is that parliamentarians will want to be satisfied that that process is not entirely a rubber-stamping exercise and that, first, Governments of any stripe will be actively required to turn their attention to whether it is the proper thing to do—and they will be, because of the consultation requirements in the statute—and, secondly, that Parliament will be sufficiently notified of the Government's intention to do so that it is well placed to marshal whatever opposition it thinks is appropriate.

All that feeds into the next points that I wish to make, but before I do so I should say that the Government have been clear about how they want to use the power over the next few years, and that includes in respect of implementing the Lugano convention—or, indeed, alternatives with Norway, Iceland and Switzerland, should our application be declined—as well as, subject to consultation, the Singapore convention on mediation and the 2019 Hague judgments project. I pause to mention that the Singapore convention has no more doughty champion in this place than my hon. Friend the Member for Henley (John Howell).

If the Government ask Parliament to extend the power in five years' time, they will need to make their case again and have the relevant regulations approved in both Houses. In any view, the sunset amendment represents a significant concession by the Government. It takes account of the concerns that have been powerfully expressed, while still retaining a proper measure of the flexibility and agility that we seek—manifestly in the national interest, we contend—to support the UK's long-term private international law strategy which, I pause to note, strengthens the international rules-based order.

Finally, on the third of the three points to which I referred, Lords amendment 4B adds a requirement for the Government to consult prior to making any regulations under the Bill, whether those regulations concern the implementation of a private international law agreement or propose to extend the sunset period—the point I just addressed with my hon. Friend the Member for Huntingdon (Mr Djanogly). The amendment puts on the face of the Bill the commitments that we have already made from the Dispatch Box on engagement with Parliament and other stakeholders. Although there will be times when a wide-ranging and broad consultation is appropriate—for instance, when the UK is seeking to join a new private international law agreement—there will be other times when the power is used to make minor technical and procedural updates to agreements, such as updating the name of a foreign court referred to in an existing agreement.

The requirement to consult applies across the piece but allows for a proportionate approach to different issues. Different instruments will require different approaches and, no doubt, different consultees, and the consultees who might be most appropriate to offer a view on an instrument about family law will not necessarily be the same as those who might add most value in respect of an instrument that deals with commercial disputes. As with any statutory obligation to consult, there is a requirement to take proper account of the representations received, and I can give an undertaking that the Government will meet that requirement. In the explanatory memorandum that must accompany any statutory instrument laid before this House, we will provide—I hope this will give some comfort to my hon. Friend the Member for Huntingdon—a thorough and detailed explanation of the consultation that has taken place, setting out not only those whom we have consulted but a fair and balanced summary of the views expressed.

In conclusion, I restate the point about the importance of resolving this issue today. Clause 1 needs to be in force before the end of the transition period. It is plainly in the interests of this country to avoid an extended back and forth, and the Bill represents a pragmatic approach that respects the misgivings that have been expressed while ensuring that Governments retain the agility and flexibility that they need to enter into vital international agreements. I urge right hon. and hon. Members to accept this compromise as an appropriate and balanced approach.

Madam Deputy Speaker (Dame Rosie Winterton): I call the shadow Minister, Alex Cunningham.

Alex Cunningham (Stockton North) (Lab): Thank you very much, Madam Deputy Speaker; from one Alex to another.

When I stood at the Dispatch Box some weeks ago for the Bill's Second Reading, I made Labour's position very clear: we absolutely understand and appreciate the need for the Bill. The Minister was rightly wholehearted in his endorsement of the Bill and provided us with some excellent examples of how it will work and what it will mean. He even mentioned that it will apply to widgets. Perhaps when he does his summing up, he can tell me what a widget is.

In a post-Brexit world, it is essential that individuals, families and businesses have access to fair and clear legal mechanisms for dealing with international disputes. This has never been contentious and, from the very beginning, Labour made its support for clause 1 of the Bill clearly known. Labour welcomes the principle of the Bill because it maintains and perhaps enhances our legal co-operation across jurisdictions, and provides certainty and fairness for those involved in cross-border litigation. In a post-Brexit world, this is essential to maintaining a prosperous economy, protecting our legal system and providing for families and individual claimants engaged in cross-border disputes. International agreements provide clear and reciprocal mechanisms for dealing with international disputes. In doing so, they are crucial in protecting our country's proud reputation as the world's centre for resolving complex disputes while offering us a competitive advantage in finance, business and trade.

This is also a Bill that will affect human beings and human stories. A wide range of family law issues can lead to cross-border disputes—for example, when one partner takes a child abroad and there is a disagreement about parenting arrangements, when making arrangements for divorce in similar circumstances, and on issues of abduction and adoption. Over the years, many of us have seen examples of that in our constituencies, when a child has been removed from this country against the will of another parent, and yet we have struggled, even with the existing laws, to resolve those sorts of disputes. Of course, this is also about keeping our citizens safe. We must ensure that we have robust international agreements so that justice can be done.

On Second Reading and in Committee, we were content to give our full support to clause 1, which gives effect to international treaties in domestic law through primary legislation, because we recognised that it is both necessary and welcome. It is hoped that these provisions, which affect the rules on jurisdiction and the recognition and enforcement of judgments overseas, will play a crucial role in building a strong economy and provide some certainty for families in often desperately trying circumstances.

Labour welcomes the principle of the Bill, but we remain of the opinion that there was no need for clause 2. Attempts by those in the other place to persuade the Government to ditch the unnecessary and, some would say, dangerous provisions covered by clause 2 were successful. Sadly, their decision was not appreciated by the Government and, despite the pleas and arguments put forward by their lordships, the Government felt compelled to reinstate the clause when it came back to the Commons. The House will be aware that despite the clear and sensible arguments of the Opposition and others, ultimately the Government are the Government and use their majority to prosecute their will, and, to no surprise, succeeded in reinstating clause 2.

Christian Matheson: My hon. Friend is right that the Government have the right to push through their agenda even in the face of well-meant advice from either the Opposition or their lordships' House. I wonder whether there are any other independent expressions of concern, perhaps from the legal system, that also concur with the view that perhaps clause 2, as it was, was not the best way forward.

Alex Cunningham: Yes, there are many organisations, including the Bar Council, and I will develop that point later in my speech. It is important to recognise that this is not a case of the people sitting at the other end of the corridor making things up on the hoof. They were doing it on the basis of expertise and the opinions of others.

It was not the end of the matter after the Commons sent the Bill back to their lordships. Their lordships were intent on their ambition and refused to let the matter drop. Happily, that situation has been improved somewhat in recent days. I will return to the message from their lordships quite soon. Before I do that, I am happy to reiterate our support for the Bill's provisions in clause 1, which give effect to key international conventions in our domestic law. That is very welcome on these Benches.

2.45 pm

The 1996 Hague convention on jurisdiction, applicable law, recognition, enforcement and co-operation in respect of parental responsibility and measures for the protection of children is critical to improving the protection of children in cross-border disputes. I have mentioned some of the difficult cases that some of us have learned of in the past.

The 2005 Hague convention on choice of court agreements aims to ensure the efficacy of exclusive choice of court agreements between parties to international commercial transactions, which is another important element covered in the Bill. We support this incorporation into domestic law as such clauses are commonly provided for in high-value commercial disputes. The 2007 Hague convention on the international recovery of child support and other forms of family maintenance provides for the international recovery of child support and spousal maintenance. Again, that is very welcome, and it illustrates how we make law in this country, in this place, that applies directly to the lives of families and, of course, of children. It is abundantly clear that this is a positive move, which will help to ensure that parents pay their fair share when providing for their children.

Labour wholeheartedly welcomes the implementation of these agreements, not only because of the legal certainty that they provide but because of the way that they are being implemented, by primary legislation debated on the Floor of this House. They are good provisions, and we all hope that more certainty can be offered in other areas of cross-jurisdictional disputes.

As I said on Second Reading, it was a different matter when it came to clause 2. We felt that we could not support any attempts by the Government to reintroduce clause 2, which would allow for the future agreements to be implemented through secondary legislation only. As we heard in the other place, this provision would be of profound constitutional significance. Labour was concerned, and we remain concerned, that the reintroduction of clause 2 in its entirety would represent an extension of the power of the Executive into uncharted territory, amending the convention that international legal agreements that change our domestic law can be given force only by an Act of Parliament.

I remind Ministers that the House of Lords Constitution Committee said that the change would represent

“a significant new power that would change the way this type of international agreement is implemented in UK law and how Parliament scrutinises them.”

The House of Lords Constitution Committee and the Delegated Powers and Regulatory Reform Committee both considered whether the secondary legislating power should be granted, and both were very clear that it should not. Indeed, the Constitution Committee stated:

“If the balance between the executive and Parliament is to be altered in respect of international agreements, it should be in favour of greater parliamentary scrutiny and not more executive power.”

On Second Reading, I quoted Lord Mance, the chair of the Lord Chancellor’s Advisory Committee on Private International Law and perhaps the pre-eminent expert in this area of law. He told the other place:

“Opinion is almost universally against Clause 2.”—[*Official Report, House of Lords*, 17 June 2020; Vol. 803, c. 228.]

The two Committees that have reported have categorically condemned it. I also quoted Lord Pannick, another pre-eminent constitutional lawyer. He argued that there is

“no justification for allowing the law of this country to be changed by statutory instrument in this context without full parliamentary debate. That is because important policy decisions might arise in this context both on whether to implement an international agreement in domestic law and on the manner in which such an agreement is to be implemented.”—[*Official Report, House of Lords*, 17 June 2020; Vol. 803, c. 2224.]

The Delegated Powers and Regulatory Reform Committee offered a stern warning about the unprecedented nature of this constitutional change. It said:

“For the first time there will exist a power to implement international general agreements on private international law by statutory instrument, thereby obviating the need for an Act of Parliament. This will be so regardless of the nature or importance of the agreement.”

The Minister has discussed that with us this afternoon, and made clear the Government’s concessions in this area.

Christian Matheson: My hon. Friend is outlining one of the concerns that I raised earlier, which is about wider concerns raised by experienced legal sources. There may be—and I might ask the Minister to comment on this later—inconsistencies between agreements between the UK and one country and agreements with another country that are achieved through secondary legislation. If the agreement with that particular country is different, citizens will be treated differently depending on the terms of a particular statutory instrument.

Alex Cunningham: My hon. Friend is correct. That could lead to considerable confusion in the system. What happens if a family member is moved from country to country? They will be subject to different jurisdictions and different laws, and it will be all the more complicated and difficult for resolutions to be made.

There appeared to be intense opposition to what the Government were trying to do, and it was not just from the other place; it was coming from all over the place. The Bar Council, in its helpful briefing, was highly critical of this new constitutional grab. It was somewhat concerned that the power in clause 2 to proceed by delegated legislation was very broad, and that, for instance, it enabled the appropriate national authority to make regulations for the purpose of or in connection with implementing any international agreement. To give effect to international treaties in domestic law is not a rubber-stamping exercise. The effect, implementation and enforcement of such provisions require robust debate, and we must protect the parliamentary scrutiny of such important legal provisions at all costs.

The Government attempted to raise arguments for why that new constitutional measure would be necessary, but all of them have failed to convince. The first argument was that the provision would allow the Government to implement each new international agreement without unnecessary delay, but there is no evidence to suggest that fast-track legislation is required. The implementation of international agreements in the past has often taken years, and there is nothing to suggest that implementing them through primary legislation would cause any difficulties without having to subject legislation to normal parliamentary scrutiny.

The Government raised the 2007 Lugano convention, which deals with the jurisdiction and enforcement of judgments between members of the European Union. The Government's argument appears to be that there may be only a short period in which to legislate to give effect to the Lugano provision at the end of the transition period. That is not an argument for developing that new Executive power more generally. The Government have not provided for clause 2 in relation to Lugano but, as the Chairman of the Select Committee, the hon. Member for Bromley and Chislehurst (Sir Robert Neill), said, there appears to be some movement on that, and I look forward to clarification from the Minister.

The Government also claimed that the Constitutional Reform and Governance Act 2010 allowed for sufficient parliamentary scrutiny. Once again, that argument does not carry much weight. As a result of clause 2 as originally drafted, the Government would be able to give force to model law without being subject to the scrutiny mechanism under the 2010 Act, which does not allow for the amendment of treaties or consideration of measures to implement them. That is a red herring, and the argument unravelled when subjected to expert scrutiny.

Even some of the Government's own Members were rightly worried. It is worth putting on the record again a statement by the Conservative peer, Lord Garnier:

"Unquestionably, the provisions in Clause 2, which give the Executive the extensive future law-making powers originally in the Bill, have been shown to be constitutionally awkward and unwelcome".—[*Official Report, House of Lords*, 29 June 2020; Vol. 804, c. 483.]

I think that the Minister has begun to address those issues.

Sadly, when the Lords asked the Government to drop clause 2, the Government used their majority. A Conservative peer asked that them not to do so, but that is what they chose to do, so clause 2 was reinstated. As I have said, their lordships were not about to roll over, and they were determined that the Government should not get away with a smash-and-grab raid on our constitution and the way we do business in this country. It is no good our trumpeting a return of control of our own affairs—control for our Parliament to make decisions on the issues that affect our country and citizens—only for Parliament to surrender that control to an overbearing Executive who appear to be seeking short cuts to creating legislation and regulations. That is not what the British people handed the Government a majority to do. I do not think they would tolerate the sidelining of MPs they elected to serve them. More importantly, we want to ensure that laws in this land are not just fit for purpose, but have been subjected to the widest possible scrutiny. Opposition Members have always been opposed to the power in clause 2 to implement future international agreements by secondary legislation, but we recognise that change to that clause can be made.

As I mentioned, both the House of Lords Constitution Committee and the Delegated Powers and Regulatory Reform Committee considered whether the power in clause 2 was appropriate, and both made clear that it was not. None the less, Labour welcomes amendments 1A and 1B, tabled in the other place, which act as a safeguard to clause 2, as reintroduced here. It was good to hear the Minister speak with some affection for those in the other place, and their expertise and skills. Although Labour Members remain disappointed that clause 2 has

been reintroduced, the Government have heeded some of the Opposition's concern by agreeing to the five-year sunset provision.

Let me turn to Lords amendments 4A and 4B. Labour welcomes the amendment to remove the power in the Bill to create criminal offences that are punishable by imprisonment. For obvious reasons, this is a sensitive issue, and it is only right that the Government act with caution in this area. Labour also supports the amendment to place an obligation on the Secretary of State to consult before using the implementing power contained in clause 2 or before extending it for a further five-year period. Ideally, we would like to have seen further detail on who the Government are obliged to consult, but this is none the less better than nothing. That said, the Minister might like to address that issue in his summing up.

Before I conclude, I wish to pose a few questions to the Minister, where by he could go some way to alleviating the remaining concerns many of us, in and outside this place, have about the amended clause 2. Will he give assurances to the House that any consultations on the implementation of a PIL agreement will be held in public rather than in private? Will he confirm that any consultations on the implementations of a PIL agreement will be announced in good time to allow experts to offer their views? Will he give assurances that the Government will produce a report on the outcome of such consultations and ensure that it is widely available to Members of this House? To sum up, although the Opposition would ideally have liked to see clause 2 taken out completely, or greater restrictions placed on its power, it is clear that the Government have listened to the concerns of the House and have taken some action to address them. We will therefore support these amendments this afternoon.

Kenny MacAskill (East Lothian) (SNP): Obviously, I rise to support the general principles of the Bill. The Scottish National party, in giving support to this legislation, takes the view that it is not where we wish to be, but in the circumstances of where we find ourselves, it is the best that can be done. It has to be put in the context, both legal and political, of where we find ourselves. In the legal context, many others have mentioned, correctly, that private international law is not even noted a great deal within the wider sphere of law, and is rather a specialist niche. I say that as someone who was a lawyer and practised for 20 years, who was a Justice Secretary for seven and a half years, and who was the Convenor of the Subordinate Legislation Committee when the Scottish Parliament was first established. Private international law does occasionally result in people's eyes glazing over, but it is fundamentally important. Significantly, subordinate legislation is equally of great importance and far too frequently missed. Both require to be addressed, because as the Minister and the hon. Member for Stockton North (Alex Cunningham) have mentioned, they are fundamental. This is fundamental to business contracts, as we seek to promote business in a globalised world. It is fundamental to ensuring that litigation can take place if accidents occur abroad, and in a world in which we travel more that is understandable. In family matters, it is fundamental because children are taken, and deeply distressing custody battles are waged over abducted children not only across the border between Scotland and England, but around the world. It is also important for the enforcement of aspects such as aliment, as we call it in Scotland, or alimony, as it is

[Kenny MacAskill]

referred to down here. All those things depend on the ability to settle on a jurisdiction—a jurisdiction of choice, or sometimes one that is required—in which rights can be enforced.

3 pm

Lugano and Hague have been mentioned by the Minister and the hon. Member for Stockton North. They are not simply a holiday resort or a historic city—they are fundamental international agreements that affect the lives of many in this country, if not all, even if it is only rarely or sparingly. They were mentioned in a previous debate by the Chair of the Justice Committee, the hon. Member for Bromley and Chislehurst (Sir Robert Neill), who is not here because he is chairing the Committee. This is a matter that I know about from private practice, having had partners who were involved in child abduction cases that were deeply complex, never mind the issues in dealing with matters across the border between Scotland and England. They are finite. It is on that basis that, when I started out as a young law student and a young lawyer, private international law was, to some extent, the domain of advocates and barristers, as they are called down here, rather than solicitors.

However, as the world has become more complex and shrunk in many ways, and as we have globalised, this is something that all lawyers have been required to take cognisance of, because more and more clients have cases that have happened elsewhere or have implications in other jurisdictions, not simply within the four nations of Great Britain and Northern Ireland. It needs to be sorted out, and it is on that basis that the Scottish Government have agreed to the memorandum and indeed support it, which is the same position taken by the Law Society of Scotland. We welcome the Lords amendments and the changes that the Government have taken on board. We think that they could have gone further, but we accept the context, and it is their right, with the majority that they have.

That leads us to the political context. This is coming about as a consequence of Brexit. As we come to the end of transition, we face an approaching deadline. Agreements are required, otherwise rights that we have had for years, and sometimes generations, will be lost. There is a maxim—perhaps only my own: legislate in haste and repent at leisure. I worry that, notwithstanding the excellent skills of parliamentary draftsmen, they are drafting this at late notice and trying to bring it all together, to deal with aspects such as Lugano and Hague and matters in which we still do not know whether we will be able to participate because the EU has not yet consented. Those are all fundamental to our rights. They are equally extremely difficult for anybody who is drafting legislation. I know the number of iterations required in legal drafting, so I hope that we will not see numerous rewrites having to take place, not through the fault of those carrying out the instructions but because of the situation they found themselves in—we do not know what we are dealing with, and we are trying to scramble something together with just days to go.

Christian Matheson: The hon. Gentleman is touching on a point that I have expressed concern about. If these legal agreements are done on a bilateral basis with different countries, we may find that we have agreements

with some countries and not others, and that therefore constituents of ours with a case in one country will get better access to justice than those with cases in countries where such agreements have not been concluded.

Kenny MacAskill: Absolutely. It is well known—and I have experienced it myself—that when children have been taken to, for example, some north African nations, it can be extremely problematic, if not impossible, for parents seeking their return. Although they had the right to that child, their ability to enforce it was often not recognised. If that is to be the situation we find ourselves in with countries with which we have had greater movement in recent years and greater involvement in terms of trade, the complexities will be extremely difficult indeed.

In the political context, this is the reality. It is not the delusion that we have been given about the sunny uplands of Brexit, or in the defence review about aircraft carriers steaming towards warmer climes, dispensing all sorts of social dividend. I always thought that the people who should be doing the soft diplomacy should be the British Council, as opposed to military forces. I recognise and welcome any work that they can do in that sphere, but it is not what they are trained to do, nor is it their normal function.

This is not the sunny uplands of Brexit. It is the harsh reality of what we face on rights that we have had for more than a generation, on the security of an understanding that lawyers have had about what they could do and where they could go, and the arrangements that have built up. I myself in legal practice had relationships with lawyers in London and Northern Ireland, or wherever else—it was passed around. If all that breaks down, the difficulty for individuals is damaging.

All the emphasis in the public eye has been, perhaps, on the dangers and difficulties we face with access to Europol—there are huge difficulties there—and the difficulties that we may face in terms of sharing information about criminals. We all know that more individuals in this country appear before a tribunal than before a court. We all know, in this Chamber, that more people will be affected by the civil aspects in private international law than will be affected by the far too many, but still far fewer, aspects of criminal offending by those who come here and would require those provisions.

This is the harsh reality of Brexit. We are signing up for something that is acceptable but not as good as what we had. It carries numerous risks. It leaves the danger of deficiencies—sometimes through error, perhaps, but sometimes through a failure to negotiate—that will leave each and every citizen of this country in a worse place. This is not what we were promised. We vote for these measures, but we do so with a heavy heart. It is the harsh reality of Brexit coming home. I hope that many families do not suffer as a consequence.

Mr Djanogly: The ongoing disputes over the Bill have related not to the content of private international law treaties, but rather to parliamentary scrutiny of orders made pursuant to PIL treaties and scrutiny of the PIL treaties themselves. As far as the order-making powers are concerned, we have ended up today with a welcome compromise, eked out in the other place following a significant defeat and general kickback from basically everyone for the initial proposals for a Henry VIII clause.

To that end, there were counterproposals to limit the scope for orders to specific treaties, for reports to be laid before auditors and to a stated timetable, and for a super-affirmative procedure. Although none of those proposals has been accepted, others have been. I welcome the concessions offered today by the Minister, who I have to say has now listened, in terms of the exclusion of some level of criminal offences punishable by prison, the introduction of a five-year sunset clause, albeit a renewable one, and a prior duty to consult on orders, although only with such persons as the Secretary of State thinks appropriate. That is, frankly, as far as we are going to get on this, and I shall support what is offered. However, I wish to make two related wider points.

First, while the Government suggest that the PIL treaties are non-contentious, the sweeping scope and initially non-restricted life of order powers clearly represent a significant increase in the power of the Executive. It is also an attack on the constitutional principle that international agreements should only change domestic law if they are instituted by Act of Parliament. Here we need context, because if one looks at the range of current Government Bills, one sees time and again power being removed from this place to the Executive. That was recently described by one journalist as this Government's Maoist tendency.

It may be that recent staff changes at Number 10 are going to reverse that tendency. The Government should keep it in mind that the Executive will not always be a Conservative one, and messing with our finely tuned unwritten constitution may not be to the Conservatives' advantage in the long run.

My final point concerns what has been persistently avoided in the Bill, which is the urgent need to reform the Constitutional Reform and Governance Act 2010 provisions for scrutinising proposed international treaties. Frankly, I have not been able to understand Ministers' feet dragging on this issue. As things stand, it looks like CRAg reforms are more likely to come in piecemeal via the Trade Bill and the Agriculture Bill. In my view, that sectoral hotch-potch should be managed by the Justice team, to cover all international treaties. I suggest that Ministers apply their many talents to that task.

John Howell (Henley) (Con): Let me first declare an interest as an associate of the Chartered Institute of Arbitrators.

I thought for a moment that I was going to welcome the agreement that there clearly is between my hon. Friend the Member for Huntingdon (Mr Djanogly) and me, but, given his later comments, I am not sure any more—I need to think about them. However, I think we are on the same sort of page at the moment.

I, too, welcome the Lords amendments, and which which are a very good compromise between this House and the other place. I also welcome what the Minister has said. In taking away the criminality, having a sunset clause and bringing in a consultation, they have done a tremendous amount to bridge the gap that there previously was during our discussions on this Bill. Essentially, however, the Bill remains the same in what it can do, and I am glad that it does.

I made the point on Report about why that was important. I am not going to repeat the entire speech that I made then—I probably could not get away with that—but I stressed the need for agility and flexibility, and I put that in the context of the Singapore mediation convention. There is a great necessity to get that convention into working order and on the statute book. The reason for that is twofold. First, it fundamentally does no harm whatsoever—in fact, it does a tremendous amount of good for the small businesses that are choosing mediation as a means of settling their disputes. Secondly, it ends the farce we have at the moment with the system whereby if one has a mediation, one then has to agree an arbitration, however short that may be, in order to take advantage of the New York convention. That is a nonsense that we do not want to continue. We must implement the Singapore mediation convention, which allows the results of a mediation to be recognised in the countries that have signed up to this.

The Minister was kind enough to say that I am a great champion of the Singapore convention, and he is quite right, because I have seen that it does a tremendous amount of good for this country. It is also because, as the hon. Member for Stockton North (Alex Cunningham) said, a tremendous amount of alternative dispute resolution takes place in this country. We are world leaders in this regard, but we will not remain so for very long unless we sign up to the Singapore mediation convention and get stuck into what the rest of the world is getting involved in. All I can do is recommend to the Minister that he gets on with introducing the statutory instrument to get the convention up and running in this country. As I said on Third Reading, I am very happy to serve on the SI Committee that introduces the Singapore mediation convention, and to see a great dream come true.

Alex Chalk: Let me begin, a little sooner than I had planned, by saying that I am absolutely delighted that this Bill is now going to be supported across the House. It is worth reflecting on the journey that we have made, because, as the hon. Member for Stockton North (Alex Cunningham) rightly said, concerns were raised, first on Second Reading but also in the other place, but the Labour and Lib Dem amendments were withdrawn in the other place and the Bill will now receive cross-party support. In getting to this point, their lordships recognised, in the words of Lord Pannick, that “substantial and constructive” amendments had been made by the Government. We did so because we recognise that the issues we are addressing here, when it comes to the constitutional balance in our country, are ones that merit proper and careful consideration. But the imperative for this was in fact laid bare in the points made by the hon. Member for City of Chester (Christian Matheson), who is no longer in his place—*[Interruption.]* He is back, as if by magic. He asked whether there would be different treatment for British citizens in different parts of the world. That is precisely what the Bill is all about. It is about trying to reduce those differences. If we had no private international law agreements, that is exactly the situation we would increasingly find ourselves in. Because we are now better able to implement them, we are better able to provide that certainty and clarity which are in the interests of our constituents and their businesses, whether they manufacture widgets or any other products.

[Alex Chalk]

3.15 pm

The Bill recognises that we will now be able to have the seamless re-implementation in British domestic law of the three Hague conventions named in clause 1—Hague 1996, 2005 and 2007—and it will also allow for the timely implementation of the 2007 Lugano convention. I respectfully say to the hon. Member for East Lothian (Kenny MacAskill) of the SNP, who is no longer in his place, that the whole point is that we want to go beyond Lugano and this provides us with the ability to do so. It will not do so as a rubber-stamping exercise—not a bit of it. There is proper parliamentary scrutiny, first through the CRaG procedure and, secondly, through the affirmative statutory instrument procedure.

The hon. Member for Stockton North asked about consultations. Consultations will, as required by the statute, take place before there is any attempt to extend the power or to implement any agreement. They will be tailored and proportionate, but there will be complete transparency about what has taken place. A thorough and detailed explanation will be provided to Parliament on who we have consulted, and a fair and balanced summary of the views expressed within the explanatory memorandum that accompanies any statutory instrument made under the power.

That is the right thing to do. That is what is set out in the statute and we have now got to a place where I can say, I commend the Bill to the House.

Question put and agreed to.

Remaining Lords amendments agreed to.

Madam Deputy Speaker (Dame Rosie Winterton): In order to allow for safe exit and entry before the next business, we will have a three-minute suspension.

3.18 pm

Sitting suspended.

Exiting the European Union

3.21 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Amanda Solloway): I beg to move,

That the draft Prohibition on Quantitative Restrictions (EU Exit) Regulations 2020, which were laid before this House on 9 November, be approved.

As I am sure hon. Members recognise, it is important that we have full sovereignty over our regulatory regime for goods at the end of the transition period. The statutory instrument will help to ensure that we are not challenged if we choose to diverge from EU regulations. At the end of the transition period, EU treaty rights on the movement of goods stemming from articles 34 to 36 of the treaty on the functioning of the European Union will be retained in UK law unless they are removed by this SI.

Alan Brown (Kilmarnock and Loudoun) (SNP): I thank the Minister for giving way. Obviously, the statutory instrument is about divergence, and the UK Government talk about taking back control. What is the position on consent to the regulations from the devolved nations? More importantly, what discussions have the Government had with the devolved nations to make sure that their wishes are not overridden and that divergences are not forced on the devolved Administrations?

Amanda Solloway: I thank the hon. Gentleman for his question. I will come to that later in my opening comments.

The EU treaty rights prohibit quantitative restrictions or equivalent measures on imports and exports, meaning that divergence from EU regulatory requirements could result in a challenge from a business or importer if they deemed it a barrier to placing their goods on the market in Great Britain. To be clear, the SI is not a precondition for divergence: as of 1 January, Parliament will of course have the ability to introduce new regulations. Instead, it is about removing potential grounds for legal challenge based on retained treaty articles that have no place on our statute book once we have fully regained our independence.

The SI will remove the aforementioned EU treaty rights so they no longer apply in England, Scotland or Wales. It will not result in any immediate changes for goods in the UK but will protect our right to diverge from EU goods regulations in future, where we so choose.

The SI will protect our ability to regulate goods as we see fit and ensure that challenges do not require us to keep in line with the EU regulations. I commend it to the House.

Alan Brown: On a point of order, Madam Deputy Speaker. I asked the Minister a specific question about consent and the devolved Administration and the Minister said that she would come on to that in her speech. Can you advise me on how I can get that answer from the Minister?

Madam Deputy Speaker (Dame Rosie Winterton): Thank you for that point of order. The Minister may respond at this point or she may wish to respond at the end of the debate. If she wants to do it now, that is—

Amanda Solloway: I will respond at the end. *[Interruption.]*

Madam Deputy Speaker: That is the Minister's right, but she has given an undertaking that she will respond at the end to the points raised, so we will leave it at that.

Chris Bryant (Rhondda) (Lab): On a point of order, Madam Deputy Speaker. I am not sure that I have ever heard such a cursory explanation of a statutory instrument in the Chamber. The whole point of Ministers coming to the House, rather than dealing with statutory instruments elsewhere, is that they give a full and proper explanation of the legislation that they are advancing. Is there any way in which we can make sure that the Minister provides a full and proper explanation of why this statutory instrument is necessary?

Madam Deputy Speaker: I think we need to move on. The Minister has undertaken to come back at the end. I am sure she will have heard the points made by Members in the Chamber. I am sure she will come back at the end and perhaps respond to some of the points that have been made. I really would like to move on at this point.

3.25 pm

Lucy Powell (Manchester Central) (Lab/Co-op): Can I also, at the beginning of this debate, express, I am afraid, my absolute shock and disgust, frankly? This statutory instrument was deemed so important that it was brought to the Floor of the House rather than a Committee. I could have been there as well and given a cursory speech and been at home with my children. But, instead, I prepared a proper speech that is fitting of a debate on the Floor of this House on a statutory instrument that has wide-ranging—very wide-ranging—powers.

The Minister and I do not usually stand opposite one another. We did have that pleasure this morning. This morning, in the debate we had in Westminster Hall, I thought to myself that I respected the Minister. It was the first time I had seen her in action, and I really did think what a sound and reasonable Minister she was. But, frankly, she is taking instructions from her Whips. That is her judgment. But in time, that will not be very fitting of her ministerial role. I know she will feel deeply uncomfortable with what she is being asked to do and it is pretty embarrassing for her.

Christian Matheson (City of Chester) (Lab): I am listening to this, and I have to say that the impression I am getting is that the shadow Minister, whom I thank for giving way, is being asked to do the job of the Minister—namely, explaining to the House the basis of the statutory instrument that is before the House. Surely that is not the role of the shadow Minister.

Lucy Powell: Absolutely not, and my hon. Friend is right to make that point. It is not just we in this House who need these explanations. Businesses in particular are being left completely blind at the moment about how on earth they are supposed to prepare for the end of the transition. We are no further down the road with a deal, and they have no idea of the terms under which they are going to be trading in a few weeks' time. I am sure many of those businesses, notwithstanding the total chaos that they are subject to at the moment as

well, are tuning into the parliamentary channel today to try to shed some light on this issue, and they did not even get a hello or a by your leave from the Minister.

Hilary Benn (Leeds Central) (Lab): On the point that my hon. Friend has just made, anyone who was watching the Public Accounts Committee session yesterday with three permanent secretaries—I had an opportunity, as Chair of the Future Relationship with the European Union Committee, to guest—would have found that in respect of Northern Ireland, just to take one example of uncertainty, it is impossible at the moment to answer any questions about how the arrangements are going to work. And we are—what?—39 days away from actually leaving the transition period.

Lucy Powell: My right hon. Friend is absolutely right. He makes a very important point. Really, if this Government want to have any standing whatsoever with business, which is very shaky at the moment, I have to say—their reputation with business is incredibly shaky—they must do better. Any business tuning in right now would be appalled because this has given them no information whatsoever.

Christian Matheson: I am now beginning to share the indignation of my hon. Friend on the Front Bench, because we have gone through a process from “eff business” to an “oven-ready” deal that clearly was not oven-ready, and now we have businesses waiting, as my right hon. Friend the Member for Leeds Central (Hilary Benn) says, to find out what is looming upon us in 39 days, and there is still no absolute clarity. Does my hon. Friend agree that the real problem is that the progression is getting steadily worse, with steadily more disrespect for the business that pays the bills of this country?

Lucy Powell: I absolutely agree. I said at the Dispatch Box a few weeks ago that the Conservative party was no longer the party of business. The Government are doing themselves no favours whatsoever. I do not know what shenanigans are going on or why the Whips are telling the Minister to speak for only a minute or two. I thought that such shenanigans would depart when Dominic Cummings left No. 10, but it seems that they are going to continue. If this is about curtailing debate, well, I am very sorry but I have news for the Government, because we are not going to be curtailing this debate.

Chris Bryant: I was particularly irritated by the Government's cursory presentation of the measure before us because, although clause 1(2) states that the regulations “extend to England and Wales and Scotland only”,

there has not, as I understand it, been a full consultation with the Welsh Government or the Scottish Government, and I was looking forward to having an opportunity to explore precisely where we are going on this with the Government Minister—she is the only person who can really answer that—not least because one of my biggest anxieties is that in this whole process the Government's relations with the devolved Governments have been so bad that they are tearing at the structure of the Union.

Lucy Powell: My hon. Friend is absolutely right. I have not even started my substantive speech yet, which I intend to make, but I will come on to make some of those points. Time and again this Government show

[Lucy Powell]

disregard not only for business but for devolution and power sharing. I think we have made our point about our real—[*Interruption.*] The Minister is now taking further instructions from the Whips, and I have no doubt that her winding-up speech will be even shorter than her opening remarks. She might want to maintain a bit more social distancing while she is doing this, because that is nowhere near—[*Interruption.*] Oh, are you allowed to sit that close together?

Christian Matheson: There is another possibility, of course, which is that the Government Whip on the Treasury Bench is explaining the basis of this statutory instrument to the Minister because she was not aware of it.

Lucy Powell: I do not know what is going on, but I want to put on record my huge disappointment on behalf not just of those of us who have spent time preparing for this debate, but of all those watching these goings-on. If this statutory instrument is important enough to be brought to the Floor of the House, it is important enough to be debated. I can see that there are decent, honourable Conservative Members who have not withdrawn and who are here to make a substantive speech for themselves, and I hope that the right hon. Member for Wokingham (John Redwood) will take his time in doing so.

I will now get on to my speech, as I have perhaps taken up a lot of the time that the Minister might have used to explain the statutory instrument to us. We do not oppose this statutory instrument today, because we recognise that it is a natural consequence of leaving the EU and an end of the transition period.

Chris Bryant: The Opposition Front Benchers might not be opposing this measure, and there might be things in it that we quite like, but if the Minister does not reply properly and fully and explain the measure before the House, I cannot see how the House can possibly support her, in which case we would have to force a Division.

Lucy Powell: My hon. Friend makes a good point, and I agree with him. I am beginning to change my mind as we stand here discussing this. Well, I say “discussing” it—we are discussing these issues, but discussion in a vacuum is not really proper discussion at all, is it?

This statutory instrument leaves more questions than answers, as we still have no idea what, if anything, will replace aspects of the current EU framework for the movement of goods in a future trade deal. Any deal is almost certain to make arrangements for the continued market in goods across the UK-EU border. Even with no deal, there would still be a number of implications for trade within the UK, as has already been mentioned by the hon. Member for Kilmarnock and Loudoun (Alan Brown). We want the Government to get such a deal, and we want them to do so urgently. As each day passes, the uncertainty for UK businesses is prolonged at a time when many of them are coping with unprecedented uncertainty due to the covid pandemic and the ensuing economic crisis.

The Prime Minister promised us an “oven-ready” deal, but it seems that in reality it is anything but. He promised us a future relationship, which included “no tariffs, fees, charges or quantitative restrictions across all sectors.”

I have not seen much sign of that today. He promised that he would safeguard workers’ rights and consumer and environmental protections, and keep people safe with a

“broad, comprehensive and balanced scrutiny partnership.”

Hilary Benn: My hon. Friend mentions tariffs, and of course we are all hoping for an agreement that means no tariffs are charged. The Government have already made clear to the motor industry and to car manufacturers that they have failed to get a satisfactory agreement on rules of origin, and therefore for some exports of the British car industry. We send, I think, just under 2,000 cars a day to the European Union. If they do not meet the rules of origin requirements, given the Government’s failure in the negotiations, they will face tariffs.

Lucy Powell: Absolutely. My right hon. Friend makes an excellent point, and that is why this debate is so important. It coincides with worrying rumours—I hear that they are rumours, but rumours can cause a great deal of worry—about the future of the Nissan car plant in Sunderland.

Alex Cunningham (Stockton North) (Lab): The shadow Minister took the words from my lips. Nissan is in the north-east, and although we are 30 miles away, businesses in my constituency and throughout Teesside rely on it to buy their products. Within the last few days we have heard Nissan say that if we do not get a good enough deal, it will be off. That must be a terrible blow to any region, but to the north-east, where unemployment is nearly double the national average, it simply does not wash.

Lucy Powell: My hon. Friend makes an excellent point, and those are the real risks that we currently face. There is real uncertainty around the deal. Many of the previous commitments made are now undermined, and that will have a devastating impact on particular sectors, such as the automotive industry and the aerospace industry—perhaps my hon. Friend the Member for City of Chester (Christian Matheson) wants to come in on that. Both those sectors are particularly powerful when it comes to the so-called levelling-up agenda, and I worry about that.

Christian Matheson: I was going to talk about the automotive sector, but since my hon. Friend tempts me, I will mention the aerospace sector, which is a major employer in my area and the region that we share. Aerospace jobs with prime contractors or first-tier members of the supply chain have a jobs multiplier effect of four, five or six jobs for every one job in that prime or first-tier supply chain. It is not simply about the aerospace companies; the manufacturing industry right across is holding on, dangling, and waiting for some kind of hope of a deal, but we are not getting it.

Lucy Powell: My hon. Friend makes a powerful point. Those big manufacturing businesses are waiting every hour that passes for some news on a deal, and today they will be tuning into the Parliament channel to find out what will happen with the movement of goods after we end the transition period. Those cornerstone companies are what communities are built on, and when they go, they are gone. That is why this debate is so important, and frankly the Government’s disregard for it is embarrassing.

Alan Brown: The hon. Lady and her colleagues are making important points. She mentioned the levelling-up agenda. Is it not ironic that although the UK Government talk about levelling up across the regions and nations of the UK, the areas that will be hit hardest by no deal and by a lack of preparation are the very areas that the Government pretend they are trying to level up? They speak with a forked tongue every time. Should not the Minister be giving us more information from the Dispatch Box?

Lucy Powell: Absolutely. This agenda could not come at a more critical time, because these same sectors and industries have been left on their knees as a result of covid-19. They just cannot cope with all these things coming at once.

Alex Cunningham: My hon. Friend will realise that businesses from Nissan to the chemicals industry on Teesside rely on a just-in-time supply chain. They need things to be crossing borders almost daily in order to complete the process of manufacturing goods. If there is any further delay in that process, some of these companies will say, “Well, we may as well manufacture in Spain.”

Lucy Powell: My hon. Friend is absolutely right. That is one of the reasons we wanted to support this statutory instrument today. Businesses have no resilience left any more. Any money or time that they set aside for end-of-transition preparations and so on has all disappeared because of the coronavirus pandemic and the ensuing economic crisis.

It is important to remind the House of the things that the Prime Minister promised as the negotiations with Brussels enter their endgame, because I really am not sure that the results are going to match the initial promise that we were given at the election last year. A deal that fails to deliver on the commitments made in the political declaration and to the British people at the general election risks making life considerably harder for jobs, businesses and communities already grappling with the economic challenges of covid-19, as so many Members have already pointed out.

Chris Bryant: I used to have a farm in the Rhondda. One of the issues that I know are facing Welsh farmers in particular at the moment is that tupping has already happened for the spring flock. A pregnancy in a sheep takes roughly 152 days, so lots of commercial decisions have already been made by lots of farmers. How are they to proceed when they do not have the faintest idea what tariffs may or may not apply to Welsh lamb, 50% of which is sold in the rest of the European Union, on 1 January?

Lucy Powell: My hon. Friend’s knowledge of sheep gestation periods is far superior to mine, but I very much take his point about planning and the need for certainty. Not only is there all the uncertainty around tariffs and the trade in goods and services that we are now facing; add to that the fact that I am sure some of those Rhondda farmers had been planning for a bumper Christmas with some of their lambing earlier in the year, but that will no longer be the case. That is the double whammy that most businesses are facing, whether they are agricultural or manufacturing businesses.

With time running out, the Government really do need to get on with it and get a good deal for the British people and British businesses. I know that the Minister and her colleagues are in touch with businesses as much as I am. Businesses have real concerns that they will not have the bandwidth for Brexit alongside the pressures of dealing with the pandemic, nor will they have the time to implement whatever is expected from a deal, should one be struck.

Presumably, the Government’s argument today—not that we have heard it, so I have no idea what it is—is that they need to bring forward this legislation now, without knowing what will replace it, because time is running out to pass all the necessary legislation ahead of the transition. Why do they not recognise—perhaps the Minister might respond to some of these points in the 30 seconds that her Whips have given her—that the same applies to businesses up and down the country? They need time to do these things ahead of the Christmas period too.

Businesses also have real concerns that the Government will blame them for any disruption and make them the fall guys. I wondered whether the new No. 10 internal arrangements might have changed the Government’s attitude towards business, but after today’s performance I am not sure that businesses will have that reassurance. *[Interruption.]* The Minister’s Parliamentary Private Secretary, the hon. Member for Bolsover (Mark Fletcher), moans from a sedentary position. He is more than welcome to speak in the debate, but I see that all his colleagues have withdrawn.

Mark Tami (Alyn and Deeside) (Lab): Is not it ironic that at the election we were all promised certainty? Where are we now? We have no certainty in this process at all.

Lucy Powell: We do not even have certainty about what we are going to do at Christmas, do we—let alone any of the certainty that we were hoping for beyond the new year? As I said earlier, the Conservative party really is losing face with business. It used to be the party of business, but right now I am really not sure that it is.

Hilary Benn: My hon. Friend the Member for Rhondda (Chris Bryant) mentioned a moment ago a farm in his constituency. I do not know whether my hon. Friend the Member for Manchester Central (Lucy Powell) saw the comments of the Secretary of State for Environment, Food and Rural Affairs on “Marr” the week before last. When he was asked about the impact that tariffs, in the event of no deal, would have on lamb farmers, he said, “Well, they’ll just have to diversify into beef.” Is she aware that the chief executive of the National Sheep Association, Mr Phil Stocker, said:

“Mr Eustice’s comments will have angered many of our nation’s sheep farmers”?

Does that not reinforce the point that she has just made—that the Government are, frankly, losing face in the business community?

Lucy Powell: My right hon. Friend makes a good point. It is not only the business community, but the farming community—both of them communities that have historically been the base of the Conservative party. I am not sure whether that was the same interview

[Lucy Powell]

in which the Environment Secretary also made false claims about Lurpak butter which had to be rectified by the company afterwards.

Alan Brown: The hon. Member is absolutely right. It is quite clear that the Tories are no longer the party of business. As she correctly says, they are alienating the farmers with their attitude. Laughably, they call themselves the party of workers. Is it not the case that it is the workers who are going to be shafted most by Brexit? Many workers in the UK, including the 3 million, are currently excluded from any support from the UK Government, so the Government are actually doing a good job of alienating the entire population.

Lucy Powell: The hon. Member is absolutely right. Company directors who have not had any support during this crisis are particularly aggrieved, and they are part of the 3 million excluded, who he rightly mentions. I know that he has been making these points consistently, so maybe the Minister will respond to that point; you never know.

Chris Bryant: Will my hon. Friend give way?

Lucy Powell: I was just going to get on to the detail of the statutory instrument. I have not actually started the substance of my speech yet, but I will give way.

Chris Bryant: My hon. Friend mentioned Christmas and the former vicar in me sort of bubbled up, and I remembered all those terrible years when I had to sing “Hark! the Herald Angels Sing” 77 times before we even got to Christmas eve; lots of vicars will not be upset if they do not have to sing it quite that often.

Let me turn to the serious point. As I understand it, the delay in getting any kind of deal with the European Union almost certainly means that the European Parliament may have to sit on 28 December. Is it not perfectly possible, given that we do not even know the Christmas recess dates for this House yet, that we too may have to sit on 28 or 29 December? There is nothing in this measure that makes it clear what would need to change, whether a deal is sorted out or is not.

Madam Deputy Speaker (Dame Eleanor Laing): Order. Just before the shadow Minister responds to the intervention, she said herself that she will now be turning to the substance of the matter before us. As much as it is always interesting to consider the history and choir practice of the hon. Member for Rhondda (Chris Bryant)—

Chris Bryant: Not all of it.

Madam Deputy Speaker: Oh, no. I did not say “all of it”—not by any manner of means.

Chris Bryant: You don’t know the half of it.

Madam Deputy Speaker: I think that is just as well. That which refers to his singing specifically of “Hark! the Herald Angels Sing” is interesting, but not relevant. I am quite sure that the shadow Minister will come to the relevant points before us.

Lucy Powell: Thank you very much, Madam Deputy Speaker. Of course, my hon. Friend the Member for Rhondda (Chris Bryant) is very good at writing books. He has one out—I think for Christmas, actually—at the moment, but the book that we are all waiting for is his diaries. I am not sure when they will be published, but maybe they will be a Christmas bumper when they do.

As the Minister said briefly in her opening remarks, this statutory instrument will end the application in the UK of the rights derived from articles 34 to 36 of the treaty on the functioning of the European Union. The removal of these provisions will ensure that there is no barrier to divergence from EU rules should the Government choose to diverge. As the memorandum that accompanies the statutory instrument sets out, the Government plan for the UK to have its own regulatory regime for goods after the end of the implementation period.

Alex Cunningham: One of the things that will be covered by that regime is the movement of food, which does not just go from this country to Europe but comes in the opposite direction as well. Many businesses in this country are extremely worried that food for which there might be a lead time of three weeks could end up sitting on the docks for hours on end if we do not get the agreement that we need.

Lucy Powell: My hon. Friend makes an important point. I hope the Minister has taken note of that and that we can hear about it when she responds, because it is especially important at this time of year—not to keep on with the Christmas puns, Madam Deputy Speaker.

If the Minister is allowed to, will she update us on what the EU-UK trade regime will look like and what rights and protections will be in place at the end of the implementation period? When will we have the details? More importantly, will businesses have plenty of time to prepare for the regime’s implementation? Ministers have repeatedly said that in many policy areas the rights and protections that we have enjoyed inside the EU will be maintained and improved on when we are outside the EU. Will the Minister set out where she thinks we might diverge from EU standards and requirements in future? How will she ensure that divergence benefits British businesses, instead of putting in place new barriers to trade that could cost them dear?

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): My hon. Friend is talking about the import of different foods, as my hon. Friend the Member for Stockton North (Alex Cunningham) just mentioned. Is she aware of the specific situation for the UK overseas territories and whether or not they are being properly considered in the transition arrangements? I am aware of serious concerns from the Falkland Islands in particular in respect of their squid industry, which provides much of the calamari in European markets. They are concerned about whether those concerns are being heard in the negotiations and about whether or not at the end of December they will face a cliff edge that could be devastating to their economy, which relies so heavily on fish products. Does my hon. Friend agree that the UK Government ought to be standing up for the Falkland Islands and their fishing industry and ensuring that they are able to continue the excellent trade that they have with other parts of the EU?

Lucy Powell: My hon. Friend makes an excellent point about squid in the Falkland Islands which I was not aware of. It is important to bear that in mind. We are talking about the Conservative party losing its reputation, whether on business or agriculture; those of us who are halfway through the new series of “The Crown” will also be reminded of the importance of the Falkland Islands to Conservative Members. One would have thought that that would be at the forefront of their minds.

Stephen Doughty: I hope that the Minister will be able to address this point when she responds, because my understanding is that the Falkland Islands have been raising their concerns. There are meetings this week with the Minister for the Overseas Territories, but the Falkland Islands have written to the Prime Minister about this issue several times and my understanding is that there has not yet been a formal reply to the substantive concerns that they have raised. That is very concerning, because it leaves them in a great deal of uncertainty about what will happen post the end of December.

Lucy Powell: My hon. Friend is absolutely right. This statutory instrument should and could be an opportunity to clarify those matters but, as I said at the beginning of my speech, it will take provisions away without any of us understanding what will replace them. That is causing a huge amount of uncertainty, not just here in the UK but, as my hon. Friend says, in the UK territories. I am sure that, given its closeness to the EU, Gibraltar will be worried as well.

Christian Matheson: My hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) is absolutely right. I was grateful for the opportunity to visit the Falkland Islands during the squid-fishing season as a guest of the Falkland Islands Government. Squid fishing is a major part of their economy. It is an utterly inevitable consequence of what has happened that our overseas territories—my hon. Friend the shadow Minister mentioned Gibraltar as well—will feel out on a limb. We need to be able to assure them, as soon as possible, that they are not out on a limb. That assurance is still not forthcoming with, as my right hon. Friend the Member for Leeds Central (Hilary Benn) has said, 39 days to go. These are territories that choose to be British and they are not getting the kind of reassurance that they desire.

Lucy Powell: My hon. Friend makes a powerful point. Perhaps next time he goes on a delegation there he can ask whether I want to join them, as the shadow business Minister. It sounds like a good trip, and I am partial to a bit of calamari, so I would enjoy that.

This statutory instrument relates not just to UK-EU trade, but to the requirement for a new framework for UK-wide trade, as we have been debating through the United Kingdom Internal Market Bill—now in the other place—because current treaty provisions also govern trade in goods across the UK. Will the Minister update us on where these issues are now up to, as we need to know before stripping away all the trade regulations that currently apply across the UK? As has been pointed out, any divergence needs to be agreed with the devolved Administrations, and that is why we are hoping that common standards for trading agreements will be agreed via the common frameworks put on a statutory basis. Ministers herald this approach, yet refuse to put them

on a statutory footing. There have been many long discussions on this in the Chamber and in the other place. The Government recently lost votes on this aspect of the internal market Bill, so we are hoping that the Government will accept these amendments when they return. Can the Minister confirm that?

Alex Cunningham: My hon. Friend posed the question of where there is likely to be divergence. We know already that there has been divergence on food standards, paving the way for importing chlorinated chicken, hormone-fed beef and all manner of things. Those goods are going to end up in the stomachs of the poor people—the people on low incomes—in my constituency and in my hon. Friend’s. Does she not agree that we need to tighten this up and make sure that all our people are protected with proper standards and proper regulations?

Lucy Powell: My hon. Friend is absolutely right. That is why it is such an important issue, and we really are hoping and expecting that the Minister will confirm today that the Government will accept the amendments that were passed in the other place, because it is about how we as a country are coming to an agreement about standards. I am sure that these issues will be raised later in the debate.

The Government must respect the devolution settlement and work collaboratively, in good faith, with the devolved Administrations to build that strong and thriving internal market with common standards underpinning it. Not doing so would threaten our precious Union by putting rocket boosters under the campaign for independence in Scotland. I know that the Prime Minister is very keen to talk about Christmas at the moment, but he seems to be giving the Scottish First Minister all her Christmases at once with his constant undermining of devolution recently. He seems to have made another blunder on that recently, propelling her campaign for Scottish independence by, as I said, putting rocket boosters under it.

On that point, I wonder whether the Minister would also explain to us the status of this statutory instrument. It is my understanding that her colleague the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Stratford-on-Avon (Nadhim Zahawi), wrote to his counterparts in the devolved Administrations to seek their consent for him to lay this statutory instrument, which she is taking on his behalf, as some goods potentially affected by this instrument fall under devolved competence. I understand that consent has been received from the Welsh Government, but not yet from the Scottish Government—I do not know whether SNP spokesman wants to come in on this. I am not sure whether we can lay and agree to this statutory instrument today on that basis. What happens if the Scottish Government do not consent to it but Parliament already has? I do not know whether anyone knows the answer or whether the Minister wants to rise to clarify that.

Christian Matheson *rose—*

Lucy Powell: Maybe my hon. Friend knows.

Christian Matheson: We can do better than that, of course, because we had word from the Prime Minister last week, when he described devolution as “a disaster”.

[*Christian Matheson*]

Conservative Members are playing fast and loose with the Union. They are playing fast and loose with the United Kingdom. They are playing fast and loose with devolution, and their attitude to devolution was shown from the very top by the Prime Minister. That surely answers my hon. Friend's question.

Madam Deputy Speaker (Dame Eleanor Laing): Order. We will stick to the terms of this statutory instrument, which is fairly narrow.

Lucy Powell: Thank you, Madam Deputy Speaker. The point is important to the statutory instrument, because I am not sure of its status. As my hon. Friend says, this is just another example of a total disregard for devolution and power sharing, further undermining that at such an important juncture. It is important to know whether, in writing to the devolved Administrations before laying the statutory instrument, the Government decided just to plough on anyway and totally disregard that consent, or whether consent is required on a retrospective basis. I really am at a loss on that and it makes me wonder whether we are discussing this statutory instrument on the basis on which we all thought we were discussing it, so I think that is an important point for the Minister to address.

Hilary Benn: Paragraph 2.2 of the explanatory memorandum reminds us that the provisions, which, as I understand the regulations, the Government are proposing to disapply, are the part of the EU treaty that encourages the free movement of goods by avoiding quantitative restrictions. The whole purpose of the negotiation, according to the Prime Minister's word, is to achieve a deal that does not involve quantitative restrictions, yet we are being asked to disapply them. Furthermore, in the next paragraph it states:

"For clarity, as the GB intends to have its own regulatory regime after the transition period, these rights are being disapplied as it is no longer appropriate for them to coexist"—

coexist with what?—

"and pose some risk of challenge if we decide to diverge from EU law."

Would it not be helpful to the House if the Minister, in replying, were to give us some explanation of the potential risk of challenge to something that the Government say is their objective in the negotiations—the free movement of goods without quantitative restrictions?

Lucy Powell: As always, my right hon. Friend makes an incredibly powerful point. Although on the face of it the statutory instrument seems fairly narrow, it is actually of huge significance and importance. It is inextricably linked to the current negotiations. That is why, as the shadow Minister, I thought—foolishly maybe—that the Government had decided to bring it to the Floor of the House. As I say, there are aspects that look narrow, but it is a hugely significant statutory instrument. That is why I was flabbergasted at the beginning of the debate that the Minister did not seem to have anything much to say about it.

As other colleagues have pointed out in relation to other statutory instruments and through the passage of the United Kingdom Internal Market Bill, it is still unclear what checks, controls and processes will be put

in place on qualifying Northern Ireland goods, which are also implicated in this statutory instrument, moving from Northern Ireland to Great Britain. Despite the Government's protestations at the time about the very real dangers, as they saw them, of EU attempts to blockade NI-GB movement and goods, there was absolutely nothing to deal with that apparent clear and present danger in the Bill, as we discussed at the time. We support unfettered access for Northern Ireland businesses to the rest of the UK market. However, there are a number of issues that stand relating to the breadth of the definition of qualifying Northern Ireland goods. My right hon. Friend the Member for Leeds Central (Hilary Benn) is across that matter as well. The Government appear to acknowledge that it is problematic, but it remains unclear what they are going to do about it.

Today's statutory instrument sheds no further light on that. In fact, it probably makes it even more complicated. We need further clarification, because the definition is not sufficiently tightly drawn to provide the protections intended. The wide drafting of the definition of "qualifying goods" is the problem, because it includes anything that is in circulation within Northern Ireland without being subject to customs control while there. However, it also includes goods processed in Northern Ireland from Great Britain-derived goods, which are themselves subject to customs control in Northern Ireland. I hope people are keeping up, as this is quite a complex subject, which is why I hope the Minister will properly respond. As my hon. Friend the Member for Sheffield Central (Paul Blomfield) has said, that could include whisky imported from Scotland to Northern Ireland, which might be in duty suspension in Northern Ireland but then is used to make mince pies in Belfast. That would leave those mince pies as qualifying Northern Ireland goods, despite the whisky used to make them being subject to customs controls. So we have argued that the definition of qualifying Northern Ireland goods is not sustainable in the longer term. It appears that Ministers agree, but will the Minister let us know today what plans the Government have to resolve this?

Stephen Doughty: My hon. Friend is making an important point. She will know that I raised these issues following the statement the other day on Northern Ireland-related issues and trade with Wales. Is she aware of the concerns raised today on BBC Wales by hauliers, who are describing how they fear mayhem at the port of Holyhead in Ynys Môn—Anglesey? The Irish Road Haulage Association fears that the processes are not ready and in place. For example, it is concerned that the IT systems to deal with these changes are not ready. Does she agree that the Government have not answered a whole series of questions, which will have impacts on ports and trade in Wales, and of course on goods transiting the Republic of Ireland to Northern Ireland and back and forth? This is far, far more complex and people are simply not convinced by the answers they have had from the Government so far.

Lucy Powell: My hon. Friend makes an extremely important point about the impact on ports, including Holyhead. That is why, as things stand, this statutory instrument is at best making the situation worse; all it is doing is pulling away some of the existing frameworks, without our understanding what they are going to be replaced with. That is probably the worst of all worlds for anyone following these issues and having to try to

plan around them. Road hauliers are at the forefront of that. I was talking to businesses about this the other day. It beggars belief that in the current situation, with the pandemic and what is going to be happening over Christmas, we could even be countenancing lorries stacking up on motorways and other roads, and gridlock at our ports, with all the paperwork that has not yet been agreed and sorted out. I just do not know what Government, at any time, would actively seek that, but that is what this Government seem to be doing.

Bambos Charalambous (Enfield, Southgate) (Lab): My hon. Friend mentions paperwork. One issue with organic materials is the SPS—sanitary and phytosanitary—checks, which require certificates. We currently have a shortage of vets to carry out these certifications. Is that not another problem that will lead to our ports being blocked and further delays?

Lucy Powell: I really am learning some things today, and, yes, I very much think that would lead to that. My hon. Friend raises another important point. These are the wide-ranging implications of what we are seeing and the huge uncertainty. Can the Minister tell us today whether a more refined definition of qualifying Northern Ireland goods will be introduced? When will we have the clarity we all need on that?

We are also concerned about the impact on standards across the UK. Given that Northern Ireland is, in essence, within the EU single market for goods, any good allowed to be sold within the EU as complying with the EU single market must be allowed to be sold in Northern Ireland. So if, for example, Wales decided to extend the EU environmental standards applicable to vehicle emissions, the combinations of regulations would mean that Wales could not succeed, because a lower standard vehicle would be on sale lawfully in Northern Ireland and would be a qualifying Northern Ireland good. The mutual recognition principle in the United Kingdom Internal Market Bill would override that desire of the Welsh Government. Given that processed goods from Northern Ireland may include components originating outside the country, does the approach outlined in the statutory instrument for qualifying goods have wider implications for the UK's approach to the rules of origin with the rest of the world? I do not know whether the Minister wants to take this opportunity to respond—she may have had a chance to brief herself a little more during my speech while considering her closing remarks. As she will have understood, the statutory instrument, far from being a cursory, quick bit of legislation, has massive implications for businesses and others who, I am afraid, have been left wanting, given what we have heard today.

As this debate has shown once again, there are—*[Interruption.]* You are nodding, Madam Deputy Speaker; I am on my peroration, you will be pleased to hear. As the debate has shown, there are huge uncertainties still facing businesses that trade in goods and services, even those whose markets are mainly internal. Given that that now comes on top of the biggest economic crash that we have seen probably for 300 years, and the huge uncertainty still surrounding businesses, not least our manufacturers, as we have heard, due to the covid-19 crisis, the Government really need to step up and get a Brexit deal done, allow time for businesses to prepare and absorb the consequences of that deal, and get on with something out all these outstanding issues relating

to the UK internal market. The House has expressed huge disappointment and shock that the Government have not taken this very important opportunity of its own making to come to the House today to explore and update us all on these very important matters facing business. The Minister will have an opportunity shortly to respond, and I hope that she will answer the many, many questions that we have raised today.

4.12 pm

John Redwood (Wokingham) (Con): I have declared my business interests in the Register of Members' Financial Interests. May I reassure the Opposition that I wanted to make a few comments in this debate, and I submitted a request to participate on my own initiative? I have not received any message from the Whips, either before or during these debates, that I should not make a few remarks. With the permission of the House, I will exercise that democratic right.

I understand that there is a parliamentary game going on and that the Opposition want to extend this debate because there are some other things that they do not want to discuss, but that is a matter for them. Oppositions are quite entitled to use what time is available for their own purposes.

Alan Brown: May I ask the right hon. Gentleman whether the game is not on the Government's side, given that they have withdrawn all their speakers, except for his good self?

John Redwood: On the contrary. As I have just explained, there has been no pressure to withdraw my application. Some of my right hon. and hon. Friends who thought that they were going to speak in the debate have reread the proposal and realised that, given the incisive eloquence we would hear from the Minister, there was absolutely no need for them to come to the Chamber and duplicate and triplicate that. I have been foolish enough to think that I can add something to the Government's case, because I support the measure. The fact that my right hon. and hon. Friends seem to have better things to do shows that they are 100% behind the measure, and just want it to be passed as quickly as possible as they attend to their other duties as busy MPs.

So why do I support these regulations, and why are the Government doing this? The first reason is to take back control. That is what millions of people voted for, and many of us are very frustrated that it still has not happened. As the Minister stated clearly, this is about ensuring that, from 1 January, we in this House, on behalf of the British people, can decide for ourselves within international law what the rules shall be on tariffs, quantitative barriers, restrictions and inducements to trade—and how right that is.

I always find it so disappointing that the Opposition, who now say that they understand the spirit of Brexit and have embraced it, do not believe that they can come up with any single improvement on the great body of European law that has been forced on us over many years. I am more optimistic. Working with the talent on the Government Benches, I can see lots of ways of improving on European law. It can be better, not worse, and more rather than less in the right areas. Surely our trade policy should be geared to the interests and concerns of businesses that back this country by investing and creating jobs in it.

Stephen Doughty: I raised a serious point in an intervention on my hon. Friend the Member for Manchester Central (Lucy Powell) about the Falkland Islands. Does the right hon. Member agree that the UK family is a large one, including our overseas territories, and we ought to be backing the fishing fleet in the Falkland Islands which is trying to export squid, calamari, to the EU? Will he join me on a cross-party basis in urging the UK Government to address the concerns of the Falkland Islands?

John Redwood: Of course I hope we can do things to help the Falkland Islands, as we have over many years. They are clearly part of our family, and blood and treasure have been shed to ensure that they are part of our family, so I above all think that we should do all we can.

From 1 January, we in this House can do the things that are in the power of an independent country. We cannot instruct the EU when we are out of it any more than we could when we were in it. There has been a glittering array of failed issues that we put to the EU on which it did not sympathise with us. We had a series of Governments who were so broken-backed that they only ever accepted things that the EU wanted to do and did not try to do anything that we wanted to do, which is why it got so frustrating as a member of that body.

It is about taking back control, and I urge everyone here to be more optimistic about the powers of this House. What is the point of someone being a Member of Parliament if they do not believe that they can improve on anything in the inherited corpus of EU law? Why do the Opposition, on the whole, say, “Everything EU perfect, everything generated in this country rubbish”? It is not plausible, and it is against the spirit of the Brexit majority in this country. They want us to get a grip and do better. If we do not do better, they will change us. That is the joy of Brexit—they, at last, will get back control over us. If the law went wrong in the European Union, it did not matter who was in the Government. Even if they threw the Government out, nothing changed, because the EU would not change the law, whereas if we get the laws wrong, the public will know what to do—they can throw Ministers out.

Alex Cunningham: Will the right hon. Member give way?

John Redwood: I am not giving way, because I have a couple of points to make, and I am conscious that many Members wish to make speeches.

Lucy Powell: Where are they then?

John Redwood: There are clearly Members on the Opposition Benches wishing to catch your eyes, Madam Deputy Speaker.

The second point I want to make is that this is about our balance of trade and our balance of payments. One of the tragedies of our membership of the European Union over nearly 50 years was how we transformed ourselves from an industrial country with a strong farming and fishing industry into one that had been badly damaged by the rules and tariffs that the EU imposed on us and our trade with the rest of the world. It was asymmetric and very cruel.

We lost a large chunk of our motor industry in the first decade of our membership—I think it halved—and we lost a lot of our steel industry. We moved from being a net exporter of fish to being a heavy net importer, with much of our fish taken by foreign vessels and foreign industry. We have lost a lot of our self-sufficiency in temperate food, because the common agricultural policy did not suit us. State aid, cheap energy and so forth on the continent helped places such as the Netherlands to outcompete us on salads and flowers, for example.

We have a big job to do to rebuild ourselves as an industrial, farming and fishing country that is capable of cutting the food miles, cutting the fish miles and delivering more to ourselves and to our own plates through import substitution. I hope that from 1 January, if not before, Ministers will use these new powers to review all the restrictions and rules about trade and tariffs and create a British model that is better and fairer to Britain, so that “made in Britain” means something, and more is made in Britain and willingly bought by British people. It is very difficult for the Opposition to oppose that, although they will doubtless try to, because they always want to sell Britain short and to build the EU up to greater heights. None the less, outside this Chamber there will be great relief to know that at least some people in Parliament wish to see a revival of British fishing, British farming and British industry and to understand that the rules of trade and the skewed subsidies and tariffs against the rest of the world have been extremely damaging to people who want to build businesses and farming activities in the UK and that it is time for a reversal. I wholeheartedly support this measure. I want to take back control and I urge more MPs to get into the spirit of it, and, instead of cavilling and criticising every move that this country wishes to make to be independent, contribute to the debate about how we can be better.

4.20 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): I do not often say this, but it is a pleasure to follow the right hon. Member for Wokingham (John Redwood). I am glad that he actually came and contributed here today. At the end of his rousing speech, I admired his optimism. He has retained that optimism all this life. He spoke about what could be done better. Perhaps he should have a word with his Minister about that, because she did not give us very much in the way of what could be better, or of what is happening as a result of this legislation. Perhaps his words will be heard by those on the Front Bench.

As everyone in this Chamber is aware, we on the SNP Benches are trying to work our way out of this place. We do not always hold this place in the utmost respect, and today is another day that illustrates that, to be perfectly honest. The Minister took an intervention from me, said that she would answer my point and then sat down. She did not answer the intervention, did not respond to the point of order and did not give us very much in her speech at all. Then we have seen the Government Whips—my goodness, they have been busy today. We had seven withdrawals in the previous debate and something like 15 withdrawals in this debate. Madam Deputy Speaker, I take it that there is nothing you need to tell the House about why so many Conservative Members have had to withdraw from this debate.

Madam Deputy Speaker (Dame Eleanor Laing): The hon. Gentleman is asking me, but I have absolutely no idea. Unfortunately, I have no responsibility whatsoever.

Alan Brown: I thank you for that, Madam Deputy Speaker. The way things are just now, I worry about why so many people are withdrawing. Hopefully, everything is all in order. We know that the Whips usually try to force people to speak in debates, especially debates that might be short or dry, so it is certainly unusual that the Whips have been pressuring their colleagues to withdraw from today's debate.

I hope that you can show some forbearance, Madam Deputy Speaker, because as I thought there were so many speakers in the previous debate, I did not expect to be called so early in this one, so my notes are a wee bit haphazard; hopefully, you can bear with me on that.

I must commend the shadow Minister for her speech and for the amount of information that she covered. She highlighted the deficiencies that the Minister did not cover. She said that, in actual fact, when we talk about the movement of goods, one of the key issues is what it means for businesses and whether they are ready for this. We can talk about divergence in standards of the EU, but are businesses ready for what will happen on 1 January 2021? Have the Government given enough support to businesses? When we turn on the radio now, it tells us all, "Get ready for Brexit". That is all very well, but it does not actually tell us what we need to do. What is the point in telling us to get ready, when there is no information that is clearly accessible to businesses about what they need to do? Are IT systems up and running? The companies need to know what they have to do to be able to export, and that is before we even get to divergence.

Just today, ironically, my office got a letter from the Secretary of State for Business, Energy and Industrial Strategy, which is supposed to be aimed at all businesses, but I can assure the Minister that although that letter might be a bit of propaganda, it does not clear up what businesses need to do going forwards.

Patrick Grady (Glasgow North) (SNP): I hear that from businesses across my constituency as well. A lot of them do not know exactly what they are supposed to do or how they are supposed to prepare. The simple solution to this surely is to extend the transition period, as we called for in our Opposition day debate before the summer. There would be no shame in the Government taking a little bit more time to get the negotiations right and to give people time. If they do not want to call it the transition period any more, they can come up with a different name for it—call it the implementation period or the adaptation period, or something like that. There would be no shame in it; we are in the middle of a global pandemic—no one saw this coming. It would do nobody any harm, and then one day they would get the glorious Brexit they are looking for, rather than the cliff edge that we seem to be barrelling towards.

Alan Brown: I thank my hon. Friend for that intervention. I am pretty sure that many businesses across the UK would agree with what he said. It would be a simple, common-sense approach. It could be called the emergency covid implementation period—something that would give businesses a bit more certainty in the short term, while the Government sort out the mess.

The key question I had for the Minister earlier is about where we are on the consent of the devolved nations. Importantly, what discussions have been had with the devolved nations about what will happen if the UK Government wants standards to diverge from those of the EU? What would that mean in terms of how the devolved nations operate? What will it mean going forward? Are they going to ride roughshod over the wishes of the devolved Administrations, as with the UK Internal Market Bill and the shared prosperity fund, which was a mechanism to bypass the wishes of the devolved Administrations? Is that what we are looking at? It is symptomatic of the entire Brexit process and debacle.

I looked at the explanatory memorandum at the weekend—unusually for me, on a Saturday night I was sad enough to read an explanatory memorandum. It said that the Welsh Government had granted consent, but the Scottish Government had not. The explanatory memorandum has now been changed and does not refer to either the Welsh Government or the Scottish Government. It would be great if the Minister would clear up where things are on that. I would be happy to take an intervention—I am still happy to take an intervention. I see there are none coming.

I refer to a letter from Ivan McKee to Michelle Ballantyne MSP, convenor of the Economy, Energy and Fair Work Committee. He said:

"The UK Government is seeking to lay the SI as soon as possible in order to secure a debate in the UK Parliament before the end of the year. This timeframe means that the SI would need to be laid before Scottish Parliament consent is confirmed, however Mr Zahawi's letter states that they will not debate the SI until consent is received, therefore the Scottish Parliament should have the usual 28 day period in which to scrutinise the notification."

In the preceding paragraph, he also says:

"Scottish Ministers therefore consider that consenting to the regulation remains appropriate."

The Scottish Government have indicated that they are willing to consent to the SI and are willing to work with the UK Government on it. The UK Government committed not to debate the SI until consent was given. As we are now debating the SI, I ask the Minister again whether consent has been formally given. Perhaps we can assume it has not been; it would be great if the Minister could clear that up later on.

This is about divergence. I understand the UK wants to protect itself from challenges. We can understand that—there is a need to have some legal protections—but the Minister did say it is not a precedent to diverging. Could she confirm that? Why would we want to diverge from the EU, especially at the moment, when we are still negotiating this trade deal that really determines the future of the UK, particularly in the short term, on 1 January? What is the status of the trade deal discussions? Surely the UK thinking about diverging has a massive impact on the trade deal because the trade deal will confirm what divergences are possible or not. It seems to me that the cart is before the horse. We can talk about taking back control, but unless the UK Government are capable of joining up the dots in the big picture, this SI matters not a jot.

Patrick Grady: I suppose we should commend the right hon. Member for Wokingham (John Redwood) for turning up and contributing to this debate. Taking back control was supposed to be what it was all about,

[Patrick Grady]

and where are they? Where are the Tories—the European Research Group, the Maastricht rebels and all the rest of them?

We saw the same last night with the statutory instrument that directly amended primary legislation passed by the Scottish Parliament. Fair enough, it was relatively technical in nature, as is this measure, but it goes to the point of respect for the devolution settlement, and it goes to the point of democratic accountability that Brexit was supposed to bring forward.

Was the Labour Front-Bench spokesperson not right when she said that when the Government force through relatively technical stuff such as this statutory instrument what they are doing is driving a coach and horses through the devolution settlement, and they are doing our work for us, because they are undermining the case for the Union?

Alan Brown: I wholeheartedly agree. The shadow Minister spoke of “rocket boosters” under the argument for independence, and I hope we do have these rocket boosters in place and getting fired up right now.

Alex Cunningham: Despite the fact that we share a nationality, we do not share that particular ambition for separation. Some things will worry me a lot if Scotland does eventually go independent. One is, do I get a passport? But more important than that, will I still get my supply? Will the divergences be in place for me to get my square sausage, my Scottish black pudding, my sliced sausage and, of course, my supply of Talisker?

Alan Brown: I will need to catch up with the hon. Gentleman in better surroundings, and we can share a sausage and Talisker, but of course he makes a serious point. In fact, the devolved nations want a common framework for agreeing how goods move about. To be honest, if we get our wish of independence, we are going to operate that way as well. We want to work with the other nations, and that is really important. But the way this UK Government are going about it, they want to impose their will on the different devolved nations, and it is like it or lump it. Hopefully, we can toast a wee dram to independence and we will discover we will still be friends after that as well, even though we do not share the same aims at the moment.

Patrick Grady: I am sure the hon. Member for Stockton North (Alex Cunningham) will be entitled to a passport as well, but is not the point that Lorne sausage and Scotch whisky—the indicators of these vitally important products—are at risk because of the lack of the UK Government’s ability to conclude a deal with the EU? That is the kind of thing that ought to be being addressed through statutory instruments like this, Madam Deputy Speaker, and that is why it is relevant to this debate.

Madam Deputy Speaker (Dame Eleanor Laing): Order. For clarification, I was not suggesting that the hon. Gentleman was in any way out of order in the points he made. I am just really concerned about the square sausage.

Alan Brown: Yes, so we all share the same good taste in food then.

I agree with the point my hon. Friend made. Following up his earlier point about the contribution from the other Benches, I actually thought, “Oh my goodness, I’m going to have to listen to another 15 Conservative MPs telling me how great Brexit is going to be, how they are taking back control, how this is just another step in the way of taking back control and there’ll be wonderful trade deals.” So in one way there is a blessing: I do not have to listen to 15 speeches that are all the same. But in another way, it is disappointing that they have not turned up here to actually do their job and actually say what they wanted to say. That is disappointing.

Alex Cunningham: The right hon. Member for Wokingham (John Redwood) talked about taking back control—he talked about Parliament taking back control—yet we are seeing statutory instrument after statutory instrument giving more power to the Executive. Is that really Parliament taking back control?

Alan Brown: I agree 100%. Again, if Parliament was taking back control, we would expect parliamentarians in here doing their job and debating it. But not only have the Executive taken more power, but we know there is more power invested in unelected bureaucrats who were advising the Prime Minister. I am sure nobody is shedding a tear that Dominic Cummings has actually left, but there is too much power in unelected bureaucrats behind the scene. It is doubly ironic when Brexiteers come here and talk about taking back control, and the Government were in hock to unelected officials.

We do have to wonder what divergences are planned by the UK Government, but also how these divergences are going to be managed. What is the process going to be? Will there be proper impact assessments undertaken, and will there be complete transparency on divergences that are proposed and what that means for businesses? How will we ensure that there are no unintended consequences from diverging in one area, which might affect more businesses adversely by stopping the export of their goods or preventing vital imports coming in? Those vital imports might prop up the supply chain of the key industries mentioned earlier, such as aerospace and automotive, because we rely on an EU-wide supply chain, with goods in the supply chain going backwards and forwards two or three times sometimes to create a finished product.

Mr Kevan Jones (North Durham) (Lab): Does the hon. Gentleman agree that it is about not only the import of goods, but exports? One of our key exports is shellfish, which is very important to the Scottish economy. Does he agree that any barriers to or disruptions of that could have a huge impact on the fishing industry in the UK?

Alan Brown: I agree wholeheartedly. That is the problem with the silo approach that the UK Government have taken sometimes. They talk about the fishing industry and fishing quotas and, sure, the fishing quotas are important, but for the Government they have become the symbol of Brexit, so fishing quotas seem to be getting looked at at the expense of everything else and that includes shellfish. We also rely on the free movement of people at the moment coming from the EU to process fish, for instance, so we might end up with bigger fishing quotas without the ability to process the fish and then export them. It is hugely ironic, and that is

why the Government need to always have their eye on the big picture and to join up the dots, rather than making headline announcements, looking for the headline in *The Daily Telegraph*. They need to understand what this means for ordinary people up and down the UK.

David Linden (Glasgow East) (SNP): I am sure my hon. Friend is just clearing his throat to get started, but on the issue of the free movement of people, is the issue of immigration not a red herring—if Members will pardon the pun—in the context of fishing? The UK Government said that this was all about reducing migration, but in order to do most of these trade deals, they will probably have to do a lot of visa-free travel for countries such as India.

Alan Brown: Absolutely. It is about looking at the big picture but, instead, the Government make big headline announcements to get some plaudits. It might help them to win an election in the short term, but what does that mean in the long term for the UK? That is something that the Tory party needs to consider.

I was speaking about divergences. I hope that the Minister will clear up how the divergence process will work and how it will be transparent, because we need to ensure that no divergences are given to some cronies who shout the loudest, because that again might have a wider impact on other businesses. So far, there have been allegations of cronyism in how covid has been dealt with, in terms of supplies of personal protective equipment. I would never accuse the Government of cronyism in giving contracts to people they know and who might favour the Tory party, but other people have done that, so I hope that the Minister will give us assurances that any divergences from the EU will be done with the best interests of UK businesses at heart and, again, done with the wishes and agreement of the devolved Administrations.

David Linden: I would be so bold as to put on record that this Government have been guilty of cronyism. But that is not just in the context of Brexit or the pandemic. For example, there is also the cronyism in terms of Richard Desmond and the Westferry scandal. So I would caution my hon. Friend. It is not just in terms of the pandemic that the Government have been guilty of cronyism; it goes much wider than that.

Madam Deputy Speaker (Dame Eleanor Laing): Order. As the hon. Gentleman said, the point he has just made goes very wide, and very much wider than the particular statutory instrument before us. So I am sure that the hon. Member for Kilmarnock and Loudoun (Alan Brown) will stick very strictly to the terms of the SI, which he has done very well so far in his long speech.

Alan Brown: Hopefully, I will not be too much longer—these notes might be deceiving.

A key point, as I said, is divergences, and this is all about the movement of goods. Where are we with regard to the movement of goods in terms of a no deal? Are we still reliant on the EU making concessions, just because the UK is not in a position to check in common goods? If we are going to look at diverging, we have to be able to manage what we have got just now, never mind changing things going forward.

This question was raised yesterday. The Minister at the Dispatch Box was not able to answer it but, on checking goods and the movement of goods, how many custom agents will be required? How many have been trained? Yesterday, the hon. Member for Bristol East (Kerry McCarthy) highlighted that the Cabinet Secretary estimated that 50,000 customs agents are needed, but that it is also estimated that only 10,000 have been trained to date. The Minister could not clear that up. This Minister has been taking lots of notes, so although she has not intervened, I am expecting a lengthy response. I hope that she can tell us where we are with training and employing customs agents and whether there will be enough in place on 1 January 2021.

David Linden: My hon. Friend has been incredibly generous in giving way. On the point about customs agents, Brexit was sold on the premise of our taking back control. Does he share my concern that “taking back control” was just something on the side of a bus and that when we look at this in greater detail, we find that the Government have done very little preparation, which is worrying?

Alan Brown: Yes, it is very worrying. There has been very little preparation—it is all last-minute stuff. That is also why the Government are unable to engage with the devolved Administrations and businesses. They have not planned or done enough to get us to where they want to be—not where I or my hon. Friend want to be—in time for 1 January 2021.

The reality of Brexit preparations, as described by my hon. Friend the Member for Glasgow East (David Linden), was illustrated yesterday by the passing of the Kent borders regulations, which allow the police to stop lorry drivers entering Kent because of the fear of the utter chaos at the border in January. That shows that the UK Government have not done enough and that more work needs to be done. Clearly, all those issues matter in the immediate short term, and need addressing in the long term before we start looking at divergences of standards.

Is there any planned divergence for agricultural standards? That has been touched on and is important. The UK Government resisted protecting those standards for future trade deals in the Agriculture Act 2020. What does the SI mean regarding the UK’s ability to diverge from the EU? While the UK wants to avoid challenge, what does that mean for the devolved nations in terms of the UK Government protecting themselves? Will they impose their will on the devolved nations? I mentioned the point earlier, but on divergences, will the internal market Bill become the kicker through the back door by allowing divergences to be forced on the devolved nations against their will?

We do not accept that the UK Government have any legitimacy in imposing divergence from the EU acquis on Scotland’s behalf as a member of the UK. On democratic principles, we do not consent to allow any withdrawal of Scotland from the EU. That applies to the withdrawal agreement and any subsequent legislation used to enforce the unwanted and undemocratic divergence from the EU, which Scotland voted overwhelmingly to remain a member of.

We do not accept the economic impact of diverging from EU rules, and that also applies to leaving the transition period, particularly because, as we discussed, the economy faces unprecedented challenges as we try

[Alan Brown]

to recover from the covid pandemic. We do not support or accept the need for the UK internal market Bill, which potentially allows divergences to be forced on the devolved Administrations against their wishes. We really need better co-operative working from the UK Government.

It would be ironic, when there seemed to be consensus from the Opposition that they would not oppose the SI, if, unless we start to hear decent responses from the Minister, there was a vote on it after all.

Madam Deputy Speaker (Dame Eleanor Laing): I have been informed that the Member who is No. 5 on the call list has withdrawn from the debate, as have the Members who are Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19. We therefore come directly to the Minister.

4.44 pm

Amanda Solloway: I thank the House for its consideration of this statutory instrument and for the valuable contributions made to the debate.

I stress that my opening speech was short because these regulations do not result in any immediate change and will not introduce any changes for business. The regulations mean that if we choose to diverge from the EU requirements, either actively or by changing our legislation, or by not keeping pace with the EU regulations, we cannot be challenged under the EU treaty. As I have made clear—

Several hon. Members *rose*—

Amanda Solloway: Apologies, but I will not be giving way.

As I have made clear, the SI is not a precondition for divergence, nor does the SI itself introduce any diversion from current laws. I have set out today, however, the importance of this SI to ensuring that we are not faced with legal challenges that seek to keep us in line with EU regulations. This will ensure that we have the freedom to regulate in Great Britain how we see fit, considering the impact on businesses and consumers, while ensuring that UK product safety remains one of the strongest in the world.

We have engaged with officials across all the devolved Administrations, sharing drafts of the SI and taking them through the changes as appropriate. Consent has been received from the Welsh and Scottish Governments as some of the changes are subject to devolved competence. The SI will not impact on Wales's and Scotland's ability to regulate those that fall under these areas of devolved competence. Articles 34 to 36 of the treaty on the functioning of the European Union will still apply in Northern Ireland by virtue of the Northern Ireland protocol. It is therefore not necessary for this SI to extend to Northern Ireland.

John Redwood: Will the Minister give way?

Amanda Solloway: Apologies, but I am not giving way.

Coming on to business participation, since the summer the Department has been rolling out an ambitious series of readiness events for businesses and has published a range of guidance, including on this requirement, on placing goods on the market from January 2021. Let me once again stress that this SI itself does not—

Mr Kevan Jones: On a point of order, Madam Deputy Speaker. Call me old-fashioned, but I thought that the usual convention for a winding-up speech was to respond to the debate. All the Minister appears to be doing is reading her civil service—

Madam Deputy Speaker (Dame Eleanor Laing): Order. That is not a point of order—it is a point about the content of the Minister's speech, which is entirely a matter for the Minister, and she does not have very long, so we must let her finish.

Amanda Solloway: Thank you, Madam Deputy Speaker.

Let me once again stress that this SI itself does not introduce any changes for businesses.

These regulations give business greater certainty that as UK rules change they will not be rolled back after any legal challenges based on them. At the end of the transition period, EU treaty rights on the movement of goods stemming from articles 34 to 36 of the treaty on the functioning of the European Union will be retained in UK law unless they are removed by this SI. The UK will have its own regulatory regime after the end of the transition period. However, if retained, these EU treaty rights could impact our ability to diverge from EU regulation in the future. The EU treaty rights prohibit quantitative restrictions of equivalent measures on imports and exports, meaning that divergence from the EU regulatory requirements could result in a challenge. This SI will remove the EU treaty rights flowing from articles 34 to 36 of the treaty on the functioning of the European Union.

My Department published guidance on gov.uk on 1 September and 10 November detailing requirements on placing goods on the Northern Ireland market, as well as arrangements for access to the rest of the UK. My Department also issues regular transition bulletins that provide the latest readiness information. When the SI comes into force on 1 January 2021, it will protect our right to diverge from the EU regulations without being challenged under the EU treaty rights. I commend these regulations to the House.

Question put and agreed to.

Resolved,

That the draft Prohibition on Quantitative Restrictions (EU Exit) Regulations 2020, which were laid before this House on 9 November, be approved.

Madam Deputy Speaker (Dame Eleanor Laing): I am going to suspend the House for a few minutes in order that we can have a change of Members and Ministers.

4.48 pm

Sitting suspended.

4.52 pm

On resuming—

Madam Deputy Speaker (Dame Eleanor Laing): Order. I call Minister Lucy Frazer to move motion 5. It is not moved, so I call the Leader of the House to move motion 6. It is not moved, so I call the Leader of the House to move motion 7. It is not moved, so we come to motion 8, relating to virtual participation in debate.

Patrick Grady (Glasgow North) (SNP): On a point of order, Madam Deputy Speaker. Given that we have just clipped through three items of business and the Leader of the House has been handling the Dispatch Box, should the House not be suspended again so that the Dispatch Boxes can be sanitised and Members who want to participate in the next item of business can make sure that they are present?

Madam Deputy Speaker: I appreciate the point that the hon. Gentleman makes, but I have taken the decision that, as we have just suspended and we have been sitting again for only two or three minutes, a further suspension is not necessary, and that the Leader of the House's touching of the Dispatch Box was momentary.

David Linden (Glasgow East) (SNP): Further to that point of order, Madam Deputy Speaker. In the interests of physical hygiene, it may be the case that the Leader of the House will use the Government Dispatch Box next, but should he rise to move the next debate, there is a possibility, of course, that the Opposition Dispatch Box has been touched by another Member and should be cleaned in advance of the right hon. Member for Walsall South (Valerie Vaz) arriving.

Madam Deputy Speaker: I appreciate the hon. Gentleman's help in advising me on this matter, but I am satisfied that the necessary precautions have been taken to make sure that the Chamber and the Dispatch Boxes have been suitably cleaned and sanitised, and that we are that we are covid-compliant and can now proceed.

Virtual Participation in Debate

[Relevant document: Sixth Report from the Procedure Committee, Procedure under coronavirus restrictions: virtual participation in debate, HC 905]

Madam Deputy Speaker (Dame Eleanor Laing): Mr Speaker has selected the amendment in the name of John Baron.

The Leader of the House of Commons (Mr Jacob Rees-Mogg): As this matter has been much discussed in this House, I will move it formally.

Motion made, and Question proposed,

That:

The Order of 4 June 2020 (Virtual Participation in Proceedings During the Pandemic (Temporary Orders)), as amended on 22 October, be further amended by adding at the end the following paragraphs:

() The Speaker shall draw up and publish a scheme to permit Members who are certified by a medical practitioner as clinically extremely vulnerable (or equivalent) according to relevant official public health guidance issued in England, Wales, Scotland or Northern Ireland, to participate virtually in such debates as are designated for virtual participation by the Speaker.

() The scheme drawn up by the Speaker shall include:

(a) arrangements for demonstrating and registering eligibility for virtual participation in designated debates;

(b) any other provisions the Speaker considers necessary to secure the effective implementation of this Order.—
(*Mr Rees-Mogg.*)

4.54 pm

Valerie Vaz (Walsall South) (Lab): Quite frankly, I am astonished that the Leader of the House has decided to move the motion formally. This issue has come before the House because we requested an urgent question, and we expected the Government to come up with some sort of mechanism whereby every Member of the House would be treated equally. I am surprised that the Leader of the House has nothing to say, as he will know that this is something that exercises all hon. Members.

David Linden (Glasgow East) (SNP): Has the right hon. Lady reflected, as I have, on the fact that for so long the Government have spoken about the importance of Parliament and taking back control, yet today a number of Conservative MPs have withdrawn from debates, and the Leader of the House has not moved motions? Does she share my concern that this Government are rather running out of control, and that the actions we have seen this afternoon are those of a Government who are perhaps panicking?

Valerie Vaz: I agree with the hon. Member. He will know how important it is for people with other responsibilities that there is a different way of voting. The motion states:

“The Speaker shall draw up and publish a scheme to permit Members who are certified by a medical practitioner as clinically extremely vulnerable (or equivalent) according to relevant official public health guidance issued in England, Wales, Scotland or Northern Ireland, to participate virtually in such debates as are designed for virtual participation by the Speaker.”

Why is a certificate required? Hon. Members are not children. We are not going to school with a sick note. The Leader of the House has frequently said that he has needed that for PE, even though—we hope—one of his children might well play for England at cricket. It is

[Valerie Vaz]

concerning that hon. Members who are serious and want to take part in proceedings have to produce a certificate from a general practitioner.

Mr Kevan Jones (North Durham) (Lab): Does my right hon. Friend agree that this is also incredibly sensitive? Many Members may have a mental condition that is possibly not known to constituents or even to family members. Why should they have to divulge that? I have no problem with this personally, but particularly with mental health conditions, people may want not to make that widely known. Why should they have to do that?

Valerie Vaz: My right hon. Friend is absolutely right, and I have frequently asked from this Dispatch Box, during the urgent questions and debates that we have had on this issue from the start, why on earth we should have to do that. We are all equal; we are all hon. Members. We were all elected on 12 December, equally. Why should we have to produce something to say that we wish to take part in basic proceedings and our basic democratic rights?

Chris Bryant (Rhondda) (Lab): My right hon. Friend referred to Members not being children, and my view is that it is wholly inappropriate for the Government to treat Members of the House as children by suddenly pulling business. Is that not even worse, given that the Leader of the House personally volunteered to the Committee on Standards this morning that we would be debating these matters this evening?

Valerie Vaz: I am extremely disturbed, because I had no notice, as shadow Leader of the House, that the Government were going to pull any business. There was nothing from the Leader of the House, I am afraid, to say that the business was going to be pulled, and I find that a huge discourtesy, because he is a very courteous person and we do get on in terms of getting the business done, although we may differ completely on the politics side of it. My hon. Friend is absolutely right to say that there were important matters to be debated and for hon. Members to know. I had a speech prepared so that hon. Members would know exactly who had been approved to take part in on the independent complaints and grievance procedure, and my hon. Friend says that he was informed that that debate would happen, so this is a huge discourtesy to the House. Will the Leader of the House please say why the business was pulled in such a way?

John Spellar (Warley) (Lab): This is also a discourtesy because some Members of the House had considerable objections to the make-up of that particular body. They wanted to ask questions, for example, about how much these people were going to be paid, along with their civil service salary. We also wanted to ask questions about the social composition of the grouping, but we have been deprived of that opportunity preemptorily—

Madam Deputy Speaker (Dame Eleanor Laing): Order. The right hon. Gentleman is not addressing the matter before us. I am not having filibustering.

Valerie Vaz: Madam Deputy Speaker, that was a question that I am really happy to answer, because the matter arose as a result of the Chair of the Standards Committee explaining to the House why we have not

dealt with the first two motions. I feel that those motions are really important to the House, and I know that this is not the first time that my right hon. Friend the Member for Warley (John Spellar) has mentioned the make-up of that Committee. It is important for the House to know, in relation to those two motions that have not been moved, that we are not in the business of secrecy. We are in the business of transparency, and hon. and right hon. Members need to know what is going on. Hon. Members are extremely busy at this time, and my right hon. Friend is correct in asking that question, because the question was posed earlier as to why the previous motions were not put before the House.

Madam Deputy Speaker: I understand that the right hon. Lady is, as always, behaving honourably and that she is giving a background to the matter in hand, which she is addressing, but I am making it clear to the House that we are discussing the matter that is before us now, not the matters that might have been before us, had they been moved. There will be other opportunities to address those matters—

Chris Bryant: Will there?

Madam Deputy Speaker: Order. No hon. Member will interrupt when I am speaking. It is perfectly reasonable for the right hon. Lady to give background to the remarks she is making, but I know that she will now address the matter that is before us, not the matters that are not.

Chris Bryant: On a point of order, Madam Deputy Speaker. Is it, however, in order for the Leader of the House to tell a Select Committee of this House in the morning that he has made sure that we will be able to debate two matters this evening, and then not even to put a change of business motion before the House or even to have the courtesy to notify those who might be involved in later debates? Is that really the way this House now proceeds?

Madam Deputy Speaker: That is not a matter for the Chair, because it is in order for the Leader of the House to arrange matters today as he thinks fit. If it were not in order, I could not have allowed the things to happen that have been occurring this afternoon. It is all in order. The hon. Gentleman's opinion on that is another matter, and I am sure that he will have the opportunity to express his opinion if I have the opportunity to call him. While I am making this clear, I note that there is no speaking list for this debate, so I will call people who were here at the beginning of the debate. For people who have come in after 5 o'clock I have allowed some leeway, because the debate started without a great deal of notice, and I appreciate that the right hon. Member for Walsall South (Valerie Vaz) had to hurry to get to the Dispatch Box on time. So those who were here in the Chamber before 5 o'clock will have an opportunity to be called to speak if there is time. Those who have come in after 5 o'clock, I deem not to have been here at the beginning of the debate.

Chris Bryant: Further to that point of order, Madam Deputy Speaker.

As I understand it, that means that you would not be calling me. I am the only person who is able to move the amendment—

Madam Deputy Speaker: I had—up until this moment—every intention of calling the hon. Gentleman. I saw when he came into the Chamber, and I had every intention of calling him. His name is on the amendment and it is important that he is able to speak to it.

Aaron Bell (Newcastle-under-Lyme) (Con): On a point of order, Madam Deputy Speaker. I just want to be clear about what time I arrived here; as a member of the Procedure Committee, I would be grateful for the opportunity to catch your eye.

Madam Deputy Speaker: I will take no further points of that kind; thank you. I call Valerie Vaz.

Valerie Vaz: Thank you, Madam Deputy Speaker. I am disappointed, saddened and alarmed, because this House has effectively been gagged. We are unable to debate two very important motions that were on the Order Paper. With the greatest respect, hon. and right hon. Members should have the opportunity to raise issues in relation to those motions, and that is the purpose of interventions—interventions that the Leader of the House desperately wants because he says that they move the debate along.

Ruth Cadbury (Brentford and Isleworth) (Lab): My right hon. Friend is making a really important point about this House being gagged. I sat through several debates and questions when the Leader of the House said, “Look around you; we are gagged”—I do not know whether he actually used the word “gagged”, but he effectively implied that covid regulations meant that we could not debate properly. Like all organisations, we have had to adapt. Does my right hon. Friend agree that this is a proper piece of business that must be debated, and that we should have the opportunity to discuss it fully and with respect, and that the Leader of the House’s attitude today contradicts every point that he has made when we have discussed virtual debating up to now?

Valerie Vaz: I want to address that point. We had a debate last week in which a perfectly reasonable person, who passed all the tests that we could possibly have asked of her and more, was prevented from taking up a job. That was an absurd position. I would have liked to ask the Leader of the House, and I wanted the House to know, whether any of the people who were on the list were members of a political party. That is the transparency we needed—the transparency, not the secrecy. This House is not about secrecy; it is about ensuring that there is open debate.

Nick Smith (Blaenau Gwent) (Lab): My right hon. Friend has just raised a very serious concern about someone being blocked for a job for which they were in good stead. Would she tell us more about that?

Madam Deputy Speaker: Order. Perhaps the hon. Gentleman was not in the Chamber when I made it very clear that the matter that we are debating now is the matter before us. We are not debating other matters that we might have debated at another time. I call Valerie Vaz.

Valerie Vaz: Thank you, Madam Deputy Speaker.

Darren Jones (Bristol North West) (Lab): I am grateful to the shadow Leader of the House for giving way so promptly and for allowing me to contribute to her aerobic skills at the Dispatch Box as she stands up and sits down so quickly. On the issue of gagging Members of Parliament, each of us has our role as representatives of our constituencies, but some of us, as Chairs of Committees, are elected by this House on a cross-party basis to inform proceedings in this House. Consequently, Chairs of Committees need to be given the opportunity fully to debate the issues and to inform Members about our work. If virtual participation is not extended, there are a number of Committee Chairs who—as is the case today—cannot perform their function. Is this not just an extension of the gagging of the will of Parliament?

Valerie Vaz: My hon. Friend is absolutely right. I know how assiduous he is in his work as the Chair of a Select Committee. That is a key point, is it not? Chairs of Select Committees cannot be here. I do not think it is our business to say who can be here and who cannot be here. All Members have to be treated equally. As the hon. Member for Basildon and Billericay (Mr Baron) said, there is a hierarchy of hon. Members and we have striven not to have that hierarchy in this House.

Let me go back to the motion and deal with the point relating to “clinically extremely vulnerable”. This is not a happy way to deal with right hon. and hon. Members. It places them in a difficult situation. It is not that they do not want to be here, but that they cannot be here. It is about what they say about their families. They do not want to bring their families into debates. They do not want to bring their families into the limelight or to this place. They want to keep them away from it. However, hon. Members are having to say—sometimes in public, Madam Deputy Speaker—why they cannot be here and they are having to bring their families into it. I say that, because the hon. Member for Basildon and Billericay cannot be here. He tabled the amendment, along with my hon. Friend the Member for Rhondda (Chris Bryant). He co-signed the amendment and he cannot be here for a very, very good reason.

Mr Kevan Jones: The motion from the Leader of the House refers to Members who are clinically extremely vulnerable, but I know of at least one case in my own region where a Member has not been here because her husband is undergoing cancer treatment. She cannot attend because he is very vulnerable. They live in a house that does not have an east wing to enable him to isolate from her. The motion would not cover extreme cases like hers, would it?

Valerie Vaz: My right hon. Friend is absolutely right. He hits the nail on the head and explains the difficulties for hon. Members who want to do their job but cannot. They have to make the difficult choice of whether to be here, and balance family with their work.

Chris Elmore (Ogmore) (Lab): Does my right hon. Friend not agree that it is the invasion of privacy that so many Members take umbrage at? Family members of Members are not elected and nor are they public servants. They have a right to privacy. A Member can do their job in any other circumstance, so why should family members be exposed by the idea that their health is somehow in the public interest? It simply is not. That is what so

[Chris Elmore]

many Members across the House find so disingenuous about what the Leader of the House and the Government are doing. They are putting families in the public eye and they do not deserve that. In fact, they deserve a lot better than that.

Valerie Vaz: My hon. Friend is right. We have a very difficult job to do anyway. As I said to the right hon. Member for Staffordshire Moorlands (Karen Bradley) and her Committee, some people like to say what they had for breakfast on Instagram, but some people do not want to do that. Some people do not want to say anything about their lives. We are forced to do it sometimes. We are forced to tweet and do various other things that do not come naturally to many of us—I cannot do it, actually. But my hon. Friend is absolutely right that this is a privacy issue. Hon. Members have to decide what they say in the public sphere.

Madam Deputy Speaker, you know that when our right hon. and hon. Friends were pregnant and having wonderful babies—something so natural—they were trolled. They were trolled for doing what they needed to be doing, which was to be at home with their children when they had just given birth. I remember being in the House during the debates in which they had to explain that they were not the laziest MP in the world but were actually looking after their newborn. That was the most terrible thing and it was clarified only as a result of the debates in this House, which is why this is such an important venue.

This is the most important venue: people look to the Chamber to hear about what is going on. Unfortunately, sometimes we talk rubbish, and I am the biggest person to do that—[HON. MEMBERS: “No!”] It is pantomime season! Sometimes we do, but the Official Reporters have to write down every word, and we sound wonderful when we read it back—when we dare to.

Karen Bradley (Staffordshire Moorlands) (Con): I know that my hon. Friend the Member for Basildon and Billericay (Mr Baron) will not mind my mentioning him, because we have been in communication today about this debate potentially taking place. His greatest regret is that he cannot be part of it. He secured an urgent question that enabled him to take part in our scrutiny proceedings and raise his point, but he cannot be here to take part in this debate because he has made the health of his family and his wife—he has been very public about that—his priority. We all know that he is working his socks off at home. Does the right hon. Lady agree that he is a great constituency MP and is working incredibly hard for his constituents?

Valerie Vaz: I absolutely agree with the Chair of the Procedure Committee. The hon. Member for Basildon and Billericay had the courtesy to email me before the start of this debate. He told me about the difficulty; I shall not repeat it, but it is safe to say that he is not able to be here today.

That great intervention from the Chair of the Procedure Committee gives me an opportunity to raise the incredible work done by her and members of her Committee, who are scattered all around the House—[*Interruption.*] She is pointing to them and I am trying to find them.

John Spellar: Does my right hon. Friend, like me, wonder a little at the paradox that we have here today? The Leader of the House has often waxed lyrical about the need for Members of Parliament to be here to debate, yet he pulled a fast one to pull two of the debates that we wanted to have.

Valerie Vaz: My right hon. Friend is absolutely right. I still do not have an answer to that. I hope that I will get an answer, partly because the normal courtesies of the House were not applied and I was not even informed—I was waiting to come in to speak and the motions were just not moved. That is not the right way to do business.

Wes Streeting (Ilford North) (Lab): I believe I made the Chair’s curfew on speeches, so I will not intervene a lot. To go back to the point about childcare, last week more than a million pupils throughout the country missed out on school, and most of them were forced to self-isolate. This pandemic is throwing into chaos many parents’ routines. Does my right hon. Friend agree not only that it often impacts women and mothers disproportionately, but that if we proceed on the basis suggested by the Leader of the House, lots of dads in this place are not going to be able to fulfil the responsibility to their children that they want to fulfil? That is why the motion is wholly inappropriate and the amendment is very welcome.

Valerie Vaz: My hon. Friend makes an important point and I absolutely agree with him. We are now moving to a different stage—this is why we were part of the change of the hours—because many young men came into the House and there were some fathers who also wanted to be hands-on parents.

David Linden *rose*—

Valerie Vaz: The hon. Gentleman is one of them and I shall give way in a moment. That is why this is so important: the amendment that has been tabled is an equalising amendment that will mean everybody is treated the same.

David Linden: Is the shadow Leader of the House, like me, struck by the perceived hypocrisy on the part of the Government and in particular on the part of the Lord President of the Council? In some respects he comes to the House and talks about the great conventions of the House of Commons—he talks about the 1300s and we all refer to each other as hon. and right hon. Is not the specific point that for so long the convention in this House has been that we are hon. Members, so the Leader of the House is trying to question Members’ honourable nature? Does the shadow Leader of the House see, like me, that there might just be a degree of contradiction on the part of Her Majesty’s Government here?

Valerie Vaz: I do. At the moment, as Members of Parliament we are not treated equally and we are not dealt with equally.

The Leader of the House says that he likes interventions and wants us here in the Chamber, so I am quite happy to take as many interventions as possible, whether people want to speak later or not.

Jeff Smith (Manchester, Withington) (Lab): I suspect that I did not quite make the curfew, so I may need to intervene again. Further to the point made by my colleague from the Scottish National party, the hon. Member for Glasgow East (David Linden), he is absolutely right about the behaviour of the Leader of the House today. The Leader of the House has appeared in the Chamber on many occasions championing Parliament and the rights of Members to participate in parliamentary debates and represent their constituents. Does my right hon. Friend share my sense of irony that in the motion the Leader of the House is doing his utmost to restrict Members' ability to represent their constituents in Parliament? Does she wonder, like me, how he manages to look at himself in the mirror in the morning?

Valerie Vaz: It is appalling that, for some of our colleagues, their right to be here has been restricted in such an appalling way. As I said in a previous speech, and as we keep repeating over and over, we are approaching some of the most important legislation that this country has ever faced. We are coming up to the most important juncture in our history, when we leave the EU on 31 December. Before that, we have to do something with the agreement, whatever it is and whenever it is made. We look forward to statements on that. To give effect to that agreement, legislation will be required, and it has to be introduced before 31 December. As a result of this motion, unless the amendment is agreed to, our colleagues will be prevented from taking part in a debate on one of the most important pieces of legislation ever to come before the House.

Fleur Anderson (Putney) (Lab): Does my right hon. Friend share my bafflement that, as soon as there was a health need, the Prime Minister was allowed to participate remotely, yet he was not immediately clinically vulnerable? Other Members, however, are not allowed to speak. Does she share my view that all constituents are equal in electing us and should be equally represented? *[Interruption.]*

Valerie Vaz: I do not know whether my hon. Friend wants to intervene on me again. Perhaps she would want her question to be heard properly—there was a fair bit of heckling—so does she want to ask it again?

Fleur Anderson: I hope that I can now be heard. Does my right hon. Friend share my bafflement that the Prime Minister could speak under arrangements for virtual proceedings, although he does not have a clinically vulnerable condition that we know of? It is quite right that we should not know any of the ins and outs—

Madam Deputy Speaker (Dame Eleanor Laing): Order. That means that the hon. Lady should sit down. I am making a ruling. Let us make sure that we get the facts correct about what we are debating. The motion before us is about participation in debates. Participation in questions, urgent questions and statements is a different matter which has been dealt with. In questions, urgent questions and statements, every Member has the right to participate virtually. I just want to make sure that the facts are correct, because that is a matter for the Chair.

Valerie Vaz: Thank you, Madam Deputy Speaker, for clarifying that. I think my hon. Friend was trying to say—and I know that Mr Speaker has made a ruling on

this—that both the Leader of the Opposition and the Prime Minister should be here on equal terms, just as Ministers are here on equal terms. Mr Speaker has made it very clear that he wants Ministers here, which is why we are all here—he wants shadow Ministers and Ministers. It is about equality between the two parties, and the two parties being treated the same. We saw what happened with the Prime Minister. We do not know what happens behind the scenes, and we do not know who is helping under the lectern and so on. The fact is that he is here to answer questions asked on behalf of the Leader of the Opposition—

Andrew Griffith (Arundel and South Downs) (Con): On a point of order, Madam Deputy Speaker. Is it in order that the Opposition party is clearly trying to filibuster and talk out a motion that will see our clinically shielding colleagues given a voice in this House? *[Interruption.]*

Madam Deputy Speaker (Dame Eleanor Laing): Order. If there were any filibustering taking place in this Chamber, it would not be in order and I would stop it immediately. The right hon. Lady is perfectly in order. She has taken a great many interventions and she has every right to do so.

Valerie Vaz: Thank you, Madam Deputy Speaker.

Alan Brown (Kilmarnock and Loudoun) (SNP): Let me go back to the guidance that the Deputy Speaker gave earlier about this being all about participation in debate. Clearly, the Leader of the House is trying to control who participates in debate. We know he is absolutely obsessed with physical participation in debate, so is it not disgraceful that the Government forced 20 Back-Bench Tories to pull out of physically participating in a debate earlier on a statutory instrument? The Government then pulled the Prisons (Substance Testing) Bill money resolution, taking 24 people off the call list. They then did not move the motion on the independent expert panel, taking 10 people off the call list. They then did not move the motion on the Independent Complaints and Grievance Scheme investigations: Commons-Lords agreement, taking 10 people off the call list.

Madam Deputy Speaker: Order. I have already made it very clear, and I know the hon. Gentleman is one person who has certainly been in this Chamber all afternoon, that we are debating the matter before us, not what might have been debated previously.

Valerie Vaz: Thank you, Madam Deputy Speaker. The hon. Gentleman is right to say that that is a bit concerning. At one point I thought that the Conservative Members were all at No. 11 being primed by the Chancellor on tomorrow's statement. I thought that everyone was at a party, with drinks, canapés and things like that.

Let me just go back to the point about the right hon. Member for Staffordshire Moorlands, the Procedure Committee and its work—I was going to come on to that, but I will do so now. I have here two reports, its first report of Session 2019-21, "Procedure under coronavirus restrictions: proposals for remote participation" and its sixth report, "Procedure under coronavirus restrictions: virtual participation in debate". The Procedure Committee has been extraordinary in the work it has done. It has done that work quickly, and I, too, pay tribute to Martyn Atkins, the Clerk. I was lucky to be

[Valerie Vaz]

on the Health Committee when he was a Clerk there. We were lucky to have him on that Committee. He was very assiduous, as were all the Clerks there. I have read all the reports, including the latest one. We did not have enough time to debate it on Thursday—we all just got a question each—but it is so important. I do not know whether right hon. and hon. Members have read it in its entirety—I could read it out—but it makes very important recommendations, one of which is:

“We do not consider that there is a justifiable case for eligibility for virtual participation in debate to be determined by reference to clinical vulnerability. Nor do we consider it appropriate to determine eligibility on a basis different from that for virtual participation in scrutiny proceedings. We therefore recommend that the criteria for eligibility for virtual participation in all House proceedings be made uniform at the earliest opportunity.”

This is the earliest opportunity.

John Spellar: Is it not utterly disrespectful for the Leader of the House and the Cabinet to disregard the House's Committees, whose members are elected by both parties and whose Chairs are elected by the whole House? Is that not utterly contemptuous of the House and its Members?

Valerie Vaz: My right hon. Friend is right. It is concerning that Chairs of Select Committees, who are elected by the whole House, cannot participate. This is a cross-party report—a report that Members can amend but have not amended—which says that everybody should be treated equally in virtual participation. It is possible; we did it right at the beginning.

Chris Elmore: On the point about virtual participation being available to everybody, it has been confirmed several times—and I raised this with the Leader of the House last week—by the Clerk of the House and Clerks responsible for Chamber management and the broadcasting service that there is now enough capacity for Members to take part virtually in all proceedings of the House. Despite what the Leader of the House has said, there were trials some months ago of virtual Public Bill Committees, in which Members on both sides of the House participated. Since then, that technology has improved and the capacity has increased.

The reality is that for all Members, no matter what their situation may be, this is now a simple process of the Government—or, as it should be, the House—saying to the Clerk, “This is the will of the House, and we would just like all Members to be equal.” The Leader of the House's excuse that it stops and stifles debate and limits intervention is simply not correct. Does my right hon. Friend agree that most Members would accept not having interventions, on the basis that it is a small price to pay to allow all Members to take part in crucial debates on the Floor of the House?

Valerie Vaz: I absolutely agree. I will come on to the capacity in a minute, but I want to spend some time on these Procedure Committee reports, because—

David Linden: On a point of order, Madam Deputy Speaker. Over the last couple of minutes, I have observed that quite a number of Government Whips have entered the Chamber. Can you confirm that, in the event that

Government Whips tried to move a closure motion, that would in effect be muzzling the House and that a closure motion should not be granted?

Madam Deputy Speaker (Dame Eleanor Laing): I have noticed that there are Government Members on the Government Benches. Who they are and what office they hold is not a matter for me. The Chamber is open to all Members to be here whenever they wish, as long as there are no more than 21 on the Government Benches at a time. A closure motion would be a matter for the Chair. Should one be moved, I would consider carefully how many people have spoken, how long the debate has been, how many interventions there have been and how many important points have been made. I am therefore listening very carefully to the debate.

Valerie Vaz: It was slightly alarming—

Karen Bradley: On a point of order, Madam Deputy Speaker. I apologise, but could you confirm that if a closure motion were moved, proxy votes would not count towards it?

Madam Deputy Speaker: There are various stages of a closure motion: the granting of the closure motion, the taking of the closure motion and the substantive question that may or may not then be put. Proxy votes do not count for the calculation of the quorum necessary, which, as the right hon. Lady knows well, is 100.

John Spellar: On a point of order, Madam Deputy Speaker. Could you clarify whether it is 100 Members voting or 100 Members voting in the Aye Lobby?

Madam Deputy Speaker: I will come back to that point.

Valerie Vaz: As I was saying, I think Members were slightly alarmed by a group of people walking with a purpose. It is usually the Whips who do that, as John Major used to say.

I will get back to the debate at hand, the Procedure Committee report and what my hon. Friend the Member for Ogmire (Chris Elmore) said about the participation of all hon. Members. I still have not finished with this idea of clinical vulnerability to a disease. I think, and I said at the time, that it is an unnecessary, bureaucratic way of saying that hon. Members can or cannot be here. It is in some ways quite humiliating for hon. Members to have to go to their GP and say, “Please could I have a note to say that I am clinically vulnerable so that I can take part in a debate?”

Jessica Morden (Newport East) (Lab): I thank my right hon. Friend for giving way because it gives me an opportunity to speak on behalf of my hon. Friend the Member for Lewisham, Deptford (Vicky Foxcroft), who is not able to be here with us today and is sitting watching, although she would like to participate. She never wanted to have to say that she was clinically extremely vulnerable or to tell people about her rheumatoid arthritis but has been forced to do so. Does my right hon. Friend agree that forcing people to do this is very unfair?

Valerie Vaz: I agree, and we have seen how effective our hon. Friend the Member for Lewisham, Deptford (Vicky Foxcroft) is when she speaks at business questions, and when she asks questions. She is so frustrated because she has done some absolutely fantastic work on knife crime and wants to be able to take part in debates, but she cannot. We need to find a way to enable her to do that, and the only way is if the amendment is passed.

Alan Brown: The right hon. Lady makes an important point about the fact that the motion would force hon. Members to go to their doctors, get certification and submit that. Is it not also the case that it is then in the public domain that a certain number of MPs are extremely clinically vulnerable, which will lead to members of the public saying, “I wonder what is wrong with my MP, or that MP?” That is the real issue. It is effectively breaching confidentiality, whereas if the amendment is passed, it is just a public health reason that covers Members, their families and anything else.

Valerie Vaz: That is absolutely right. We all know as hon. Members that we are only as good as our last election, and we have to fight like mad to be elected.

Patrick Grady (Glasgow North) (SNP): I thank the shadow Leader of the House and appreciate that she is rising to the opportunity of laying out the fundamental lack of logic in what the Leader of the House is doing. After weeks, if not months, of standing at the Dispatch Box saying that virtual participation in debates was simply not possible and simply not desirable, he has now conceded that in some circumstances it is possible and desirable. If it is possible and desirable for some people, why should it not be possible and desirable for everybody who needs it? There is no logic.

Valerie Vaz: I agree. This is just one small further step that we are asking the Leader of the House to take, which we know he is capable of doing. On the clinically vulnerable, it is very difficult for right hon. and hon. Members to have to go to a medical practitioner.

Owen Thompson (Midlothian) (SNP): On the point about the clinically extremely vulnerable, does the right hon. Lady not agree that the fact that the definition of clinically extremely vulnerable is different in Scotland and in England raises further issues? Which criteria would we follow?

Valerie Vaz: If someone wanted to help to us to decide what the definition is, that would be very useful.

Shaun Bailey (West Bromwich West) (Con): I have much respect for the right hon. Lady, my constituency neighbour, but when people at work are asking for reasonable adjustments, they have to go to their GP and get certificates, so is it a case of one rule for us and one rule for everyone else? Perhaps she will tell our workers in the Black Country why this is acceptable for us here, but not for them.

Valerie Vaz: I do not know whether—

Nick Smith: On a point of order, Madam Deputy Speaker. I am a bit perplexed about the voting rights of Members tonight. I would be ever so grateful if you

could confirm that the Chair needs 100 Members to go through the Aye Lobby for any closure motion to be agreed.

Madam Deputy Speaker (Dame Eleanor Laing): Yes, that is correct. Where were we? Valerie Vaz.

Valerie Vaz: I am still here. We are Members of Parliament. We are elected to do a job—we are elected to pass legislation. We cannot do that. We are in the middle of a pandemic, and when we first started with this pandemic, we were able to have a virtual Parliament—we were the first Parliament in the world to do that, with the expertise that we have here. We were able to undertake every single aspect of our work, and each hon. and right hon. Member was able to do that on an equal basis.

That is not what we are saying here—this is something different. This is just saying that those who are clinically vulnerable can take part in a debate. Hon. Members have made the point of the hon. Member whose name is on the amendment, the hon. Member for Basildon and Billericay, and many other hon. Members, who are looking after and caring for those who are clinically vulnerable and therefore cannot be here, because if they come down here they expose themselves to the virus. We know it is on the estate. We know that there have been people here who have been tested. Many of us have been tested and some have tested positive, including the Prime Minister, who had to take part in a virtual Prime Minister's questions.

Alison Thewliss (Glasgow Central) (SNP): Does the shadow Leader of the House agree that it is not just the arriving in this place that makes people vulnerable? Members from Scotland have much further to travel and multiple public transport journeys, if they can get public transport that is appropriate. The Caledonian Sleeper would have allowed someone to travel and meet very few people while doing so, but the Caledonian Sleeper to Aberdeen and Glasgow is currently not running. Does she agree that Members are made vulnerable by travelling on public transport in the way that we have to?

Valerie Vaz: I agree. We do not know where we can catch it. What we are doing is exposing families, friends, everyone—people we work with here. We are in the middle of a pandemic and people are dying. People I know in my constituency—people who have been long-standing friends—who are now dead as a result of this virus. This is extremely serious. All we are asking is for right hon. and hon. Members to take part in debates. Why should they be excluded from the European legislation that is going to come through now? Why should they be excluded from that?

Chris Bryant: In answer to the point made by the hon. Member for West Bromwich West (Shaun Bailey), I have heard the same argument from the Leader of the House as well: we should not be any different from the rest of the public. I wholly agree with that. However, I think they misunderstand Government rules. The Government rules, as laid out by the Prime Minister yesterday in Parliament, are very clear. He said yesterday that, even in tier 1, if someone can work from home, they should work from home. That is the rule. The other part of the rule is that businesses have to do everything

[Chris Bryant]

to make it possible for people to work from home if they possibly can. Those are the rules for the rest of the country; they should be rules for us here too.

Valerie Vaz: That is absolutely right. The Prime Minister did say

“work from home wherever possible.”—[*Official Report*, 23 November 2020; Vol. 684, c. 601.]

We can work from home, we have worked from home as Members of Parliament, and other Members of Parliament want to continue to work from home, and that is being denied. We are exposing hon. Members’ families and the hon. Members themselves, who are travelling backwards and forwards.

I take umbrage slightly with the Leader of the House. He thinks that if we are doing something remotely, we are not working. I have talked to many hon. Members. Zoom is horrible—whatever anyone says, it is awful. You have to concentrate, you have to stare—it is absolutely terrible. What makes people really nervous about the whole thing is worrying about being late—suppose you have not logged in on time? Who is walking around in the background? Have you got the right background? Are you dressed properly? We would rather be here, of course we would, but we cannot be.

Andrew Griffith: The shadow Leader of the House has been generous to both sides in taking interventions. Having been in the past party to some of the deliberations of the Procedure Committee, I understand that there are strongly held views on both sides. I just put it to her and her colleagues that, tonight, what you are doing is letting the perfect be the enemy of the good. There is a motion that will give our colleagues who are clinically vulnerable the opportunity to participate virtually and what you are doing tonight will deprive them of that opportunity—

Madam Deputy Speaker (Dame Eleanor Laing): Order. What the right hon. Lady is doing, not what “you” are doing.

David Linden: On a point of order, Madam Deputy Speaker. I know that the hon. Member for Arundel and South Downs (Andrew Griffith) is new to the House, but can you just clarify to him, given that he is such an expert on the procedures of this House, that he should not refer to you, because that is, of course, you and not the right hon. Lady on the Front Bench?

Madam Deputy Speaker: Yes, I am very happy to clarify that. As ever, the hon. Gentleman has made his point very well.

Chris Bryant: On a point of order, Madam Deputy Speaker. Could you not confirm that, as the hon. Gentleman just said that there is the perfect and the good on offer, if he votes for the amendment he gets the perfect and he does not discard the good at all?

Madam Deputy Speaker: That was not a point of order.

Valerie Vaz: That was a point of clarification. Perhaps we can include those in the procedure in future.

Let me deal with the point made by the hon. Member for West Bromwich West (Shaun Bailey). The point is that hon. Members cannot take part in the most important part of what we do, which is debate. We are excluding a whole group of hon. Members from taking part in a debate, and to take part in a debate is what they want. The fact is that we had this process and we had this procedure and it worked.

Lilian Greenwood (Nottingham South) (Lab): I think it is important to recognise that we do not just have to go back to the situation that pertained in May. The Procedure Committee’s report makes it absolutely clear that, because of the substantial work undertaken by the parliamentary audio-visual service since the discontinuation of hybrid proceedings, we have

“a more resilient broadcast infrastructure, with the capacity to facilitate virtual contributions to debate”

in a much more proper way. Is not that quite a change that needs to be reflected in our decision making?

Valerie Vaz: My hon. Friend is right, and that is the point that I was about to come on to. As I started to say, we were the first Parliament to become a virtual Parliament and we were the envy of the world. Other Parliaments have tried to do what we are doing now and what we did previously and what we are sort of on the way to doing. But I think we are doing a great discourtesy to the people who have worked so hard to get us to this stage. Yes, the Leader of the House will say that we broke down; that the House of Lords broke down. They are able to participate in every aspect of their work virtually. They broke down only once in 62 votes. We had a failure at the card reader, too. I do not think that we broke down whenever we had debates and people took part.

The point is that the broadcasters have worked so hard to get us to this place. One of the broadcasters said to me, “Please say that we are now doing seven to eight hours of virtual proceedings in the House of Lords and they are able to have two Chambers—they are able to have two sets of proceedings going on at the same time.” We have a huge amount of talent, not just in the House, but in the country. We can use that talent to ensure that we here in this Parliament, every single person, no matter what happens, can take part. People will have seen the hon. Member for Chatham and Aylesford (Tracey Crouch), but there are others who perhaps do not want to ask questions and state what their medical conditions are, but who also want to take part. We all have a responsibility to our constituents because we were elected. This is a democracy and we want to take part in every single aspect of our work, and we can.

Jeff Smith: I am grateful, once again, to my right hon. Friend for giving way. She is being very generous. She is making an important point about the improvements in the technology. The House of Lords has very capably been able to facilitate its debates. We rarely have problems in this Chamber. I have heard the Leader of the House say many times that the technology does not work, that it has faults, and that we cannot introduce it for debates because of those occasional faults. In asserting that position, is he not, in the words of his colleague the hon. Member for Arundel and South Downs (Andrew Griffith), making the perfect the enemy of the good?

Valerie Vaz: I agree. We did have the good and we did have the perfect, and for some reason we cannot have that any more—although we might because the amendment may be passed. The hon. Member for Arundel and South Downs (Andrew Griffith), who is not in his place at the minute, said that it is the Opposition, but it is not—this is cross-party. If he looks at the amendment, he will see that it is signed by the hon. Member for Basildon and Billericay (Mr Baron) and that the Procedure Committee has agreed—all sides, all parties.

John Spellar: Is my right hon. Friend as surprised as I am that, given the huge success of our excellent technical operators, a Government Minister has not used the expression “world-beating”? In this case it is justified, but it is often a slightly overblown expression; it is normally used by the Health Secretary and the Prime Minister.

Valerie Vaz: It is world beating, but we do not use the term in the same way as they use it, because all their world-beating test and trace and everything else do not appear to be world beating.

Alan Brown (Kilmarnock and Loudoun) (SNP): I thank the right hon. Lady for giving way; she is being generous. Given that we have this technology, which can be used for the benefit of all Members, and going back to an intervention about making MPs go to a GP because some constituents might have to go to a GP, is it not a fact that GP practices are run on a very restricted basis now? People cannot get routine appointments because of the measures in place, so why on earth would we try to make MPs go to GPs, taking up valuable space and time that our constituents might want?

Valerie Vaz: The hon. Gentleman makes a good point. Obviously, I have not put the policy through, so I cannot answer his point, but it is about asking a medical practitioner to say that someone is clinically vulnerable.

Let us go back to the broadcasting and how brilliant it is.

Nick Smith: I thank my right hon. Friend for her contribution. She is doing a brilliant job, taking on board colleagues' points on both sides of the House. She is taking the issue forward really well. Does she agree that colleagues across Parliament are starting to use Teams and Zoom proficiently now?

Valerie Vaz: They do, but we do not necessarily like them—especially when they break down and we are not linking in the right place.

The point about broadcasting is important because we have got to the stage where, on Zoom, people can put their hands up, so that could be a form of intervention. People have been able to undertake debates—I think this was mentioned at business questions—and, in some European Parliaments, they have been able to take interventions. If that is the key thing that is stopping the Leader of the House from going to the next stage—making that giant leap—let me say that interventions can be done. However, we know that hon and right hon. Members can take part in debate, because we did it before. The plea that we all make is that they want to do so on an equal basis, without having to tell anyone that they are incapacitated in some way, or that they are shielding other people in their family in some way.

Jonathan Gullis (Stoke-on-Trent North) (Con): The right hon. Lady is being generous with her time. Does she share my concerns about when I have to go back to Stoke-on-Trent, Kidsgrove or Talke and look school teachers, police officers, fire officers, GPs, doctors and nurses in the face and ask them to sacrifice themselves and to be willing to make some sacrifice by going in to look after people? In the end, they are public servants, as are we. Does she not agree that this would send completely the wrong message—that we have some sort of special protected status, compared with those who also work in the public sector?

Valerie Vaz: I would say: do not look them too closely in the face. We have to be 2 metres apart because that is what the Government guidance say. But the hon. Member is back to the same old thing. We are doing our work. I do not know, but I hope not a single hon. Member does a face-to-face surgery. I started my telephone surgeries in March because I knew this was coming up; we had heard about the pandemic from China in December. So I think it is important, if the Government are going to give out guidance—[*Laughter.*] I do not think it is very funny when we are talking about people dying of covid and, if you are too close to them, they could pick it up—[*Interruption.*] Let me carry on.

So it is back to the same old thing. We are working. We are just working in a different way. I do not know any hon. Member who is not working 24/7. Absolutely every single hon. Member or right hon. Member is opening mail, or checking their WhatsApp. They are working. We are all working. We have a completely different job, and it is right that we do that. When people contact us in the workplace when they want reasonable adjustments, that is our job. People contact us because sometimes employers are unreasonable. Sometimes people and institutions are unreasonable. People contact us to write those letters for them to make sure that they can get their work done.

Wes Streeting: We have heard key public sector workers invoked: “How will we look them in the face?” They will understand the rules perfectly well; they are abiding by them. Does my right hon. Friend agree that, given the reported public sector pay freeze, I do not know how any Conservative MP would look any public sector worker in the eye?

Valerie Vaz: That is a really important intervention. Perhaps the hon. Members would go to their public sector workers, look them in the eye and say, “Sorry, we couldn't find any money for you to have a pay rise, but we”—[*Interruption.*] Well, I think it was an important intervention.

Let us go back to the broadcasters.

Shaun Bailey: Can I interrupt the right hon. Member at this point? I am sorry; I wanted to raise it on a point of order, but can I just bring her back? I do not find death funny. I am sure my hon. Friends here do not find death funny. I actually have vulnerable people in my family that I have not seen in six months, so when she makes comments like that, I find it very offensive. I would invite her to withdraw that comment and that slur against my hon. Friends, particularly my hon. Friend the Member for Walsall North (Eddie Hughes), because it is not appropriate.

Valerie Vaz: I really do not know what the hon. Gentleman is talking about. All I heard was people sniggering in the back. I heard people—*[Interruption.]* Oh my goodness, Madam Deputy Speaker.

Madam Deputy Speaker (Dame Eleanor Laing): Order. Whatever we are debating, we will have a good-tempered and polite debate.

Valerie Vaz: Thank you, Madam Deputy Speaker. Can I just say this? When I was talking about the difficulties that our hon. Friends and right hon. Friends have taking part in debate, I heard some sniggering from the Back Benches. Normally, I would just ignore it, but this is such an important debate, and I did not know what it was about.

Eddie Hughes (Walsall North) (Con): You made the joke.

Valerie Vaz: Joke? I was talking about broadcasting. We were talking about the public sector workers who are not going to get a pay rise, apparently, but maybe the Chancellor will change his mind when he has heard this debate.

But let us go back to exactly what is happening here with this motion. It is discriminatory. How can we possibly carry on in this way with two tiers of hon. Members? It is not fair, it is not right and it is not the way that we do things here. We need to treat every single Member equally. There is absolutely no justification.

Patrick Grady: On the point of equal treatment, the right hon. Member is right, because one of the first things the Government did under the pandemic motion was suspend the English votes for English laws procedures. They recognised that they would be practically unworkable, and they actually removed that distinction and that discrimination that Members from Scotland have experienced under the House EVEL procedures. Again, the Leader of the House has been tied up by his own logic, because he is making some concessions to some people, but he is not making them available to everybody. His own logic is his undoing here.

Valerie Vaz: The hon. Member is absolutely right. When the Government want EVEL, they have it; when they do not want it, they do not have it, even though SNP Members have made the arguments frequently. We are now getting to the point where this is discriminatory.

Fleur Anderson: I am grateful for the opportunity to mention discrimination. Does my right hon. Friend agree that this is a double discrimination—that not only are some people barred from being here and speaking, but they also cannot speak on behalf of their constituents? All the people whom Members have been sent here to represent are discriminated against, as well as the Members themselves, so it is doubly hard.

Valerie Vaz: It is doubly hard for everyone not being able to take part in what we do in this House, which is to debate legislation. To debate—that is what the Leader of the House has said we should do, but hon. Members cannot take part.

David Linden: I have very much enjoyed the first hour of the right hon. Lady's remarks and look forward to the next. I was reflecting on something said from the Conservative Benches a little earlier about reasonable adjustments being made. I was reflecting that pre-pandemic one of the greatest strengths that we had as Members of Parliament was the ability to come here and put things on the record; indeed, the Leader of the House tells us regularly that people have been able to come here and put things on the record since 1300. But of course, one of the difficulties for some of our colleagues who do not have the ability to speak here is that they cannot get things on the record quickly with a point of order—something that many of us did at the beginning of the pandemic to call out bad practices from employers. Given that points of order are a good way of getting things on the record, does the right hon. Lady agree that allowing some form of virtual participation in that regard might help some of our colleagues to call out bad employment practices?

Valerie Vaz: Yes. Hon. Members will also be familiar with the emails that we all get about particular pieces of legislation when they pass through the House. Whether it is here, in Westminster Hall or on petitions, Members cannot say how they voted or why they voted in a certain way, or talk about what the policy is. I do not know what hon. Members who cannot take part in debates say to their constituents; maybe I need to ask an hon. Member who is not here and cannot take part.

Jonathan Gullis: I am extremely grateful to the right hon. Lady for giving way again. She referred to the idea that our role here is to debate. Well, that is exactly what the Leader of the House is proposing. Those who are clinically vulnerable will be able to debate—or have I misunderstood what has been said?

Valerie Vaz: Yes, with the greatest respect, I think that the hon. Gentleman has misunderstood. He will know that unless a Member certifies that they are clinically vulnerable, they will not be able to take part in a debate under virtual proceedings. That is where the difficulty lies, because there will be two different sets of hon. Members: those who will have to certify and those who cannot certify. For example, let us take the hon. Gentleman's colleague, the hon. Member for Basildon and Billericay, who has co-signed the amendment. It is not he who is clinically vulnerable; it is possibly another person who is, and he wants to protect them. Therefore, he cannot take part in the debate, and he should be able to. Why can he not take part in the debate without having to expose whichever person it is, who he would expose to the disease if he came here physically? That is the point, and that is why I say that this is a cross-party matter. It has nothing to do with politics or with anyone here. The only politics is that the Government seem hellbent on ensuring that people cannot take part in debates.

John Spellar: Has not my right hon. Friend exposed another flaw in this, which is the argument made by some Conservative Members that, "Well, you'll have to go and get a sick note"? But if people have to do that, they hand the note in to their employer; it is not put on the front page of the local paper and out on social media, exposing to the rest of the world their—or in this case, even their family members'—condition. Whatever happened to medical privacy in all this?

Valerie Vaz: I think it has gone out of the window with this motion; my right hon. Friend is absolutely right. It is not just about privacy for hon. Members—apparently we can take it because we have thick skins, although I am not sure that we all do; some of us have thin skins. It is about protecting the families, who do not necessarily ask to be exposed in this way. They are not the ones who are tweeting or who are on Facebook. We are exposing them. I know of many such cases. A friend in the SNP is protecting members of her family, and she has said so publicly, but why should she be prevented from participating?

Peter Kyle (Hove) (Lab): It has been suggested by Government Members that people in other workplaces have to get sick notes, but will my right hon. Friend make it clear that they do not have to get those notes from a GP in order to use Zoom? We are asking to use Zoom to continue working, not to be signed off work.

Valerie Vaz: My hon. Friend is right, and that is why we have these debates. He is absolutely right—I am sure they will come to that in the end, but hopefully not. Let us return to the discriminatory nature of this motion.

Karen Bradley: The right hon. Lady is being incredibly generous with her time, and this is most certainly a full debate—I think we can all agree on that. Will she comment on remarks made by the Secretary of State for Health and Social Care at the Health and Social Care Committee earlier today? I was not able to catch it, but I have seen it reported that he said we have to stop this British attitude of soldiering on, and that we should not be coming into work with sniffles and coughs because we will pass them on to other people. Does she agree that that is contradictory to some of the other things we are hearing?

Valerie Vaz: That is extremely contradictory. As a result of the Prime Minister being exposed to sniffles and coughs, he shielded and was given the ability to do his work in a different way. That is all that right hon. and hon. Members are asking for.

Let me give two examples of people who are very vociferous and active, including in the Chamber. My right hon. Friend the Member for Barking (Dame Margaret Hodge) is an amazing Member of Parliament, but she is finding that she has not got a voice any more. My hon. Friend the Member for Huddersfield (Mr Sheerman) constantly badgers the Leader of the House during business questions, but he is now not able to do that. The Chair of the Education Committee, the right hon. Member for Harlow (Robert Halfon) loves coming into the Chamber—I have seen him—but he is not able to.

Jonathan Gullis: He has been here.

Valerie Vaz: I know, but not now.

Shaun Bailey: May I apologise to the right hon. Lady? I did not mean to barrack her before. It was very discourteous of me and I put on the record my apologies to her now.

We talked about the risk of notes being leaked, and my understanding—I ask the right hon. Lady to please correct me if I am wrong—is that we would hand any

sort of certification to the House authorities. Is she suggesting that that would not be a safe process, and that there is some risk that something might be leaked by the House authorities? I am sure she is not suggesting that, but will she clarify how such information might be leaked, were it to be given to the House authorities?

Valerie Vaz: No, I was not suggesting that at all, but as hon. Members know, no matter what happens, things get out. I gave the example of pregnant women or mothers who were not on the voting record because they were not here. That has now all changed, and that is what it took, which is why this debate is so important. We have stopped saying that people must be in the Chamber and voting, hence proxy voting, but it took the Procedure Committee and many debates to bring that about. That is why we are saying that we must treat people equally so that people outside cannot see any difference and everybody can take part in every piece of work done by the House.

Several hon. Members rose—

Madam Deputy Speaker (Dame Eleanor Laing): Order. While the right hon. Lady is on the subject of treating people equally, I appreciate that in her long speech she has taken an enormous number of interventions and covered almost every possible aspect of the debate. However, I am a little anxious that other Members should also have the chance to speak.

Valerie Vaz: Thank you, Madam Deputy Speaker. I was about to finish. I ask hon. Members to read the amendment carefully. It simply says, “with a public health reason”, which is a wide definition.

Peter Kyle: My right hon. Friend talks about public health. GPs are quite busy at the moment because we are in the middle of a pandemic. Does she think that GPs have more important things to do right now than certify that MPs are okay—

Madam Deputy Speaker: Order. The hon. Gentleman has not been here for the whole debate. We are not having any more long interventions. A lot of people wish to speak and we are addressing a specific motion, not GPs in general.

Valerie Vaz: The amendment states clearly “a public health reason”

and no other reason. All Members would be treated equally and everyone could take part in the important debates that we will have on legislation on Europe. We were all elected on 12 December as equal Members of Parliament. I hope hon. Members will support the amendment and ensure that everybody can take part in debates.

6.10 pm

Karen Bradley (Staffordshire Moorlands) (Con): It is lovely to see everybody bobbing up and down—we do not often get to see that nowadays—and there is no call list. Goodness me, Madam Deputy Speaker, what days we hark back to! How much we want to get back to those halcyon days.

[Karen Bradley]

I am afraid that I was not able to hear what my right hon. Friend the Lord President of the Council and Leader of the House said, because I was unfortunately caught unawares and did not know that the debate was about to start. I am grateful to him for the debate. He knows that last week, I called strongly for a debate on this matter, but it is a shame that it was done in such an unexpected and surprising way. I was on a call with the Independent Anti-Slavery Commissioner and it felt discourteous to say to her, “I’m terribly sorry, but I need to rush to the Chamber because apparently I am about to take part in a debate.” I set that call up several weeks ago and I was therefore disappointed to have to say that I could not complete our discussions on important matters relating to human trafficking and slavery. I should say that I am co-chair of the all-party parliamentary group on human trafficking and modern slavery.

I am also Chair of the Procedure Committee, which has issued six reports in this Session, four of which are on procedures under coronavirus. I thank all Committee members. A few have left us in the last few months, but we have a very active Committee and many of its members are in the Chamber, demonstrating that Procedure Committee members really do care about procedure.

We have worked incredibly hard to assist the House in considering what are appropriate proceedings and how we should change them to reflect the situation under coronavirus. I want to be clear up front: any recommendations by the Procedure Committee have been made on the basis of how we make the best of the situation. Nobody wants to be in this position. I keep using the word sub-optimal—my right hon. Friend the Leader of the House has quoted me on it. The position is undoubtedly sub-optimal.

Other members of the Committee will recall that in our first meeting, we said that we would have to consider proceedings under coronavirus because things might change quickly. We first convened on 2 March. By 6 March, we had the Clerk of the House and the House authorities in to give us private evidence and a private briefing. My right hon. Friend the Leader of the House was incredibly courteous in allowing time for me, as Chair of the Committee, to meet him privately to hear what the Government’s thinking was.

I remember that first briefing when Members heard, for example, “We will have to stay 2 metres apart.” It was the first time I had heard the term “social distancing”. None of us could comprehend the thought that the Chamber would have crosses on the Green Benches where we could not sit and that whole Benches would be out of bounds. None of us had any idea how that would function.

Mr Kevan Jones *rose*—

Karen Bradley: I give way to the august right hon. Gentleman and member of the Committee.

Mr Jones: Will the right hon. Lady join me in thanking the staff and the Clerks, who from those early days have done some tremendous work to make the system the best that we can have? Without that work, we could not have achieved what we have done so far.

Karen Bradley: The right hon. Gentleman is absolutely right. I was going to come on to say that, but he gives me the chance to say it now. The House authorities have worked so hard and have made this House the envy of the world. The number of requests that the Committee receives from similar committees around the world to understand the temporary changes that we have introduced is astonishing.

Chris Elmore *rose*—

Karen Bradley: I give way to another august member of the Committee.

Chris Elmore: Will the right hon. Lady also acknowledge that during a public evidence session, we had academics come in to say that, of all the devolved institutions and Parliaments in the world, we were world-leading? The Leader of the House, traditionalist though he is, was sector-beating in terms of the facilities that were offered to Members of this House. It is such a shame that he is not willing to show that forward thinking now in ensuring that all Members are treated equally.

Karen Bradley: I thank the hon. Gentleman; I call him my hon. Friend, because he serves as the Committee’s vice-Chair and stands in for me when I am unable to participate, as I was not when I self-isolated, suffering, I believe, with covid. He is absolutely right. We heard those comments from around the world. My right hon. Friend the Leader of the House should take incredible credit for being world leading on this matter. He introduced revolutionary changes, changing our procedure in the most significant way for 700 years, I think it was.

Owen Thompson *rose*—

Karen Bradley: I give way to another august member of the Committee.

Owen Thompson: I know that the right hon. Lady did a session with the Canadian Parliament, but when Committee members took part in a session with members of the Japanese Parliament, it was very frustrating that they were there asking us questions about how we were implementing this world-leading solution, only for us to have to tell them, “Yes, we were; unfortunately, the Government have now stopped that.”

Karen Bradley: The hon. Gentleman makes an important point. It was slightly embarrassing, I think, for members of the Committee to have to say that, after saying that we did develop, at pace, the most incredible changes to our procedures and to the capability and capacity of our digital services in order to be able to continue working.

My right hon. Friend the Leader of the House often talks about the period of the hybrid Parliament between the Easter recess and the Whitsun recess as being somehow not effective. During that period, as I recall it, five or six Bills received their Second Reading—unopposed, in fact. When we did have votes, the Government won those votes handsomely. We were able to have debates on legislation, we were able to have general debates on the matter of covid; actually, this House did function.

My right hon. Friend often talks about Bill Committees. I hope that he will recall from our very first conversations about this matter that I shared his reservations about whether Bill Committees could meet in any way other than physical. However, as the hybrid Parliament included physical presence—I certainly participated physically during that period—I was always of the view that that could be managed and accommodated within the rules that we had. Of course, the difficulty with Bill Committees was finding rooms that were big enough to accommodate a Bill Committee socially distanced, and ensuring that those rooms were set out. I am sure that my right hon. Friend will have seen some of the revolutions in the other place, including Perspex screens being put into Committee Rooms so that more Members of the other place can get into Committees.

Several hon. Members *rose*—

Karen Bradley: I give way to another august member of the Committee, the hon. Member for Blaydon (Liz Twist), and then I will give way to SNP Members.

Liz Twist (Blaydon) (Lab): Speaking of Bill Committees, does the right hon. Lady recall that some of us took part in a trial running of a Bill Committee, including interventions and a full debate, which worked perfectly well? That might have been another way of ensuring that Government business was able to move forward.

Karen Bradley: The hon. Lady makes an important point. We did not really test or try that hybridity in Bill Committees, which might well have been possible. Given what the House authorities have been able to achieve in other areas, I am sure that if anybody could have achieved it, the House authorities could.

Alan Brown: On Bill Committees, clearly it is a matter of the business managers working to find appropriate space in the House, but has not part of the solution been found by the Government themselves, given that they now put so many statutory instruments through the main Chamber, including SIs that should never be coming to the Floor of the House? They are actually finding ways to free up space and make a hybrid solution work anyway.

Karen Bradley: The hon. Gentleman makes an important point. I would not want to speculate about what goes on between the usual channels—I suspect the usual channels were slightly surprised by some of the things that have taken place today—but I hope, as a former Whip myself, that the usual channels will continue to work, because this place works best when the usual channels are working.

Chris Elmore *rose*—

Karen Bradley: I give way to my hon. Friend.

Chris Elmore: I am grateful to my right hon. Friend, and will return the compliment, as she is an exemplary Chair of the Committee. May I place on record that, as my hon. Friends the Members for Birmingham, Yardley (Jess Phillips) and for Hove (Peter Kyle) have said, during the Domestic Abuse Bill Committee they were willing to take part in physical proceedings? There is an

idea that somehow the usual channels were not working and names were put forward, but this is on the record: they were willing to take part in those proceedings. The only concern, which is available, as the right hon. Lady is aware, was about witnesses, and there was an option for having a hybrid-facility fallback to protect victims of domestic abuse. It simply is not correct to say that Members were not willing to engage in Bill Committees, and I know that she agrees.

Karen Bradley: I absolutely agree with that point.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): I have been in touch with my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan), who is in one of the extremely vulnerable categories. She is watching the debate remotely, getting more and more demoralised about it. She has asked me to plead with the House to pass the motion unamended, because she has not been able to take part in debates since March, and it is likely that she will be unable to take part in debates until next March, which is simply not fair. Let the most vulnerable people take part in debates, then fight the other battles another time.

Karen Bradley: I, too, want my right hon. Friend the Member for Chesham and Amersham and many other clinically extremely vulnerable colleagues to be able to take part in debates, but the amendment does not preclude their doing so. It allows them and others to take part in those debates. I want to see my hon. Friend the Member for Basildon and Billericay (Mr Baron), who secured an urgent question last week, taking part in debates as well. I want as many Members as possible to take part in debates. This has been going on for far too long. About a quarter of Members are currently availing themselves of the ability to participate virtually in scrutiny proceedings: questions, UQs and statements. Not all of them are clinically extremely vulnerable, but they need to be allowed to take part in debates. We will have been going for 12 months by the end of March, and not to have heard from my hon. Friend the Member for Basildon and Billericay in a debate in that time I consider inappropriate and not fair on him. He is working incredibly hard, and he needs to be able to participate.

I should also like to raise the case of our hon. Friend the Member for Lichfield (Michael Fabricant), who has been texting me during the debate and has asked me to mention him. If he were here he would be speaking, but he cannot be here. He would love to take part in this debate down the line. He would love to take part virtually, but he cannot do so—he is not allowed.

Aaron Bell (Newcastle-under-Lyme) (Con): I thank the Chair of the Procedure Committee, on which I serve, for giving way. She has mentioned Members who cannot be here. May I put on record the case of my hon. Friend the Member for Rutland and Melton (Alicia Kearns), who is heavily pregnant and would like to know whether the relevant words, “or equivalent”, in the motion extend to ladies in the third stage of their pregnancy?

Karen Bradley: I thank my hon. Friend, who has just joined the Procedure Committee. I was going to make exactly the same point, because my hon. Friend the Member for Rutland and Melton has texted me as well.

[Karen Bradley]

In the third trimester of pregnancy, women are asked to shield, but they are not clinically extremely vulnerable. I know that my right hon. Friend the Leader of the House is sympathetic to that, and is trying to do all that he can to assist, but if he accepts the amendment, we do not have to have a debate about whether someone in their third trimester is clinically extremely vulnerable—we will just feel able to let them take part.

The capacity of digital services is much improved. We have seen what has happened in the other place. I do not think that my right hon. Friend should worry about allowing our hon. and right hon. Friends to take part in debates down the line, because this is not going to stifle debate—it will enhance and add to it.

Several hon. Members *rose*—

Karen Bradley: I see that many Members wish to intervene. I shall give way to my hon. Friend the Member for Eastleigh (Paul Holmes) and then the hon. Member for Glasgow North (Patrick Grady).

Paul Holmes (Eastleigh) (Con): Does my right hon. Friend not accept, to back the point made by my hon. Friend the Member for The Cotswolds (Sir Geoffrey Clifton-Brown), that if the motion fails tonight the people she is talking about and whom she wants to involve in the Chamber will not be involved, so it will be the worst of all worlds?

Karen Bradley: Once again, I say to my hon. Friend that the Government could accept the amendment. However, I do not see why the Government would have to accept an amendment on House business, as this is a matter for the House to decide. If the House wants Members who cannot be here for reasons other than that they are clinically extremely vulnerable to participate, why would we not let them? Of course I want to see the motion to go through, but I want to see the amended motion go through.

Patrick Grady: The point that the Chair of the Procedure Committee is making about the amendment and about this being a House matter is very important. It should be a free vote. I am carrying significant number of proxy votes, but I have consulted in advance the Members for whom I am acting as a proxy, and I know that they all support the amendment. Given how this debate happened so quickly, is she concerned about whether other Members who are carrying substantial numbers of proxy votes have had a chance to consult all those Members individually on their exercise of those in a free vote, because I am sure that the Government are not threatening their Members on a free vote?

Karen Bradley: My hon. Friend the Member for Pudsey (Stuart Andrew) is perhaps the first Deputy Chief Whip to have voted against his own Government and kept his job, so I know that he will put forward this vote in the right way, but my concern is whether hon. and right hon. Members are aware of this debate and know that the vote is coming. I just ask the Government to let our hon. and right hon. Friends be able to take part.

Chris Bryant: I just want to make it absolutely clear that I would love the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan) to be able to take part in debates fully. I have spoken to her several times this year and I know how painful she has found this. None of us is seeking to prevent that happening. All of us who have tabled the amendment and support the amendment simply want a few more people to be able to participate in exactly the same way as she is. If the Leader of the House would stand up now and say that he will accept the amendment, we could all go home and get on with more important business.

Karen Bradley: I thank the hon. Gentleman. I urge my right hon. Friend the Leader of the House to listen to what is being said, and to what was said in the urgent question last week and in the statement that the Backbench Committee graciously gave to my Committee last Thursday. He could be the hero if he were to accept this amendment. It would show compassion and generosity, and it would show his courtesy, because he is one of the most courteous Members of this Parliament, who, in all his time here, has always ensured that Parliament is sovereign—in fact, he has campaigned very hard to make sure that Parliament is sovereign—and that Members of this House are heard, from all Benches.

I thank the many hon. and right hon. Members who responded to the call for evidence from the Procedure Committee on this important matter and expressed a majority view on the exclusion from debates, not just in this place but in Westminster Hall. Let us be clear: the Government motion does not extend to Westminster Hall. The reason for this furore—the reason that we are here—is that my hon. Friend the Member for Chatham and Aylesford (Tracey Crouch) was unable to take part in the debate in Westminster Hall on the disease that she is suffering from. Unless the Government are willing to look at extending the virtual proceedings to Westminster Hall, that will still be a problem. The Procedure Committee stands ready to work with the Government to find ways to allow more debates, perhaps more Adjournment debates in this Chamber, so that Members can take part—Members like my hon. Friend. Again, I urge my right hon. Friend the Leader of the House please to think about how this will look to those of our hon. and right hon. Friends who are not here for other reasons.

The hon. Member for Hove (Peter Kyle) made a very important intervention when he said that there is a difference about the situation here. Nobody is asking to not be at work. We are all at work. The idea that Members of Parliament have not been working over the course of the past few months when they have not been able to be here, or we are not in the full Chamber, is ludicrous given the hours that are spent on Zoom calls and Teams meetings, and the many, many pieces of constituent correspondence that we are all dealing with. In those few weeks at the beginning of the lockdown when people had such confusion and there was no certainty, the Government did an enormous amount of good in terms of the financial support and the guidance that was issued, but right at the beginning, everything was unknown. This was, as everyone says, an unprecedented situation.

Members across the House were dealing with constituents who had the most difficult and heart-rending stories. We wanted to do our best for our constituents, and we were doing that from home because Parliament was in recess.

We could not ask questions of Ministers in the way we normally would by being here in the Chamber. Again, I pay tribute to the Government for the amount of access that Ministers made available to Members, to allow us to ask questions on behalf of our constituents. We are all working incredibly hard, whether we are working here, working in our offices in the precincts of the Palace or working at home. Nobody is asking not to work; it is merely that Members who cannot be here for reasons other than being clinically extremely vulnerable, including self-isolating because they have been told to by the Government, should be able to take part in all our proceedings.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): As the right hon. Lady says, people are working very hard, and I pay tribute to members of the Public Accounts Committee, including the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan). Two of the Committee's members are self-isolating, and even on a hard-working Committee such as the Public Accounts Committee, they are two of the most hard-working Members. It is of great sadness to me that those Members are unable to contribute to debate and that this issue has been kicked around like a football when it could be so easily resolved. I urge the Leader of the House to allow this amendment and to spare the pain of Members who have been unable to represent their constituents by participating in debates. The issue could be dealt with tonight, and then those excellent Members could contribute fully in the House.

Karen Bradley: The hon. Lady is right. Select Committees, of which we are both Chairs, have conducted their business virtually, with some physical proceedings to take evidence. She and I have both chaired meetings from Committee Rooms, but we have managed, as have all Select Committees, to take evidence, to work and to produce numerous reports on the basis of virtual participation, which includes all Members. Nobody has not been allowed to take part because their situation means that they cannot get a doctor's note. Every single member of every Committee has been able to play a full part in the Committee. I do not understand why, on a matter of House business, the Government are determined to prevent that from happening.

Members spend years getting elected to this place. People give up their careers, and they lose their families in far too many cases. They do incredible work to get to this place. As an MP, I want to be in this place—I want to be here. There are Members who cannot be here at the moment, but they want to work. They want to have the chance to carry on their work and to be heard.

As I said, this is about the view of the House. I know that my hon. Friend the Deputy Chief Whip would never do this, but if proxy votes were used inappropriately—if a Member's proxy vote ended up being cast in a Lobby that they would not want it to be cast in because they did not know this debate was coming, or if a Member were not here because they saw the business and were happy to believe that there would not be any votes—it would be a great shame. It will cause resentment, I suspect, if the motion goes through without a proper vote by all Members.

Sir Geoffrey Clifton-Brown: I am going to try again. This is a really sensitive matter for those who are extremely vulnerable. Why do we not let this motion go

through tonight—it will fall if it is not passed by 7 o'clock—at least to give those very few Members the chance to participate in our debates? We can have the argument another day about the wider remit, but let us get this motion through tonight. I will be supporting the Government.

Karen Bradley: I will be sitting down shortly. I wanted to ensure that I took interventions because I know that many Members who were not here for the start of the debate will not be able to catch the eye of the Deputy Speaker, or possibly even the Speaker, due to the rules that apply to this debate, which are different from those of other debates with call lists and so on. This was a surprise debate—none of us thought that it was happening—so I wanted to ensure that Members had the chance to speak. I say to my hon. Friend again that I really want to see the motion go through, but I want it to go through amended so that all our hon. and right hon. Friends can take part in the debates. I really do not see why there is a problem with ensuring that my right hon. Friend the Member for Chesham and Amersham can take part in debates, and I have fought like he would not believe to ensure that she can do so, but I also want my hon. Friend the Member for Basildon and Billericay to take part in debates, because I want to hear from them both on these matters.

Sir Geoffrey Clifton-Brown: I simply remind the House that this motion will fall at 7 o'clock. Let us at least have half a loaf if we cannot get the whole loaf, and enable those very vulnerable people to participate in our debates.

Karen Bradley: As I say, I will sit down shortly, because I want to make sure that the amendment can be moved and that we have time for the vote, but I urge my hon. Friend to consider voting for the amendment, because that will mean that my right hon. Friend the Member for Chesham and Amersham and my hon. Friend the Member for Basildon and Billericay will be able to vote and speak.

Mr Kevan Jones: There is a simple way to move this on: the Government could accept the amendment tonight. The fact that this debate has been curtailed into less than two hours is not the House's fault or the Procedure Committee's fault, because the Committee has asked for a full debate on this and it has been refused by the Leader of the House.

Karen Bradley: The right hon. Gentleman is correct. We asked for this debate during the urgent question last week, and we asked for it again on Thursday. This debate has been sprung on Members, and I feel strongly that we need to look at the House having its say. This is a House matter. The Government have kindly tabled the motion, but it is a matter for the House to decide.

I shall conclude, because I want to ensure that the hon. Member for Rhondda can move and speak to his amendment. I urge the Government to think about how this looks in the eyes of the public when their MP can take part in a question but not take part in a subsequent debate. Yes, they can vote by proxy—we can have a debate about whether the proxy voting system works and whether it is optimal—but all of this is suboptimal. None of this is as good as it should be. Why exclude Members who could take part in debates and make

[Karen Bradley]

important contributions simply because of—well, I do not know. I do not know why the Government are refusing to accept this, but we must give the House a proper say, and the Procedure Committee will continue to pursue the issue.

6.37 pm

Chris Bryant (Rhondda) (Lab): I beg to move amendment (a) in line 5:

Leave out from “Members” to “to” in line 8 and insert “with a public health reason relating to the pandemic”.

Welcome to the Chair, Mr Speaker. It is good to see you in your rightful place. I suspect that I am not going to please everyone, because I have just had an email from a Philip Toler, who says: “Why do you constantly stand up in Parliament—” [Interruption.] Oh, hang on, I seem to have united the House with that. He goes on: “Why do you not express your appreciation of the hard-working Prime Minister and all his Ministers? They are only trying their best. The Government was voted in by 95% of the population and you should therefore show some respect.” [Interruption.] Sometimes the vote in the Rhondda is a bit like that, but I do not think it is quite the same. That sounds a bit like a Trump version of how elections are run.

It is a terrible shame that this has become such a scratchy debate. There is no need for that, in all honesty, because there is a very simple issue at hand: the Government think one thing and quite a lot of Members of the House think a different thing, and we should be able to resolve that without all shouting and screaming at one another. I regret the way that we have ended up with the debate today, because many of us have repeatedly said to the Government, to the Whips and to the Leader of the House that the simplest way of having a proper debate on this is for the Government to timetable a chunk of time for a debate with a vote at the end of it, so that the House can decide. Unfortunately, that is not what the Government decided to do. They decided to table the motion on nod or nothing, without consulting with the Opposition Whips beforehand. Nod or nothing is there for consensual motions. The whole point of nod or nothing is that if the whole of the House does not agree then it does not go through. It is not nodded through, so we get nothing. I must say that when the Leader of the House made his response to the urgent question more than a week ago now, I had the impression that the motion he was going to table was one that the whole of the House would have been able to live with. Unfortunately, that is not what happened. What happened was that we had the nod or nothing games on Wednesday night and then again on Thursday. We have had a version of them again today.

Today has been the oddest of the lot, because the Government Whips put a whole load of speakers into lots of debates earlier on in the day. The Leader of the House, as I said earlier, told my Select Committee, the Committee on Standards, this morning that he had allocated time for two very important debates we would have tonight on bullying in the House of Commons. He said that we were going to have those debates and then he did not move the motions for them. I think it is a shame that we are debating this motion, rather than dealing with bullying in the Palace of Westminster. It has taken far too long to try to solve some of those

issues. Members were asking earlier, “What will voters think watching this debate?” They will think, “Why haven’t you sorted out the bullying issues in Parliament?” They will not be worrying so much about this debate.

It is a shame we have got to where we are now. I say again that the easiest thing in the world for the Government to do is table a motion on the Order Paper in the normal way and to allow a chunk of time for it to be debated, so that all hon. Members can be notified that the motion is be happening at such-and-such a time and they can take their own view.

Mr Alistair Carmichael (Orkney and Shetland) (LD): It appears to me that the House is now in a wholly unsatisfactory position. We stand to have a Division soon in relation to House business, which, by convention, is not normally whipped, and many Members who are not here will have given their proxies to their own party Whips. It is difficult to see how any view expressed by the House at 7 o’clock will be genuinely representative of the views of all the House.

Chris Bryant: I will come on to that point later, but there is a prior point which is really important. It is vital to the way we do our business as a Parliament that we have some business which is not subject to the Whip. Obviously, there are conscience clauses. One could argue that every single vote we ever cast in Parliament is a conscience clause, but there are specific matters that have historically been treated in the House as conscience clauses, such as abortion, gay marriage and so on. Traditionally, there has been a very strong view that when it comes to how the House does its own business and orders things, it is not a matter for the Whips.

Now, some of my best friends are Whips. Some of my very best friends are Whips. [Interruption.] Yes, all right, some of my next-door neighbours are Whips. They play an absolutely vital role in enabling the business of the House to proceed. They are therefore, in the main, for the greater convenience of the House. However, there is some business that we should just decide, because in our own conscience, out of our own thinking, that is what we have decided. I think that this matter, in the middle of a pandemic, really should be a matter where our own personal decision is the only thing that counts. It seems odd to me that we have ended up in a situation where a Government Whip can have more than 240 proxy votes—the Opposition Whip, too—yet lots and lots of people cannot take part in the debate. If anything, it should be the other way around.

I want to come specifically to the Government motion and why I have a problem with it, as it is worded. First of all, it says we must be “certified by a medical practitioner”.

Frankly, I think medical practitioners have better things to do at the moment than to be signing people off as “clinically extremely vulnerable”. Secondly, the idea that we should have to present some kind of certificate—I do not know in what form—presumably to you, Mr Speaker, to prove that somebody has been certified as clinically extremely vulnerable by a medical practitioner, puts you in an invidious position, because you have then to decide. Effectively, you become the doctor of the House, deciding whether people are or are not clinically extremely vulnerable. I do not have any problem with all those people who are clinically extremely vulnerable

taking part in debates. I think they should have been allowed to do so for some time already. I am not upset about saying that I have had several letters from the Secretary of State for Health and Social Care telling me that I should be shielding—I am not sure whether this is his way of trying to prevent me from taking part in debates. He is not directly addressing this to me—as far as he knows, it has gone out to 300,000 people, or whatever—but the truth is that my doctor says that I am not clinically extremely vulnerable and there is no need for me to shield, not least because I completed my treatment for my cancer back in February. I just think that this is an inappropriate way for us to deal with Members.

The second point is that there are many people who have responsibilities for other people in their households for all sorts of different reasons, as many and as various as the stars in the sky, no doubt. I simply think that it is invidious, therefore, to draw the line in one particular place. I say to the hon. Member for The Cotswolds (Sir Geoffrey Clifton-Brown)—he knows I have enormous respect for him—that, on this occasion, I think that it would be perfectly simple for him to vote for the amendment and then we would be able to ensure that both the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan) and the hon. Member for Basildon and Billericay (Mr Baron) were able to participate in debates.

Sir Geoffrey Clifton-Brown: I am grateful to the hon. Member, for whom I also have a lot of respect. I say to him gently again that if he withdrew his amendment tonight and let the motion go through as the Government have tabled it, at least the most clinically extremely vulnerable would be able to participate—they have not been able to participate since March—and then we could have his battle with the Government on another day. We have had two hours to debate this subject; it will fall at 7 o'clock.

Chris Bryant: I sympathise with the argument. Indeed, the right hon. Member for Chesham and Amersham has expressed that argument to me. The problem is that the only people who have responsibility for the way we do our business this evening are the Government. The only people who can grant us time to have a row on another day and allow other people are the Government. So far, what we have seen over the last two weeks is that they are passionately, adamantly opposed to allowing a further extension of people, so the only moment at which we can possibly insist is this moment.

I have heard the argument, “Don’t let the perfect be the enemy of the good”—I have heard it so many times in my life and sometimes I have even made it myself. I made it myself, oddly, on the issue of gay marriage, because I said to Members in my party, “Let’s just go with having civil partnerships, because maybe the country won’t wear gay marriage.” Lots of people, quite rightly, metaphorically slapped me in the face and said, “You’re an idiot. You simply don’t know where history is going.” So I say to hon. Members tonight: the perfect is within your grasp. Vote for the amendment and the whole motion will go through as amended, and we will be happy. The Government could say now, having heard so many Conservative colleagues and others in the House say that they would like to take part in debates, that they are going to accept the amendment.

Fleur Anderson: Will my hon. Friend give way?

Chris Bryant: If my hon. Friend will allow me, I just want to deal with the specific issue of the Government’s argument.

Some Members rightly say, “MPs shouldn’t treat themselves any differently from the rest of the country.” I 100%, wholeheartedly agree. All too often, we adopt an exceptionalist position for Parliament, which I think our voters and our constituents do not understand or accept, but I think that on this particular issue, the Government have simply got it wrong and do not understand their own rules.

The Leader of the House said last week that the rule in the country was, if you can, go to work. That is not the Government’s advice. It was not last week and it is not this week. As the Prime Minister categorically said yesterday, the Government’s rule says specifically:

“To help contain the virus, everyone who can work effectively from home should do so.”

Everyone who can do so should do so. The Prime Minister reiterated yesterday that when the present lockdown in England is completed, even in tier 1, the rule will be work from home if you can. In addition, the Government rules specify—this is in relation to employers, so this is the responsibility of the whole House:

“COVID-19 is a public health emergency. Everyone needs to assess and manage the risks of COVID-19, and in particular businesses should consider the risks to their workers and visitors. As an employer, you also have a legal responsibility to protect workers and others from risk to their health and safety. This means you need to think about the risks they face and do everything reasonably practicable to minimise them”.

The House can do something “reasonably practicable”, and that is to allow a significant number of Members to take part in debates remotely because they are clinically extremely vulnerable. An additional number, which I believe to be a smaller one, could take part remotely for a public health reason in their own family or community.

I will make another point to the Government. I have felt a sense of deep frustration all year. I sometimes worry that the Government think that they are a Government of England, not a Government of the United Kingdom. I will lose some people in the Opposition now, but I am a passionate Unionist. I want the Union to hold together. For me as a Welsh MP, it has constantly been difficult this year to explain differences between sets of arrangements in Wales, Scotland, England and all the rest of it. Broadcasters have been particularly bad at explaining them, but the truth is that on this specific issue of whether people should work from home, the rules vary at different points in Scotland, England, Wales and Northern Ireland.

Patrick Grady *rose*—

Chris Bryant: I will give way—as long as the hon. Gentleman promises that he will be a Unionist.

Patrick Grady: The point is exactly as the hon. Gentleman makes it, because the Government continue to put a rocket up the case for independence by refusing to accommodate the requirements of all Members of Parliament for Scotland. We are specifically exempt from legislation that now prevents people from Scotland from travelling to England. We have to be happy to be specifically exempt from that because the Leader of the House is intransigent.

Chris Bryant: Obviously I do not go quite as far as that, but when we had the firebreak in Wales—the Labour Government in Wales have dealt with all of this much better, delivering a clearer message all the time, but that is by the by—some of my constituents said to me strongly that they did not want me to come to Parliament, because they thought it would be inappropriate for me to do so as they were not allowed to travel. I make no judgment—some MPs felt they had to come, some felt that they did not, and all the rest of it—but the truth of the matter is that there are different rules in different parts of the country, and there will be different rules in different parts of England in the forthcoming weeks. It would seem to make far more sense, on an equality basis, to allow everyone to participate on an equal basis.

The Leader of the House denies this—I am sorry to be so obsessed with the Leader of the House, but I was looking forward to a long speech and we have barely had a word from him today, which is a terrible disappointment to us all—but on occasion he has intimated that we cannot really do our job as an MP unless we are here. My experience is that, of all my 19 years as a Member, this has been the toughest year for an MP in terms of the understandable demand from constituents. Most arrives by email, not from people physically coming through the door—several Members have mentioned that they have not held surgeries in person, but have been doing them online. On social media, Facebook in particular, I have been dealing with many thousands of cases every week. Some questions are not right—such as “Is Lidl open?”, or “How much are nappies in Sainsbury’s?”, neither of which I knew the answer to—but in a way, it has been a good thing for Parliament that many MPs have had engagement with their constituents that they never had in the previous year.

It is tough. There is no point going on holiday this year as an MP, because frankly, at all hours of the day, we have been dealing endlessly with requests from constituents. A lot of the job we can do perfectly well from our living room, back study, outhouse or stable, depending on how grand or ungrand the house is.

Mr Kevan Jones: An example of that was this weekend. The annual NATO Parliamentary Assembly took place, involving individual parliamentarians from NATO countries, including the United States and all across Europe. It was all done virtually, and I was even chairing meetings on Saturday afternoon.

Chris Bryant: The Parliamentary Assembly of the Council of Europe and all sorts of organisations have been doing this perfectly well, fully engaging all their members and enabling them to take part. Members might say that it is more difficult for people to travel, but sometimes some Members in the House forget that the travel is as risky as the business of actually physically being in Parliament. Mr Speaker, you and all the staff in the building have done a phenomenal job in making this place as covid-secure as possible.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): On a point of order, Mr Speaker. Can you advise the House that, if this debate goes up to 7 o'clock, the motion will fall? Would it therefore not be prudent of the House to cease the debate now so that at least we can have a vote and thus protect those Members who are extremely clinically vulnerable?

Mr Speaker: I think everybody in here knows exactly what the outcome is of what is going on. I do not think that we need to reiterate the obvious.

Chris Bryant: I am grateful for your guidance, Mr Speaker, but let me make the point clear. I have moved the amendment in the names of the hon. Member for Basildon and Billericay and myself.

It is worth bearing in mind what Members are not able to take part in. I have heard very moving and important speeches by Conservative Members saying that this year has seen a phenomenal suspension of liberty in this country—extraordinary. The Coronavirus Act 2020 has taken power away from individuals to live their lives as they want more than any other piece of legislation in our history. We subscribed to that because we believed that it was necessary. The Government insisted that they should require only a single vote every six months on a 90-minute debate, but the Members whom we are talking about are not able to take part in those 90-minute debates—to be honest, not many other people are able to take part in those 90-minute debates either.

If we look at the secondary legislation, we will see that, during this year, there have been 297 coronavirus statutory instruments, using powers in 106 Acts of Parliament. Why should none of the Members whom we are talking about be able to take part in any of that secondary legislation when it is depriving people of their liberty? More important, it is not about the Member; it is about the community that they represent—their constituency. Why should they be barred, for instance, from expressing a view about the 10 o'clock curfew in pubs, or whether their constituency should be in tier 1, tier 2 or tier 3? They are not able to take part in ten-minute rule Bills. They are not able to make points of order, which must be a terribly depressing thing for all of them—how can you live without making points of order? Ironically enough, they are able to table amendments, but they are not able then to speak to them. That is the irony of where we are tonight. The hon. Member for Basildon and Billericay can table an amendment, but he is not able to take part in this debate because of the way that things have been structured.

I say to all hon. Members, first of all, I do not buy this argument about the perfect being the enemy of the good. Earlier today, I understand that the Government Whips tried to strong-arm the Opposition, saying, “Well, you’ll never get what you want. We’ll pull the motion.” But the Leader of the House said that he would enable the House to resolve this. The proper way to resolve this is to have a proper motion on the Order Paper when all Members know that the debate is coming and we can consider the thing properly.

Secondly, I believe that all MPs are equal—the good, the bad, the ugly. All of them are equal. It is a really important principle.

Mr Kevan Jones: Name the ugly.

Chris Bryant: Especially the ugly, yes.

Mr Jones: No, name the ugly.

Chris Bryant: Oh. Anyway, the point is that it is such a historic principle that every MP is treated equally that it is a terrible shame that we have abandoned it this year just because there is a pandemic. I do not believe that

House business should ever be whipped. I think it is wholly inappropriate to do that, and I think that there has been a tendency in the past year for the Whips to interfere. Sorry, I have just seen my Chief Whip—everything that he has done has been absolutely perfect. On a serious note, I just think that more of our business should be done without the Whips' engagement, because sometimes that would mean that it was less cantankerous.

I especially object to the idea that large numbers of proxies should be used in a vote, unless the person who is delivering those proxies has asked each and every individual Member—every single one—how they intended to vote. Let me just say to Members who would even consider the idea of voting against the amendment, which I guess is the argument that many of them are advancing—

7 pm

Debate interrupted (Standing Order No. 9(3)).

The Leader of the House of Commons (Mr Jacob Rees-Mogg): On a point of order, Mr Speaker. Tomorrow's business will now include a motion to approve a money resolution relating to the Prisons (Substance Testing) Bill, followed by a motion relating to the appointment of members to the Independent Expert Panel, followed by a motion relating to the Committee on Standards' 11th report of Session 2019-21. These were the motions that were not brought forward today to allow two hours for the very important debate that has sadly just expired.

Mr Speaker: Would the shadow Leader of the House like to respond?

Valerie Vaz indicated dissent.

Mr Kevan Jones: Further to that point of order, Mr Speaker.

Mr Speaker: I do not really want to get into what we have already discussed. I want to suspend the House so

that we can move on. It would be better if we did not have another point of order because I am not going to open up or extend the debate, but if it is very relevant, I will hear it.

Mr Jones: The Leader of the House has made time tomorrow for things he delayed today. He could make time for this debate to be extended and completed tomorrow.

Mr Speaker: I think we have—[*Interruption.*] Order. Let us calm down.

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 going to suspend the House for three minutes.

7.1 pm

Sitting suspended.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (CUSTOMS)

That the draft Customs Safety, Security and Economic Operators Registration and Identification (Amendment etc.) (EU Exit) Regulations 2020, which were laid before this House on 21 October, be approved.—(*James Morris.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (ARMS AND AMMUNITION)

That the draft Law Enforcement and Security (Amendment) (EU Exit) Regulations 2020, which were laid before this House on 22 October, be approved.—(*James Morris.*)

Question agreed to.

HMP Frankland: Covid-19

Motion made, and Question proposed, That this House do now adjourn.—(James Morris.)

7.4 pm

Mary Kelly Foy (City of Durham) (Lab): I thank Mr Speaker for granting this important Adjournment debate and I am grateful to the Minister of State, Ministry of Justice, the hon. and learned Member for South East Cambridgeshire (Lucy Frazer), for her call this morning in advance of this debate.

When society was shut down in March, millions of workers were told to work from the safety of their home, to protect them from the virus. However, for the prison officers and staff at HMP Frankland and the rest of our nation's prisons, that was obviously not possible. Instead, they went into work because it was crucial that prisons remained operational in order to protect the welfare of prisoners and the broader public. In doing so, prison staff, like all frontline key workers, unquestionably put their health at risk, and their bravery in doing their job should be commended.

Liz Twist (Blaydon) (Lab): Does my hon. Friend agree not only that prison officers are to be commended for their dedication but that it is incumbent on their employers to ensure that the risks of covid-19, especially for those in the vulnerable group, are properly assessed?

Mary Kelly Foy: That is of course extremely important; it is one of the issues that I shall outline in this debate.

The selflessness of prison staff and their commitment to their work brings me to the purpose of this debate. In recent weeks, HMP Frankland has experienced an alarming rise in the number of covid-19 infections. At the peak of the outbreak, around 66 prisoners out of a prison population of 850 were confirmed as covid-19 positive, meaning that around 8% of prisoners were infected. In addition, at the peak around 220 staff were off work, with 73 operational staff covid-19 positive.

Mr Kevan Jones (North Durham) (Lab): I congratulate my hon. Friend and constituency neighbour on securing this debate. I have a lot of constituents who work in Durham, Low Newton and Frankland prisons, and I pay tribute to the hard work they have done. Does my hon. Friend agree that this is not just about the operational staff? I have had a few cases in which the Prison Service has taken quite a rigid attitude towards those who are caring for vulnerable people at home and has not been flexible in its approach to some of those cases.

Mary Kelly Foy: My right hon. Friend is correct. My discussions with the prison governor have shown how dedicated the prison is not just to the operational staff but to all the staff and prisoners and the wider prison community.

In total, given the covid cases and the numbers isolating, more than 20% of all staff employed by the prison were off work at the same time. It is clear that the number of infections at Frankland reached an alarming level, especially given what we know about the ease and speed with which the virus spreads. It is therefore not surprising that both Public Health England and the wider prison outbreak control team recommended that HMP Frankland

move from stage 4 restrictions to the most severe stage 5 restrictions, in what would have been, in effect, a complete lockdown of the prison.

The recommendation was supported by the Prison Officers Association, which is extremely concerned for the welfare of prison staff and prisoners, because of the real fear that the virus was out of control in the prison. However, even though there was strong support for stage 5 restrictions from Public Health England, the outbreak control team and the POA, the gold command at HMP Frankland rejected the recommendation and instead reduced the number of prisoners allowed to exercise at any one time and the frequency of exercise; mandated mask wearing; and increased testing. This compromise was then accepted by the outbreak control team.

I recognise the pressures that the prison leadership is under, as well as the need to balance staff and prisoner safety with prisoners' human rights, but I am concerned that the gold command seemingly rejected the initial advice of public health professionals. Does the Minister agree that local committee concerns should not be overruled by gold commands without being discussed at a national level first, especially when supported by Public Health England?

At HMP Frankland, I am happy to say that there is an extremely open and productive relationship between the Prison Officers Association and the prison's leadership, and that this includes daily meetings and the sharing of Public Health England advice to the outbreak control team with POA representatives. However, as I understand it, while Frankland follows best practice on this, prison governors are under no obligation to share advice and recommendations with the POA. As the union is the representative of staff within prisons, this is clearly not right. So does the Minister agree that gold commands should discuss and divulge all Public Health England advice to and with the Prison Officers Association as the representatives of prison staff?

The infection levels among staff at HMP Frankland posed two serious problems. The first involves staffing levels as a result of covid-19-related absences. It is no exaggeration to say that the staffing cover was paper-thin due to these absences. HMP Frankland is a high-security prison, home to some of the most dangerous prisoners in the country. In such an institution, under-staffing poses an unacceptable risk to staff at work, to the protections offered to prisoners and to the general running of the facility. While staff shortages have not, at this stage, reached a dangerous level at Frankland, I think we can all agree that genuine threats to staffing levels at any prison must always be taken seriously.

The second issue is the threat the virus poses to the health of staff and prisoners. I am aware that Frankland is a secure environment in which there are already restrictions on prisoners' activities and movement, which can help slow down the spread of the virus. I also appreciate that additional measures were introduced by gold command in an effort to avoid a move from stage 4 restrictions to stage 5. It is positive news that these measures appear to have had some success, with the number of staff off due to covid-19 dropping from 220 to 112, while the number of prisoners infected or isolating has dropped significantly. This is a welcome improvement, albeit one that will need to be monitored closely as restrictions are eased in wider society.

However, although the decisions to increase stage 4 restrictions in order to avoid stage 5 by HMP Frankland gold command may have lowered the numbers of staff and prisoners who have had to isolate, it is arguable that a short-term move to stage 5 would have been a lower risk and would have better protected those in the prison, especially as this was the initial advice of the outbreak control team. I know that even temporary stage 5 restrictions would have been exceptionally tough for prisoners, especially for their mental health. However, I want to be clear that the staff at Frankland are concerned about more than just their own welfare and that of their families; they are also concerned about prisoner safety. No prison officer wants a total lockdown unless it is completely necessary, as they know the impact that it would have upon prisoners. Yet, while the effects of a lockdown would have been harsh, it was arguably necessary to best keep prisoners safe from covid.

I also recognise the argument and understand the concerns that stage 5 restrictions could lead to prisoner dissent at a level that would pose a different sort of threat to staff. However, there are a number of reasons why I do not believe that this occasion on its own was an adequate reason to avoid a stage 5 lockdown due to covid-19. First, there is the fact that many prisoners are just as afraid of the risk of infection as staff are, and that they would understand the need for stage 5 restrictions if they were needed to protect them from a major covid-19 outbreak.

Secondly, there is the fact that, under stage 4 restrictions, any prisoner who must isolate as a result of possible covid-19 exposure is losing out on freedoms that other prisoners have, through no fault of their own. As a result, there is potentially an incentive for prisoners not to report covid-19 symptoms, so that they do not lose their access to exercise, showers and phone calls. If every prisoner is locked down under the same restrictions for a short period to combat a major infection spike, that potential is reduced.

Finally, there is the argument that a total lockdown could inspire some prisoners to act disruptively, putting the physical safety of staff at risk in a different way. While I know that there will always be a balance between managing the risk of prisoner disruption and managing the threat from the virus, it is vital that prisoner behaviour does not dictate the decisions taken to protect prisoners' welfare, as well as the health and safety of staff. Does the Minister agree that the health and safety of staff should not be ignored in favour of prisoner appeasement?

It also strikes me that many of the negative implications of stage 5 restrictions could be resolved if prisoner welfare in general were improved. An example of that at HMP Frankland is the lack of telephone access in cells in comparison with other prisons. Does the Minister agree that telephones in cells would mitigate some of the impact of covid-19 restrictions on prisoners? Will she update the House on when HMP Frankland can expect to have such facilities?

The final issue I would like to raise is the treatment of prisoners in relation to wider society. While I understand that the leadership at Frankland took the decision to prohibit the use of gym equipment, I have also heard that that is not the case in all prisons in England. At a time when gyms have been closed nationwide due to the Government's position that they are not safe to be

open, it seems bizarre that gym facilities at some prisons have remained open. Will the Minister confirm that she believes that coronavirus restrictions in prisons should mirror those in wider society?

I want to praise the dialogue and the relationship between the governors at HMP Frankland and the POA representatives at the prison. They might not agree on every issue, but the strength of their working relationship has been stressed to me. In my opinion, it offers a great example to other institutions and employers across the country.

While the situation at Frankland is, thankfully, improving, it is a reminder that no matter how well an institution responds to covid-19, there is always room for improvement and lessons to be learned. Above all, we must recognise that there is a human element to these situations and that we cannot just look at numbers alone, alarming as they were. Prison officers work in a job where social distancing is often impossible and where the people they work with are not always compliant. That places an incredible level of stress on staff.

The prison staff and many of the prisoners at Frankland are afraid of the virus, as are those at every prison. Just like everyone else, they fear getting ill and the staff are scared of bringing the virus home to their families and to their communities. No one should have to work or live in an environment that is not safe. While prisons must stay open, no matter what the circumstances, the way in which they operate can be altered to keep people safe and to mitigate the risks to staff and prisoners.

I am grateful to the Minister for her time and to my right hon. and hon. Friends for their interventions. I hope that important lessons can be learned from this situation.

7.18 pm

The Minister of State, Ministry of Justice (Lucy Frazer):

I thank the hon. Member for City of Durham (Mary Kelly Foy) for securing this important debate this evening. As she started her remarks, she said that staff had done so much on the frontline in our prisons across the country. I start by paying tribute to them and recognising the important work that they have done in our prisons, together with PHE and the NHS. They are all working in extremely challenging circumstances.

I will start by explaining the general approach that we are taking in prisons to manage covid and then address the specific situation in Frankland against that background. It is important to understand the context before considering the particular measures taken in a particular prison.

From the outset of the pandemic, the safety of our staff and those in our care has been paramount. We have at all times been conscious of the potential for the virus to spread quickly in prisons, which, as they are closed environments, could lead to significant number of deaths. Indeed, in March, at the beginning of the outbreak, PHE advised us that we could expect 2,500 to 3,500 deaths in our prisons if we took no action.

When the first wave hit, we took decisive action early and changed how we delivered our services. We implemented significant restrictions in prisons to support social distancing, reduce physical contact between staff and prisoners and minimise movement between prisons. We stopped social visits and transfers.

[Lucy Frazer]

To protect the most vulnerable, we quickly implemented our compartmentalisation strategy, which quarantines new arrivals, isolates the sick and shields the vulnerable. We brought in mitigations to cover staff absences and provided extra support for prisoners facing restricted regimes as well as those being released from custody during this challenging time.

We also recognised that the lockdown had an effect on the mental health of those in our care who were subject to the restricted regimes. We thought about ways in which we could continue to allow them to have contact with their families. We rapidly deployed video calling into 50 prisons within weeks. That helped maintain family contact for prisoners when face-to-face visits were not possible.

That robust response by Her Majesty's Prison and Probation Service, working extremely closely with PHE, meant that we limited the number of deaths in custody. Sadly, 24 prisoners died of covid-related causes during the first wave. Although that is considerably less than the thousands of deaths that PHE initially modelled back in March, it does not detract from the loss experienced by the families of those individuals who passed away. I offer my sincere condolences to their loved ones.

In the 12 months to September 2020, 176 prisoners died of natural causes, including covid. That is only six more than in the previous 12 months. Each life lost is a tragedy and that is why we are doing everything to manage potential outbreaks of the virus across the prison estate in the second wave. However, we must also recognise that, given the length of time since the virus began, we now need to allow prisoners more flexibility in their regimes.

We recognise that the burden of covid-19 goes beyond the risk of infection. We are alive to the risk that anxieties about covid-19 and the regime restrictions required for infection control may exacerbate prisoners' mental health needs. We take that extremely seriously.

We are now, thankfully, better prepared than we were in March to respond to the challenge and therefore some flexibility in regimes is now possible. We are continuing all the measures we put in place in March, but in addition, we have more effective measures from wave one. For example, we now have greater capacity to test prisoners and staff for the virus. We are implementing the weekly testing of staff and that of prisoners on reception and transfer. That is an essential tool to help identify outbreaks early, reduce transmission and bring outbreaks under control as swiftly as possible.

Our aim is to balance the risk of infection with managing prisoners' wellbeing. To do that, we need to run the fullest regimes possible consistent with infection control. That is why we have given our governors the flexibility to react to the local situation, acting on PHE advice. We published our national framework in June. That sets out how we will take decisions about restrictions in prisons. It allows prisons to move between different stages of regime delivery according to their local circumstances.

We eased restrictions in prisons over the summer, but we knew that in some cases we would need to reimpose them temporarily as the risk changed or as part of our response to outbreaks. Although our interventions reduced

the likelihood and impact of covid-19 spreading in custody, we realise that we cannot reduce that risk to zero. Prisons cannot and should not be cut off from the community. If the number of cases in the community rises, the likelihood of an outbreak in the local prison will also inevitably rise. We are therefore ready to intervene quickly in response to suspected or confirmed cases among staff and prisoners, and to provide further support. Our success in closing outbreaks in prisons in both the first wave and the second wave shows that our approach is effective.

Having outlined our national response, I now turn to the situation at HMP Frankland. I very much welcome the conversation I had with the hon. Member for City of Durham earlier today to understand the concerns that she raised. I have also had an opportunity to speak to the governor at Frankland. I thank him and his staff, and all those working in prisons, for all their efforts in this challenging period.

On 13 October, an outbreak was declared at the prison after members of staff developed symptoms and tested positive for covid-19. As the hon. Member mentioned, Her Majesty's Prison and Probation Service, PHE and the NHS took immediate action and a multi-agency outbreak control team was stood up to manage the response. In response to that, affected areas of the prison were quarantined, contact within the prison was reduced to a minimum and social visits were suspended. Cleaning practices across the prison were enhanced and all staff and prisoners are now wearing face coverings.

A mobile testing unit was deployed to the site and contact tracing carried out to identify close contacts needing to isolate. That mobile testing has now been replaced by regular on-site testing within the prison itself. Staff are being deployed in groups to assigned wings of the prison to minimise the chance of cross-infection. Prisoners are grouped in bubbles for access to essential services such as showers, phones and medication.

As I set out earlier, we have planned for outbreaks such as the one in Frankland. Although prisons are, by their nature, complex and high-risk settings for covid, I have every confidence in the range of measures that we have in place to contain outbreaks. The governor of the prison has told me that the measures he is taking are having an impact, but of course we will continue to monitor the situation closely.

I would like to respond to some of the particular concerns that the hon. Member raised. She mentioned that the regime should go to level 5. Frankland is currently operating at the most restrictive measure within the framework that is reasonable in the circumstances. We cannot take away basic dignity—basic decency—for the men. It would be difficult to take away a shower and some time in the open air. Indeed, as the governor said to me earlier today, if we did so, we would not only put the mental health of the men at risk, but would heighten tension in the prison and put our staff at risk.

The hon. Member suggested that the POA and PHE support a different regime. I understand that PHE and the governor have agreed on a regime that both minimises the risk of infection and is operationally deliverable, and that continues to protect staff and prisoners from mental ill effects in the manner that I have described.

I, too, would like to thank the POA for its constructive approach. At national level, throughout this crisis, HMPPS has worked very closely with the POA, and I thank it for all its constructive work in this period. As the hon. Member mentioned, there has been a meeting locally at HMP Frankland every morning with the POA to discuss management of the prison, and relations with the POA locally are good. I understand from the governor that the local POA did not raise any concerns about the management of covid at the prison.

The hon. Member raised the issue of staffing. She is absolutely right to highlight staff absences at the prison. I have been reassured that the staff complement is sufficient, given the restrictive regime. As this is a high security prison, the staffing is higher than at other prisons. Of course, with a restricted regime it is also possible to operate with a lower number of staff. We keep all those measures under consideration, and

have contingency measures in place across the country to ensure that additional staff and support can be provided where we have low staff complement.

The right hon. Member for North Durham (Mr Jones) mentioned the Prison Service's approach to those who are shielding or who might have other issues. If there are any particular instances, I will be happy to take them up; it is very important that we look after our staff across the estate. There was also a question about in-cell telephony. We have installed that over the last 18 months in 48,000 cells. Frankland is on the programme, with the aim to roll out for 2021-22, subject to funding.

We will continue to act based on public health advice to protect our staff, prisoners and the NHS over the winter.

Question put and agreed to.

7.30 pm

House adjourned.

Westminster Hall

Tuesday 24 November 2020

[ESTHER McVEY *in the Chair*]

Charity-funded Medical Research

9.30 am

Esther McVey (in the Chair): I remind Members of the changes to normal practice to support the new call list system and ensure that social distancing can be respected. Before they use them, Members should sanitise their microphones using the cleaning materials provided, which they should dispose of as they leave the room. Members should respect the one-way system around the room.

Members may speak only from the horseshoe and only if they are on the call list. Even if debates are under-subscribed, Members cannot join the debate if they are not on the call list. They are not expected to remain for the winding-up speeches, and there is less expectation now that Members will stay for at least two speeches: once they have spoken, they may leave the room.

Dr James Davies (Vale of Clwyd) (Con): I beg to move,

That this House has considered recognising and preserving the value of charity-funded medical research in the 2020 Spending Review.

It is a pleasure to serve under your chairship, Miss McVey. I should like to record my thanks to the Backbench Business Committee and the Chairman of Ways and Means for granting time for this important debate before tomorrow's spending review. I also thank the British Heart Foundation for its assistance with preparations for this debate.

The UK Government website states that

"our world-class research and researchers play a vital role in delivering local and national economic prosperity but we recognise that some of that research is at risk from a range of income losses as a result of Covid-19."

I agree wholeheartedly with that statement and emphasise that we acknowledge the extremely valuable scientific and medical contributions that they make.

As I hope to set out, charity-funded medical research has lost a great deal as a result of covid-19. If its contribution to the UK and, indeed, to the world is to continue, the Government must consider further support, particularly ahead of tomorrow's spending review.

Life sciences research and development is funded through a broad partnership between Government, universities, the private sector and charities. In 2019, charities funded £1.9 billion in UK research and development. This year, medical charities have seen the closure of their charity shops, the cancellation of fundraising events and a drop in public donations.

The true value of charity-funded medical research is often under-appreciated, and to understand the gravity of the situation in which the sector finds itself we must first acknowledge the contributions it has made to society in a normal year. A 2017 report published by the Association of Medical Research Charities found that 397 unique medical products and interventions were

produced further to charitable awards, most of which were drugs and diagnostic tools but the list includes a gas delivery ventilator system to help to protect long-term brain function in babies starved of oxygen at birth and new immunotherapies for cancer. These are practical benefits of research that save lives immediately, but in the medium to long term the development and sharing of knowledge is key.

Medical research charities have produced hundreds of models and more than 26,000 unique publications that go on to inform research for years to come. The production of such publications is not straightforward or free: it is largely unseen work that is essential to developing practical solutions to healthcare challenges. This knowledge, which has improved our understanding of diseases such as Alzheimer's dementia, has also been used to inform policy making.

Throughout this pandemic the Government have outlined that their policy decisions have been guided by the science. I fully support that approach and I know that it extends to all medical and healthcare policies. The Association of Medical Research Charities reports that in 2017 there were 166 citations in policy documents which referred to research linked to medical research charities and 536 examples of researchers directly providing advice to Government. From clinical reviews to participation in advisory committees, the combined knowledge of medical research charities and their staff has critical value.

It is important to note that practical healthcare solutions and knowledge development are not exclusive to the research of major diseases. Thousands of people in the UK live with rare diseases and in 2018 alone medical research charities invested £142 million in 640 rare disease projects. Without ongoing research conducted by well-funded specialists, we risk declining health outcomes for many who suffer from all conditions, but particularly those that are less common.

Further to the expansive scientific and practical value of charity-funded medical research, there is a significant economic element. Last year, in Wales alone, 53 charities funded 289 active grants worth £89.7 million benefiting research institutions such as universities and NHS organisations. More than one third of charities associated with the AMRC projects that are being carried out are in Wales. At pre-pandemic levels, more than 17,000 highly skilled jobs were supported directly in the sector throughout the UK. It is thanks to the tireless work of these experts and their support teams that, for every £1 spent on research by public and charitable funders, there is a return of 25p per year in perpetuity. The financial value of the charitable sector is perfectly demonstrated by the British Heart Foundation, which made an investment of £476 million last year, leading to researchers leveraging £1.27 billion.

Unfortunately, as has been seen across the board, covid-19 has been catastrophic for medical research, posing immediate challenges as well as medium and long-term charity-funded uncertainties. The AMRC estimates that such charities lost 38% of their fundraising income between March and May 2020, leading to an immediate shortfall of £310 million this year. Predictions go on to warn of a 41% fall in research spend in this financial year, and reports from the Institute for Public Policy Research expect a shortfall of up to £7.8 billion in UK research and development spending between

[*Dr James Davies*]

now and 2027. The British Heart Foundation alone lost £10 million in revenue during each month of the spring lockdown, and current restrictions will cost another £7 million. Because of this, the organisation has already halved its research budget for next year—a reduction of £50 million. Likewise, Cancer Research UK has been forced to cut £44 million from its research spending. Unfortunately, this approach has been necessary among many other charities, too. The current trajectory shows that it will be at least half a decade until we return to pre-pandemic levels and without a change there will be significant implications for jobs and health outcomes.

I know that many charities are grateful for the support that they have received from the UK Government through schemes such as the coronavirus job retention scheme, which has been extended to March next year, but with the overall reduction in income and consequently fewer research projects, many of those positions may not be sustainable. A survey of more than 500 charity-funded early career researchers in the UK found that four in 10 are considering leaving research due to funding concerns arising from the covid-19 pandemic. In total, half of researchers say that their funding will expire by the end of 2021. Of those, two thirds have been unable to secure funding to take them to the next stage in their careers. Cancer Research UK worries that, without support, it could be forced to lose 1,500 researchers—more than one third of its research workforce. It is worth putting on record that such jobs are highly skilled positions that require extensive research infrastructure and if we lose them, they may never return. Muscular Dystrophy UK notes that it funds new PhD students at each grant round, so without financial support not only are we damaging the industry now but there will be worrying implications for British research.

Medical research charities have, sadly, been unable to access the £750 million of additional funding made available in April to support charities providing essential services. This is despite many charities pivoting their research to support the national covid-19 effort, including Cancer Research UK labs providing testing kits and Asthma UK providing an essential post-covid hub and helpline for people left with breathing difficulties.

The number of patients entering Welsh research studies fell by 23.8% between 2018-19 and 2019-20. At the UK level, at the height of the first lockdown, the AMRC reports that 73% of clinical studies and trials funded by charities were paused or delayed. This number remained at 43% even in September. The expectation of some in the industry is that, unfortunately, some of these trials will never restart. We must do all that we can to reverse this trend.

So what action is required? It is vital that we fund research to better prevent, diagnose and treat illnesses, a view shared by my constituent Mandy Swift who sustained two heart attacks in her early 50s and spoke out recently about the need for women to better understand their risk of a heart attack and its symptoms. Preserving charity-funded medical research needs to be a priority for the Government. We now stand at a crossroads and decisions taken in the days and weeks ahead can influence the future of charity-funded medical research for the next decade. As we reach the end of the transition period and want to retain our status as a global leader in this sector, we must provide the support that is necessary.

The Government have already pledged money through the sustaining university research expertise—SURE—package. I am delighted that, by introducing this programme, the Government have publicly acknowledged the value of our unique research and development ecosystem. However, it is unclear how charities will be able to engage with this funding. The spending review and the Chancellor's statement tomorrow is an ideal opportunity to bring forward the further support that is much needed. I know that the charity-funded medical research sector is one of the many sectors calling for a bespoke package of support and, indeed, I am sympathetic to calls from many other industries. However, the unique contribution of medical research to our health, wellbeing and economy is unmatched. Charities fund research in every region of the UK, contributing to regional growth and the Government's levelling-up agenda. Ultimately, this research also leads to health improvements, particularly in areas of unmet health need and inequality.

Organisations, including the AMRC, the Royal College of Physicians, the British Heart Foundation, Cancer Research UK, Muscular Dystrophy UK and the Francis Crick Institute, have all been in touch with me in the run-up to this debate calling for a life sciences charity partnership fund. This proposal centres on the three-year settlement to provide a match-funding arrangement that would contribute £310 million in year one to protect and enhance our status as a science superpower. The parameters of such a scheme could be settled upon by the Treasury in consultation with the sector. The Royal College of Physicians specifically notes that funding should be targeted to support more research activity in rural areas, such as north Wales, that often carry the highest disease burden but the lowest research activity. Some 40% of those working in rural hospitals would like to be more involved in research, and that figure is 12% higher than for reported respondents in city hospitals.

The Royal College of Physicians has proposed that, in areas where research activity is low, a trial should be programmed whereby 20% of consultants have 20% of their time protected for research. Such potential approaches are important. As the AMRC points out, during the pandemic its members in Greater London have been twice as likely to have secured funding than those outside the capital, leading to a risk that a charity funding crisis may exacerbate regional divides. Without much-needed support, more than 50% of the AMRC's members have indicated that the impact of covid-19 on their research portfolio will have implications for the UK's ability to attract research talent and global research leadership.

As the Government publicly acknowledge, we have a world-class research system and researchers too but, as a result of covid-19, thousands of scientists and projects are at risk. That concerns me greatly as a GP. Charity-funded medical research has been an intrinsic part of our national R&D ecosystem for decades, contributing to major scientific breakthroughs, the advancement of knowledge and economic growth. Without action soon, we risk years of poor research outcomes and thousands of highly skilled jobs being lost. Although some support has thankfully been made available, I believe that the spending review provides the Government with the perfect opportunity to extend that, ideally through a life sciences charity fund. I hope that such a plan is already in the Chancellor's mind. If not, I ask the Minister to make him aware of today's debate.

As the UK Dementia Research Institute notes, charity-supported medical research has been prominent in national efforts to tackle the outbreak. As attention turns to long-term impacts, we must ensure that medical research is supported now and into the future.

Esther McVey (in the Chair): I plan to call the Front-Bench spokespersons no later than 10.30 am. I hope that will allow colleagues to judge the length of their speeches.

9.45 am

Liz Twist (Blaydon) (Lab): It is a pleasure to serve with you in the Chair, Ms McVey. I congratulate the hon. Members for Vale of Clwyd (Dr Davies) and for Bolton West (Chris Green) on securing this important debate.

Most of us will have put dignity to one side and “worn it pink” for Breast Cancer Now, piling on feather boas, hats and Elton John-style pink specs. It is a bit of fun, but it has a serious point. More than 150 MPs took part in 2019, and the charities Breast Cancer Care and Breast Cancer Now say that the Wear it Pink campaign has raised over £33 million in the last 17 years to fund breast cancer research and support. It is just one of the many activities helping charities to raise essential funds to support the cancer research that is so desperately needed, and it is helping to improve cancer survival rates.

This year is different, though. Understandably, covid-19 has meant that Wear it Pink and so many other events cannot take place. Although we might wear pink at home, it is not quite the same. Of course, such parliamentary events are just the tip of the iceberg in raising funds. Our charities have been hard-hit by the effects of covid-19. Their fundraising activities right across the sector have been hugely hit by the restrictions on holding events. Charity retail shops have had to close, resulting in a huge loss of income. It has made it more difficult for them to meet and engage with people, and to raise the money on which they rely to carry out their activities and to fund the research that makes such a positive difference to our knowledge of, and treatment for, the conditions that they work on.

I mentioned Breast Cancer Now. Most of us have been affected by breast cancer at some time in our life. In my case, no fewer than four of my aunts have been treated for breast cancer—thankfully, all successfully. It was only two weeks ago that we heard in the main Chamber from the hon. Member for Chatham and Aylesford (Tracey Crouch), who is undergoing treatment for breast cancer. Breast Cancer Now, which has provided a very helpful brief for the debate, has pointed out that 55,000 women and 370 men are diagnosed with breast cancer each year, that one in seven women in the UK will develop breast cancer, and that 35,000 people are living with incurable secondary breast cancer. It remains the case that almost 1,000 women die from breast cancer each month in the UK, with 600,000 living with or beyond breast cancer.

Covid-19 has had a severe impact on clinical trials. Breast Cancer Now points out that recruitment to many clinical trials was paused, and that the virus stopped new and ongoing trials, as healthcare professionals were asked to prioritise frontline care. I hope the Minister can say what the Government will be doing to improve the rate at which clinical trials will be restarting recruitment.

Members of the Association of Medical Research Charities have together invested £14 billion in research since 2008, with £1.9 billion spent on UK research and development in 2019 alone. That is more than was spent by the Medical Research Council and the National Institute for Health Research. It is half of publicly funded medical research nationally, and 66% of total research spend on cancer. Members of the Association of Medical Research are planning for an average 41% decrease in research spend in 2020-21. Many other charities are also facing difficult problems. The hon. Member for Vale of Clwyd mentioned the British Heart Foundation; many of my constituents have been in touch to talk about the importance of ensuring that its research continues.

I want to look briefly at two charities at opposite ends of the scale. Muscular Dystrophy UK supports people with neuromuscular conditions and the research that produces new treatments for those conditions, dealing with quite a small group of people as a percentage of the population. The charity points out that covid-19 has produced a shortfall of £310 million in charity research investment, and that although the Government have provided £750 million of support to charities, none of that was for charity research. Muscular Dystrophy UK estimates that it will take over four years for its charity research fund to recover, but a decade to rebuild what would be lost in terms of capacity and capability.

Muscular Dystrophy UK’s research relates to rare or ultra-rare conditions, supporting research, infrastructure and capability, and sustaining a diversity of funding approaches, including those that are high-profile and high-risk. It involves people with lived experiences of neuromuscular conditions to set research priorities through its lay research panel and its medical research committee. It has also supported research into gene therapy for Duchenne muscular dystrophy, cell-based screening for myotonic dystrophy and exome sequencing—all projects that have produced important outcomes, have led to further potential treatments that will make such a difference to those with neuromuscular life-limiting conditions. So those are really important issues, and the pandemic is limiting what can be done.

At the other end of the scale of numbers is Alzheimer’s Research UK. It works on behalf of a much wider group of people, who live with the impact of Alzheimer’s and dementia—sadly, another condition that most of us will be touched by in the course of our life, either in people we know or ourselves. Alzheimer’s UK points out that covid-19 is not the only health crisis that the UK is facing, and says that dementia is the only condition, of the top 10 leading causes of death in the UK, for which there is no treatment to prevent, cure or slow its progression; and that it is predicted that 1 million people will have dementia by 2025. There is an urgent need for medical research into Alzheimer’s, and that is largely funded by medical research charities such as Alzheimer’s Research UK.

Covid-19 has hit people with dementia hard. A quarter of people who have died from covid-19 also had dementia. Research is urgently needed, but it is facing delay due to the pandemic. Funding opportunities have been reduced and social distancing has slowed the pace at which researchers can work. We know, too, that dementia has a huge impact on too many people. It is vital that we support research into the causes of dementia urgently, even in these difficult times.

[Liz Twist]

The medical research charities have come together to propose a way to ensure that that vital research for both rare and widespread conditions can continue. They point out that the current Government support for charities and Sustaining University Research Expertise—the SURE fund—is not a long-term solution, so they are calling for the Government to create a life sciences charity partnership fund over the next three years, starting with £310 million in year one, to meet that shortfall.

Our medical research charities play a huge part in developing future treatments for so many conditions. If we are to maintain that progress in cancer research, rare conditions, dementia and so many other things, the Government must help, so I ask the Government to commit, in tomorrow's statement, to supporting that vital work.

9.54 am

Chris Green (Bolton West) (Con): It is a pleasure to follow my hon. Friend the Member for Vale of Clwyd (Dr Davies) and the hon. Member for Blaydon (Liz Twist)—a couple of excellent speeches, capturing the key features of what we need to be thinking about in this debate, and what the Government ought to be redoubling their efforts to focus on. We only have a day before the spending review, so hopefully the Minister will be busy after the debate, pressing the case for that vital funding.

This debate on the importance of recognising and preserving the unique value of charity-funded medical research in the upcoming comprehensive spending review is incredibly timely and incredibly important. It represents an area that has not received much attention to date; covid and its associated lockdown have had an impact on so many other aspects of our society that this area has barely been looked at. However, the consequences of the impact on the sector are profound and will be realised over many years to come, not only in terms of what it does, what it achieves and the advances it creates, but also the people working in that sector and the treatments and medicines that come from it.

We should be cautious when the Government approach anything that has unforeseen consequences. They are pulling on strings, and we quickly realise how much is unravelling. We have seen other areas of society that are facing great difficulties get funding or other support. As the thread unravels further, we are coming to the charitable medical research sector.

We initially thought the national lockdown would be for three weeks, beginning in March. It seems that round every twist and turn of the road we see yet another deadline, yet another target being drawn out; the next target was expected to be November, and it has been pushed back to Easter. We will soon, after a fashion, be celebrating our first anniversary of national lockdown in one form or another, and the impact over that one-year period is profound.

We know that the direct impact, in terms of health, has already been about 5 million fewer hospital appointments, tens of millions fewer GP appointments and millions fewer cancer screenings. We know the impact on mental health as well. That is more cause for

the charitable sector in medical research to redouble its efforts in terms of work and to gain the support it needs from the Government.

We have a sense of the economic impact, which is counted in the hundreds of billions of pounds. That is extraordinary—incomprehensible; but more locally it is affecting our high streets, of which charity shops are a key part. Many research charities gain a very significant amount of their income from high-street charity shops, as do many other charities, such as the hospice movement. So much of that income has been taken away.

We also see the terrible impact on education. Schoolchildren have lost about six months of the school experience. Many schools have done a great deal of good work to ensure that loss is not too great, but many others have not been able to do so. We know that those children have lost out significantly, and some children in my constituency—and I am sure those of other hon. Members—have already missed a couple of weeks, or perhaps two sets of missed weeks, of school when classes, or even year groups, have been sent home because of covid. Therefore many students have lost four weeks of education, and by Christmas it might be six weeks. This is going to carry on until Easter.

The impact on the university sector is enormous, disrupting education. Where will those children and young adults end up? Hopefully, many of them will end up as technicians, engineers or researchers in the charitable medical research sector. Their loss of education, of experience, will have an impact on that sector in the future, and it will have an impact on their ability to get those jobs—those skilled, brilliant jobs. Their ability to get such jobs will be hindered partly because the jobs will not exist if this situation continues, but also because they may not get the experience or qualifications they need.

We can see how this reverberates through our society. Yesterday, the hon. Member for Newcastle upon Tyne North (Catherine McKinnell) led a debate on the closure of sport and gyms, and the impact that their absence will have on health. In normal times, if we are told to jog on, or take a hike, that is seen as quite negative—at least, it always has been when I have heard it. However, for the medical research charity sector, jogging on and taking a hike—or doing sponsored walks or marathons—are a major source of income. That has gone. The London marathon this year was for elite athletes, and the Bolton marathon, which was to have been run for the first time in many years, was cancelled. Those opportunities—the core ways in which the charitable sector receives much of its income—have been taken away. Who would have thought that that would happen, when we were deciding in March to go down the route we did? I dare say none of us had any anticipation of where things would end up today.

It is important to understand the scale of the sector, which is enormous. For example, in 2018 the Association of Medical Research Charities invested £142 million into 640 rare disease projects. That is investment on a colossal scale. Probably tens of thousands of people overall are involved in clinical trials—particularly in the charitable medical research sector—so there is an impact on recruitment for clinical research, and although 3,203 or 49% of commercial and non-commercial studies are open to recruitment, only 26 have recruited a participant since 1 June. That is a huge loss of recruitment to clinical trials.

What does that mean? We have to think of the meaning and impact of those significant figures. It is about a treatment, in one form or another, that could and should be given to people for a clinical trial period. It might not be effective, but it might well be. A trial would give people hope of receiving treatment and support. That is particularly important in relation to rare diseases, where people often feel neglected because there is not the focus on those diseases that there is on higher-profile disease conditions. Medical trials give people hope that treatment for rare diseases is being focused on and supported and that, although it may take years, a treatment will arrive at some point. However, there is an impact on people and their families when clinical trials are closed down and that hope is taken away.

As the lockdown caused by covid rolls on, the period for restarting a clinical trial is pushed further and further back. That is not just because of the duration of the lockdown and difficulty in recruiting people to the trials, but because of funding. If there is no funding, the organisations cannot even start the process of clinical trials. The British Heart Foundation is funding more than 1,700 research staff, working on more than 800 research projects, and it also funds 440 early-career researchers. That is a huge number of people in the sector. The Francis Crick Institute in London has 1,500 scientists, students and support staff working across a variety of disciplines, and looking at illnesses such as cancer, heart disease, stroke, infections and neurodegenerative diseases.

Large organisations are often more resilient because they have better funding streams. Smaller organisations, perhaps more often looking at rare diseases, have less funding for what they are doing, so they are far less resilient. All of this, coming together, gives a clear and powerful reason why the Chancellor, the Minister and others need to act to ensure that this focus—this funding—is there on a sector of our society that is often neglected and not thought about but that, when our friends and our families are hit, is so highly valued and so highly prized.

I urge the Minister to ensure that life-saving medical research can continue throughout and beyond the pandemic lockdown. Government must establish a life sciences charity partnership fund commencing with a commitment in the spending review to an initial £310 million for 2021-22. That may have to continue into following years. It is estimated that, to recover, if Easter sees the end of the lockdown period, the challenge for the sector may carry on for another four years or more. The funding has to follow the sector for at least that period of time.

In conclusion, if we are—I do not like the phrase—to build back better and ensure value for money and the effectiveness of research, we must recognise that the north of England, and particularly Manchester and its surrounding areas, has great expertise in this area. When we are looking at value for money and cost-effectiveness, the golden triangle is magnificent in so many ways. However, when looking at investing in the future, the medical research sector and Government should be thinking about Manchester central, the city of Manchester and the wider area. I hope the hon. Member for Manchester Central (Lucy Powell) will press the Minister on that point as well.

10.7 am

Wera Hobhouse (Bath) (LD): It is a pleasure to speak in this debate with you in the Chair, Ms McVey. This is a timely debate ahead of tomorrow's spending review. As the chair of the all-party parliamentary group for eating disorders, I will focus my short remarks today on eating disorders and research funding.

We have already heard that covid-19 has had a devastating effect on the charity sector more generally, with income from fundraising lost during lockdown. The value of the expertise of medical research charities has never been more stark, yet they were not included in the Government's £750 million support package. The charities are a huge driver of medical research in the UK, and we have already heard some of the numbers, but they are worth repeating. Members of the Association of Medical Research Charities invested £1.9 billion in 2019 alone. That is 51% of publicly funded UK medical research. They face a shortfall of up to £7.8 billion between now and 2027, according to the Institute for Public Policy Research.

I want to draw some attention to the importance of charity-funded medical research to understanding and treating eating disorders. The impact of an eating disorder can be devastating, and there is a pressing need for more research. We have heard particularly about specialist and rare diseases, but eating disorders are widespread and have epidemic proportions in many ways. Eating disorders are especially prevalent among young women, affecting about 15% of that age group, but the truth is that eating disorders do not discriminate. That is an important factor. According to the charity Beat, up to 5% of the population will experience an eating disorder.

Eating disorders are all-consuming. They have an impact on social relationships, quality of life and physical health. Anorexia nervosa is one of the most common forms of eating disorders and has the highest mortality rate of any mental health condition. According to the Medical Research Foundation, up to half of people with an eating disorder have self-harmed. Despite all of that, there is still limited research focusing on the causes of eating disorders. There is a serious lack of investment for mental health research in general. In a study last year, the charity MQ: Transforming Mental Health found that eating disorders were among the mental health conditions that received the least research funding.

In recent years, medical research charities, including several members of the Association of Medical Research Charities, have played a hugely welcome role in funding and supporting eating disorder research. Often, the chances for early interventions for eating disorders are missed, and treatments may not always be effective, so many patients are admitted for expensive hospital treatments. Currently, fewer than half of individuals with an eating disorder reach full recovery. Again, that is an important statistic: half never reach full recovery. That means a large proportion of people in this country are affected by eating disorders.

Studies funded through medical research charities have included research into self-harm and eating disorders, as well as the treatment of adults with anorexia and autism. In February, the largest ever study of eating disorders, the Eating Disorder Genetics Initiative, was launched. This seeks to build on existing research, which shows that genetic factors are involved in eating disorders.

[*Wera Hobhouse*]

In conclusion, eating disorders are serious conditions and can be potentially life-threatening. These studies help us to understand more, about not just the treatment of eating disorders but the underlying causes and common risk factors; they may even prevent eating disorders from developing in the first place. It is crucial that these charities receive the financial support they need, so that they can continue to play this vital role.

I, too, add my voice to the many here today. Medical research funding is so important, and it needs support from the Government. I urge the Minister to make her voice heard in the spending review tomorrow.

10.12 am

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under you, Ms McVey. I congratulate the hon. Member for Vale of Clwyd (Dr Davies) on securing today's timely debate and the Backbench Business Committee on granting such a debate.

"A statistic will never truly capture the devastating impact research cuts will have on all of us. Research is hope. Research is more time with your loved ones. Research is improved quality of life. Its value is immeasurable."

Those are not my words, but those of Aisling Burnand, the chief executive of the Association of Medical Research Charities. We have heard much today about the investment the AMRC has put into lives of so many of our constituents. Some 151 charities, which have joined together with the public through their fundraising efforts, have spent £14 billion over the last decade in funding 17,000 research staff and driving 213 clinical trials, advancing the frontiers of medicine and enhancing lives as they go. As we have heard in today's debate, they also bring resources back. Not only does every £1 invested bring 25p back into the economy on a permanent basis, but charities save our NHS so much money through their early interventions and by advancing the frontiers of medicine.

However, covid-19 has disrupted the incredible story of how charities play a central role in advancing science and the UK's global excellence in this field. That partnership really makes its mark in advances in medicine.

Chris Green: The hon. Lady is making some excellent points. Does she share the view that there is immense collaboration with the private sector, universities and research institutes, as well as the charity sector, and that that ecosystem, which is so often talked about, is key to our position in the world and our contribution to the world?

Rachael Maskell: I thank the hon. Gentleman for that intervention. The interdependence of the various sectors in coming together really puts the UK in a unique position in the way it advances so much medicine. Over recent months, in response to covid-19, we have also seen the incredible work of all the sectors, which have come together to try to beat this virus. Charities play that crucial role, and they are playing it today as they try to support individuals through this difficult time.

We know that a £310 million shortfall in funding will have significant consequences. Cuts always do. As we heard, it will take about four and a half years to recover from the downturn. Tragically, that will all be too late

for some. This year alone, it is predicted that we will see a 41% decline in research spending. Many PhDs, fellowships and other opportunities will be denied, cutting vital skills in medical research. If postgraduate researchers do not have the opportunity to apply their skills and knowledge, we will be at risk of losing a generation of medical research. That is why significant investment is needed to save the sector.

With 34% of staff furloughed, clinical trials have been paused and delayed to protect research in the longer term. Without additional funding, there is little hope that those trials will restart. That means that families, such as that of a constituent who came to me, will never see the opportunity to extend their lives and to have a quality life for longer.

The sector is rightly calling for a life science charity partnership fund to fund the research part of its work. That would be built on a match funding principle and would start with a three-year programme of investment into research. The Medical Research Council is seeking a commitment of £310 million in its first year to match the funding it has lost this year due to the lack of funding resource. Not only will that research-driven approach help with economic recovery in the wider field and reduce unemployment, but it help us to continue to lead advances in medicine.

Like all charities, medical research charities have not been served well during this crisis. In fact, that has been a major oversight on the part of the Government. Medical research charities provide not just research but crucial support to their beneficiaries. Over the last six months, I have met many research charities, which have told me about the work they are undertaking, and that work has expanded during the pandemic.

Many organisations provide support services to the people and families who depend on them. The NHS is less accessible, so people have turned to the charities they know and trust for additional advice and support. Regular therapeutic interventions have often not been available on the NHS because of its focus on covid-19—we all understand that—and appointments have been cancelled. People have turned to the charities they know and the relationships they have to seek advice on issues such as where to get food, shielding, what protections they have for their health, and how to support relatives and family members at such a delicate time.

Other organisations, which would normally provide psychological support or respite support or perhaps fund parents to stay near their child as they receive treatment, have also been under great strain. Many of these organisations have described demand for their helpline more than doubling as people turn to them for support. However, they have not received additional support from the Government in response to covid.

Yes, the Government did provide £750 million to all charities, although we must remember that 168,000 charities have had to share that money. However, I must stress that that money was for additional support directly relating to covid-19. Of that money, £2 million went straight to the hospice movement, and rightly so, although that money is now spent, and more is needed. The rest is being divided between the larger charities, and there is a pot for smaller organisations. However, the majority of charities have not received anything over this time, and we have heard today that medical research charities certainly have not had their share.

This was all a direct response to covid, and we have seen more demands being placed on charities, as I have set out. That has also meant that more investment is needed by those organisations. Charities themselves may have direct funding for funded spend, but they are really struggling with their core costs. If their core costs are not met, the charities cannot deliver the specific outcomes we all know so much about from our constituents. It is vital, therefore, that the Government step up tomorrow with a package to address those core costs. Charities have already lost £10 billion in the last six months, and they predict they will lose 60,000 staff. Some 20% of charities will not be there if the Government do not make that investment. They say they value charities, but charities need valuing with resources, and without those resources, they will not continue.

We know that fundraising opportunities have all but dried up. We know that retail, which has been successful since its return, has now been locked down yet again, and therefore the income of organisations is in a perilous situation. That is why the Government need to step up at this point. Many charities did not qualify for the grants that were available, and of course have struggled and still have bills to pay. As the charity sector says itself, rightly and proudly, it has never been more needed, but I would add that it has never been more in need. That is why it is vital that, after today's debate, the Minister goes back to the Treasury one more time to make the case for research charities and all charities, to make sure they have the research support, funding and investment they need.

Charities are not an optional extra. We know that because, as we have heard during today's debate, the outcomes they deliver—in not only research but care support and civil society—transform people's lives. Some 7 million people every year generously donate to medical research charities, often as the result of personal experience or the loss of a loved one. The paucity of the response compared with the public contribution needs to be addressed. Charities stretch their pound further than any other sector, and they provide the highest standards in research and care. They are essential, yet in just a few months' time, they may no longer be there. We need a robust response from the Minister today, and we need a financial response from the Chancellor tomorrow.

10.22 am

Neale Hanvey (Kirkcaldy and Cowdenbeath) (SNP): Thank you for chairing this debate, Ms McVey; it is a pleasure to speak in it. I thank the hon. Member for Vale of Clwyd (Dr Davies) for securing it and for his lucid and compelling presentation of his arguments.

For most of my career in the NHS, I was involved in the delivery and management of clinical trials, from surgical interventions, radiotherapy and chemotherapy to nursing and allied health professional research. This activity was conducted in the pursuit of improving cancer treatment and outcomes, but clinical trials are also essential in developing effective treatments for multiple sclerosis, myalgic encephalomyelitis, Alzheimer's disease, arthritis, Parkinson's disease, heart and lung disease, and many others. While we may all hope that we will not rely on this research at some point in the future, the progress that is so regularly made reassures us that we are often at the vanguard of effective treatments and care.

However, clinical trials do not appear out of thin air. They are underpinned by groundbreaking scientific discoveries that must translate from bench to bedside, where research initiated in the laboratory is safely developed for clinical use to provide direct benefits to patients. Such translational research evolves from basic experiments in the laboratory—at the bench—to pre-clinical research, before commencing study design, protocol development, and then starting the process of phased clinical trials.

I intend to focus my remarks on childhood cancer, but before I do, it is really important to me—I pay tribute to the words that have already been said on this topic—to mention other vital charities that have made enormous advances in care, but that have yet to receive any meaningful support during the pandemic. The worthiness of these charities—CLIC Sargent, Teenage Cancer Trust and of course Macmillan Cancer Support, to name but a few—is beyond question. Their specialised support is a lifeline to so many. Many other disease-specific charities are in a similar boat, so we must not forget them either.

Every single day across these islands, 12 families get the heartbreaking news that their child has cancer. Although I have participated in the breaking of such distressing news more times than I care to recall, as a parent I still cannot imagine how such news must feel. Despite the fact that much of my clinical and academic work focused on teenage cancer care, I still find the statistics shocking. About 4,500 children and young people are diagnosed with cancer each year, and although significant progress has been made in recent years in developing treatments—for leukaemia, for example—due to the often rare nature of cancer diagnoses at that age, it is still the most common cause of death in under-15s across the UK.

Covid-19 is having an unimaginable impact on charity fundraising—the lifeblood of the research process—and is putting vital treatment developments at risk. Medical research, development and innovation are an integral and vital part of the NHS and Scotland's health strategy. Charities' funding has been hit hard during the pandemic at a time when many of the causes they exist to support have come under additional pressures. It is therefore incumbent on the UK Government to ensure that the comprehensive spending review is not wasted on warfare but rewards the life sciences, which have been the only effective weapon in our armoury against covid. That must include supporting charity-funded medical research.

I recently spoke to Mark Bridger, chief executive officer of Children with Cancer UK, an organisation that has raised more than £250 million since its creation in 1987 to support families and improve childhood cancer survival rates. The groundbreaking research it funds has led to the development of kinder, more effective treatments with fewer debilitating toxic effects. Childhood cancer survival rates for some cancers have subsequently increased from 64% in 1990 to 84% in 2017.

Children with Cancer UK has warned that it faces an income loss of about 40% as a result of the covid pandemic. It warns that, without additional support, much of its planned medical research will be cancelled, setting cancer research back by many years. It is not alone. A study this year revealed that charities in the UK are facing a £10 billion shortfall, and that as many as 10% face bankruptcy.

[Neale Hanvey]

Members of the Association of Medical Research Charities are calling on the Government to commit to a life sciences charity partnership fund—a co-investment scheme that would provide a level of match funding from the Government for future research. AMRC charities play a vital and unique role in the UK's research sector, funding 17,000 researchers' salaries across universities, the NHS and other bodies. They invested £1.9 billion in medical research in the UK last year.

The covid-19 pandemic had an immediate impact of those charities, with a reported 38% loss in fundraising income, 34% of staff furloughed and 18% of spend on research in universities cut or cancelled as a result of the initial lockdown period. The long-term impact of covid-19 on AMRC charities looks to be just as devastating, with an estimated £310 million shortfall in UK medical research spend. It will take four and a half years to recover to pre-pandemic levels. Medical research charities did not benefit from the Government's earlier package of support for charities, as medical research was considered outwith the remit of funding frontline services. It is vital that support for their work is included in the comprehensive spending review.

Charities have predicted that the shortfall could have a range of impacts, from preventing them from funding clinical trials and studies, to causing them to defer upcoming grant rounds and withdraw future funding. The British Heart Foundation has already announced that it has cut spending on new research awards by half this year, from £100 million to £50 million. Cancer Research UK has also reported cuts of £44 million in its research funding, and it says that 40% of charity-funded early-career scientists are considering leaving research as a result of funding concerns caused by covid. Without that support, CRUK could be forced to lose 1,500 researchers—more than a third of its research workforce. Already, 61% of charities have had to cut or cancel support for early-career researchers and skilled research roles.

Such a reduction in charity-funded research will have a major impact on the future skills pipeline of research and put early-career positions at serious risk. This means that the UK faces the creation of a lost generation of researchers and experts. Scotland and the other UK nations are world-renowned for research quality. Yet if medical research charities do not receive further financial help, the damage could be significant and, in concert with a hard Brexit, could cause irreparable damage to the sector.

Last month I wrote to the Treasury, supporting AMRC's calls for the establishment of a life sciences charity partnership fund to support medical research charities. A total of 51 cross-party parliamentarians co-signed my letter, setting out the long-term consequences for the future of medical research and development without this urgent financial support.

We have called on the Government to provide at least £310 million in funding in the financial year 2021 to a life sciences charity partnership fund, to secure medical research for the next three years, thus preserving research charities' vital and unique contribution to society and to the economy. That would be matched by funding from charities to secure the continuity of their research.

Establishing such a fund would not only safeguard medical research funding at this vital time, but ensure that the research institutions can continue to invest in talent and skills at a time when they are sorely needed. The fund would help contribute to a shared ambition to invest unprecedented levels in research and development across the four nations of the UK, and form a global hub for life sciences. Today's medical research is tomorrow's curative treatment. Collectively, medical research charities have saved millions of lives. Thanks to research, cancer survival in the UK has doubled since the 1970s, so that today two in four people survive their cancer.

In the pursuit of addressing the covid health crisis, we must be mindful that, in not delivering support in the form of the life sciences charity partnership fund, we inadvertently create a health crisis caused by stalling, or otherwise compromising, life-saving research from the bench to the bedside.

10.32 am

Lucy Powell (Manchester Central) (Lab/Co-op): It is, as always, a pleasure to serve under your chairmanship, Ms McVey. I congratulate the hon. Members for Vale of Clwyd (Dr Davies) and for Bolton West (Chris Green), my near neighbour, on securing this extremely important and well-timed debate. We have heard some good and compelling speeches from across the board, from my hon. Friends the Members for Blaydon (Liz Twist) and for York Central (Rachael Maskell), and the hon. Members for Bath (Wera Hobhouse) and for Kirkcaldy and Cowdenbeath (Neale Hanvey). We are all making similar arguments.

By way of opening, we have heard many debates over recent weeks, both here and in the main Chamber, about the sectors and parts of our society that have been drastically hit by the consequences of the covid-19 crisis. I congratulate the hon. Member for Vale of Clwyd on bringing forward the debate because it is an area that has had a lot less attention than some others.

As others have said, as we are all making similar arguments, medical research charities carry out vital work that helps us to understand diseases and find new ways to treat, manage and prevent conditions. They provide that hope and support for many that would otherwise not be there. As the hon. Member for Vale of Clwyd clearly outlined, we have a world-class sector in the UK. From state-of-the-art brain imaging, which helps us learn more about the earlier stages in diseases such as Alzheimer's, to the development of novel techniques to help revive and repair donor kidneys before transplantation, and to the study of data to help speed up cancer diagnosis, medical research is changing lives, especially with some of the rare diseases that we have discussed today.

During the covid crisis, charity funding has plummeted, which has had a stark and immediate knock-on impact on medical research, as we have heard. Charities are projecting that it will take more than four years for spend to return to pre-crisis levels. With a big chunk of around half of all medical research coming from charities, we must not underestimate the impact that will have and continue to have on the health and wellbeing of our country for many years to come.

The UK sector is facing an existential crisis, yet, like so many other sectors, it has unfortunately so far been excluded from specific Government support. Medical

research charities predict a shortfall in spend over the next year of at least £310 million. Research by the IPPR reveals that medical research charities expect this year to lose 38% of fundraising income, and over 25% next year. The thinktank estimates that there will be a cumulative £7.8 billion shortfall in health research and development investment between now and 2027, or 10% of all UK health R&D.

What does that mean in practical terms? As we have heard in the debate, there is, first, the immediate impact on medical trials and research and on patients and all those affected by disease. Almost three quarters of clinical trials and studies funded by AMRC charities were either scrapped or mothballed during the first lockdown, and although some have been picked since, many have not. Medical studies to be cancelled or stalled include those tackling the UK's biggest killers—dementia, coronary heart disease and cancer—which could have long-term consequences. The Stroke Association states that three quarters of its funded research projects have been suspended because of the pandemic.

In the long term, less money for medical research means fewer trials and studies and fewer patients able to participate in this life-changing work. Last year, 213,000 people took part in 1,200 clinical trials or studies funded by medical research charities. Medical research charities have played a key role in breakthroughs over the past century, and we heard about some of them today.

The second impact is on researchers and the skilled workforce. Medical research investment is used to fund PhD students, fellowships and other early career researchers. Last year, 17,000 researcher salaries were funded by AMRC charities. Less money simply means fewer of them; fewer of them means losing out on their skills and talents, and on the important scientific progress that they could make in the years ahead. It will also further accelerate the unemployment crisis we face. Sadly, a recent AMRC study found that four in 10 are considering leaving research altogether, owing to funding concerns. The same survey found that 61% of charities have had to cut or cancel support for early career researchers and the skilled research roles.

The third impact is on health R&D funding and the wider economy. Nosediving research and development will affect the whole economy. As we have heard, every £1 invested in medical research delivers a return equivalent to roughly an extra 25p on that investment.

Charity research funding stimulates investment from the private sector, as we have heard, and from universities, further boosting our economy and research sector. It is an ecosystem and it relies on all the system being able to play its part. As the hon. Member for Bolton West said, it can and does play a key role in reducing some regional inequalities and, with more than half of medical research coming from charities outside London and the south-east, in the so-called levelling up agenda by contributing to regional economic growth. Charities have a better record in this respect than Government research funding, under which about 80% goes to the golden triangle. There is definitely an opportunity to switch that balance.

Despite the importance of medical research charities to scientific progress and to people's lives, and despite the significant role they play in our economy, unfortunately the Government have not given them the support they

needed during this difficult time. I understand that there are many pressures on the Government's finances and many calls for help, but only 3% of the country's medical research charities were eligible for the Government's charity support package—just five out of the 152 medical research charities. More than 150 were ineligible, and that included those researching conditions such as motor neurone disease, Parkinson's, breast cancer, hearing loss, bone cancer, liver disease, meningitis, Crohn's, diabetes, multiple sclerosis and many more. This is a huge blow to patients who rely on breakthroughs in those treatments.

Fortunately, given the well-timed nature of this debate and where we are today, there is an opportunity tomorrow for the Government to rectify that. The Opposition hope that, in the spending review, the Government will consider the proposal for the life sciences charity partnership to help plug the funding gap. This is now critical and urgent, and in the week when the Oxford vaccine for coronavirus has made such brilliant progress, what better way to support the life sciences in this country and recognise their contribution than to support this partnership fund? It would be a partnership arrangement and there would be matched funding. In the grand scheme of things, £310 million would be an investment well made. It is not a huge amount of money.

Rachael Maskell: I am grateful for the powerful points that my hon. Friend is making. In the light of the amount that has been spent on covid-19 and the fact that people have not been able to access regular services in the NHS, does it not bring into scale how £310 million could make a significant difference?

Lucy Powell: It really does, and my hon. Friend makes a powerful point. I urge the Government to see it, not as day-to-day spend, but as an investment in the future health, resilience, wellbeing and economic viability of the country. I look forward to the Minister's response and hope that we hear some good news from her today.

10.42 am

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Amanda Solloway): It is a pleasure to serve under your chairmanship, Ms McVey, and I congratulate my hon. Friend the Member for Vale of Clwyd (James Davies) on securing this important debate and raising the issues currently affecting medical research charities. I thank all hon. Members for the quality of their contributions to the debate. My hon. Friend the Member for Vale of Clwyd spoke of how the work of the medical charities is invaluable—he mentioned the British Heart Foundation and Cancer Research UK—and of the practical benefits that those charities bring.

The hon. Member for Blaydon (Liz Twist)—who I am sure would look very dignified in a pink boa, as have I, in my time—commented on the work of life sciences charities, specifically in relation to breast cancer. We recognise that work, which affects so many lives. The Government's research and delivery parties are committed to trying to get the clinical trials started as soon as we can. My hon. Friend the Member for Bolton West (Chris Green) talked about the varied work that is being done, and mentioned the marathon elite runners. I have run the marathon twice, although I am sad to say that this year I was not invited to join the elite runners. The work is incredibly important, and this medical research is constantly on my mind.

[Amanda Solloway]

The hon. Member for York Central (Rachael Maskell) mentioned the work of the AMRC, also acknowledging what the charities do in giving advice. It is very important that we get that advice and I am sure that it has been welcomed.

The hon. Member for Kirkcaldy and Cowdenbeath (Neale Hanvey) mentioned the work of the Teenage Cancer Trust. We have been able to retain the research that is needed, and we absolutely acknowledge the vital work that it does. We have indicated in our R&D road map that we acknowledge the work of these charities.

The hon. Member for Manchester Central (Lucy Powell) mentioned the work of life science charities and their key role in medical breakthroughs, as well as the many medical research charities that are involved. I would like to acknowledge the work that is carried out by the thousands of charities, including medical research charities, across the UK. The people who work and volunteer for them demonstrate huge passion and a commitment to the incredibly important causes. I saw the passion at first hand during the time I was working at Help the Aged, which is now known as Age UK. I have also seen it in my time as a science Minister when working with the medical research charities over the last year. The research that they collectively support has a huge impact and improves our health and wellbeing, and the Government have been working with them over the past few months to see how the research can be best supported.

Science, research and innovation are central to the Government's ambitions. As I have mentioned, we published our R&D road map in July to ensure the UK is the best place in the world for scientists, researchers and entrepreneurs to live and work. Although we recognise the challenging economic and fiscal climate, the Prime Minister only this month re-emphasised the importance of science and innovation to our future prosperity and our ambition to move towards investing 2.4% of GDP in research and development. The UK is a world-leading research base and has global expertise across a wide range of disciplines—not least in medical research, where we boast a vibrant ecosystem that brings together researchers in some of the world's top universities to work collaboratively with their counterparts in leading pharmaceutical companies, clinical researchers in the NHS and those supported by medical research charities.

Charity-funded research has been a distinct part of the UK research system, and I am proud to say that the UK is home to many globally recognised medical research charities, which are an integral part of the world-leading life sciences sector. The health and wellbeing of millions of people in the UK and around the world depends on the medical advances that have come from research funded by charities. I want to take the opportunity to give thanks for the contributions made by research charities, both to the important areas of research that they fund and to the many brilliant researchers they support.

Additionally, the Government have provided significant support to research charities through investments in research infrastructure, such as Manchester Cancer Research Centre and the Institute for Cancer Research in London, which provided the facilities and expertise needed by Cancer Research UK to carry out its incredible

work, and through collaborations such as the UK Age Research Forum, where UK Research and Innovation works with a range of charities, including the British Heart Foundation, Versus Arthritis and Alzheimer's Research UK, to support research that makes a difference to the lives of older people. Through direct funding, Research England is providing £204 million this year to support charity-funded research in universities in England. Through the tax system, over £1.3 billion in tax relief on donations was received in 2018-19 through gift aid, benefiting all charities, including those carrying out vital medical research.

All that shows that we as a Government are committed to supporting research into diseases and conditions that affect so many people around the UK. I know the pandemic has been a challenging time for charities, and that all parts of society and the economy have been affected by the covid pandemic—medical research charities and the research that they support are no exception. We have heard during the debate that they have suffered a series of blows to their income. Many charity shops around the country have been unable to remain open. Fundraising events, which are so important for raising money for research and for raising the profile of these causes, have been cancelled or postponed. The impact of the loss of income has had an impact on the research programmes that charities are currently supporting; as we have heard, it will affect their plans for future research.

In response to the challenges, the Government have provided significant support both across the economy and to charities more specifically. The coronavirus job retention scheme has enabled charities to avoid making staff redundant and to continue their vital work. During these unprecedented times, however, the Government have depended on the expertise of our research base to respond to the enormous challenges we have faced. Our scientists and medics, including those supported by charity funding, have had a key role in taking forward our response to the pandemic. We established a vaccine taskforce to co-ordinate all the work going on across Government, academia and industry, and we accelerated the development and manufacture of covid-19 vaccines. Through the university research sustainability taskforce, we quickly gained a fuller understanding of the impact of covid-19 on research in universities, including that supported by charities.

Many hon. Members mentioned the SURE fund. As a result of the university research sustainability taskforce, we put in place the sustaining university research expertise fund to support university research that has been impacted by the pandemic and to secure researchers' jobs in universities. The fund has now gone live, with expressions of interest from universities expected this week. Universities are required to pay particular attention to the medical research that charities have traditionally supported when allocating the funding. In addition, we have provided £60 million to support PhD students whose research has been affected or delayed by the pandemic, to give them the time they need to complete their work. We have also supported UKRI to commit more than £95 million to research to tackle covid-19 and we have repurposed research grants with a total value of £80 million to address the effects of the pandemic.

All of that sits alongside the road map we published in July, which sets out the Government's long-term plan to bolster the UK's world-class credentials in

research and development and to deliver economic growth and societal benefits across the UK for decades to come.

Chris Green: For long-term research projects that take a great while to get off the ground and perhaps recruit people for clinical trials—including people studying at university at the moment—a £320 million commitment tomorrow would give a great deal of reassurance. Obviously the Minister cannot commit to that here and now, but will she reassure us that that is on her mind and that she will make her best endeavours with the Chancellor?

Amanda Solloway: I thank my hon. Friend for that point, which I will refer to in my remarks.

The Government's goal is to further strengthen science research and innovation across the UK to ignite the UK's economic recovery, boosting productivity, creating new jobs and improving people's quality of life. Within that, we also have a commitment to the levelling up agenda. The road map sets out our wish to build on the UK's strengths in the life sciences sector. I look forward to continuing that work with the medical research charities as we develop a more detailed plan for delivering the road map's ambitions.

Medical research charities are an important part of the UK research landscape. As I have set out, the Government recognise that and already provide significant support through the tax system, the research funding system and the many measures introduced to counter the impacts of the pandemic. While it would not be appropriate to respond in detail at this stage about the spending review, I assure hon. Members that the issues they have raised have been noted and in the coming weeks we will continue to work with the Association of Medical Research Charities on how they can be addressed, how we can support this vital research and how we can maintain the UK's excellent capabilities in medical research while recognising the challenging fiscal circumstances we face.

10.52 am

Dr James Davies: I thank the Minister very much for her response and colleagues in the Chamber for their contributions. We have heard powerfully from everyone about the challenges facing the sector. Numerous vaccines are on the way and we very much hope that by Easter we will have some return to normality. Even so, we have heard how the sector will struggle for many years to come, even in that apparently good scenario.

I thank the hon. Member for Blaydon (Liz Twist) for emphasising the good charitably-funded work she is aware of on breast cancer and muscular dystrophy and by the Alzheimer's Society. My hon. Friend the Member for Bolton West (Chris Green) certainly took the opportunity to highlight the pandemic's impact and the importance of supporting research in the north of the country. The hon. Member for Bath (Wera Hobhouse) referred to eating disorders and the hon. Member for York Central (Rachael Maskell) emphasised the difficulties that charities are under, in some cases because of their core costs. I also thank the Front Benchers for all their warm words in that regard.

The Minister kindly outlined some of the support already available to the sector. I know she has listened to the debate and will take back the comments she heard. In particular, regarding the SURE fund, I ask the Minister to take good note of feedback from the charity sector, because I know it has great concerns about how the fund will relate to it. Finally, I ask the Minister to go back to the Chancellor and emphasise the need for this sector to receive assistance, whether through a life sciences charity partnership fund or other means.

Question put and agreed to.

Resolved,

That this House has considered recognising and preserving the value of charity-funded medical research in the 2020 Spending Review.

10.55 am

Sitting suspended.

Pectus Deformity Treatment: NHS Funding

[Relevant document: e-petition 329161, entitled Provide funding for surgical correction of Pectus Excavatum.]

11 am

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): I beg to move,

That this House has considered NHS funding for treatment of pectus deformity.

It is a pleasure to serve under your chairmanship, Ms McVey. I will also discuss e-petition 329161 on the same subject, which I am delighted to say has been signed by more than 6,000 people, including 183 from Middlesbrough South and East Cleveland. I thank everyone who has taken the time to sign the petition, as well as its organisers.

The lack of treatment for pectus excavatum on the NHS is an issue by which I have been deeply moved and for which I am determined that we should deliver lasting change. The situation as it stands amounts to an injustice for a young girl in my constituency and many more like her across the country. It is, however, a matter that can be simply solved. The solution would not be particularly expensive and is not controversial, so I sincerely hope it attracts ministerial support.

About six weeks ago, I was contacted by the parents of Autumn Bradley, a 14-year-old girl from Guisborough who suffers from pectus excavatum. Caused by an overgrowth of cartilage, the condition means that as she grows, her breastbone is being pushed inwards towards her spine. In her case, that inward growth has advanced to the point where her sternum is now just 25 mm from meeting her spine.

For many people living with less severe forms of pectus, its impact is predominantly psychological, but for Autumn, the condition has been nothing short of life-changing. Her parents have watched the physical condition of their once active, energetic daughter deteriorate beyond recognition. Growing up, she excelled at athletics and competed at county level, but today she struggles to blow up a balloon. Complications of the condition have led to numerous hospitalisations, so her school attendance and academic performance are being increasingly affected. It now causes her pain even to hiccup.

Treatment for the condition is effective, routine and widely available across the developed world. It is available free of charge on the NHS in Scotland, Wales and Northern Ireland, but since early 2019, it has not been available to patients in England. Because about 90% of surgeries to treat pectus are deemed to be cosmetic, last year the decision was made that the treatment would no longer be funded by NHS England.

Ruling out treatment for psychological reasons is a debatable proposition, but it is not inherently unreasonable. What is unreasonable is that the 2019 NHS policy document is clear that treatment for pectus will not be available, irrespective of the seriousness of the symptoms. As a result, Autumn's surgeon, Mr Dunning, has found it impossible to make the case for treatment on an exceptional basis, even in cases where the physical impact of pectus is as devastating as it is for Autumn.

Mr Dunning is based at the wonderful James Cook University Hospital in my constituency. He estimates that, as a result of this situation, about 50 patients a

year in England—overwhelmingly teenagers—are left suffering life-limiting symptoms that could easily be fixed. The symptoms include shortness of breath, heart rhythm disturbances and even episodes of collapse.

Mr Dunning spoke recently on BBC Radio Tees about how the current NHS policies affect Autumn:

“I believe it is a complete disaster and a mistake that we cannot turn this around. We’ve found it impossible to change it. We’re looking for anything we possibly can to try and get this poor short-of-breath person an operation. I couldn’t be more confident in being able to fix this poor girl with an operation”.

He said that if he were allowed to carry out the procedure, Autumn would be in hospital for four days with three weeks to recover at home, and after that,

“she’ll be a new person for the rest of her life.”

The average cost of surgery to correct pectus deformity is between £7,000 and £16,000. Treating 50 such patients a year would therefore cost less than £1 million, which, in the context of the wider NHS budget, is a minute sum of money.

Mr Dunning’s passion for helping patients such as Autumn has led him to campaign extensively on the issue and to dedicate a significant amount of time to supporting those affected. His commitment to her care and that of her fellow pectus sufferers is beyond all praise. He represents the best of our national health service. I am equally grateful to BBC Radio Tees and campaigning newspapers such as *TeessideLive* and *The Northern Echo* for helping to raise the profile of the issue.

What, then, has gone wrong with the NHS commissioning process? The process, which began in 2015, resulted in a 2018 literature review that considered only six papers, all of which focused on the psychological benefits of surgery. It resulted in the following judgment:

“The evidence that was found is not sufficient to conclude that the physical, psychological, social and behavioural benefits of surgical treatment of pectus deformities are sufficient to justify its use.”

That is despite the fact that the final policy document acknowledged:

“The impact of a pectus deformity can vary substantially, ranging from mild and symptomless to severe and impacting on both lung...and heart...function.”

During the consultation process, the Society for Cardiothoracic Surgery submitted nine additional papers that it felt contained important evidence that should be considered. All nine were rejected, some for what seemed dubious reasons. One study of 168 patients from the United States was rejected on the grounds that a single surgeon performed all the operations, yet most of the papers included in the 2018 review are single-centre studies, and one included paper is explicitly a single-surgeon case series. A 2015 NHS England policy document stated, with reference to previous papers from 2007 and 2010:

“Leading US centres report inclusion criteria for surgery as severe pectus excavatum that fulfils two or more of the following: CT index greater than 3.25, evidence of cardiac or pulmonary compression on CT or echocardiogram, mitral valve prolapse, arrhythmia, or restrictive lung disease”.

For reasons that are unclear, those impacts were not considered by the 2018 literature review. I find it concerning that a submission was not corrected even when highlighted by thoracic surgeons.

The case for allowing surgery for more extreme cases of pectus seems clear, based on the expert reviews that I have seen, which show measurable improvements in cardiopulmonary function in patients with a Haller index of between 4.5 and 5. The Haller index is used to describe the severity of an individual's pectus deformity. I will outline those reviews, and it is worth remembering that Autumn's condition is far more severe: she has a Haller index of 9.7.

A 2011 French study of 120 severely affected patients with a mean Haller index of 4.5 showed that surgery delivered sharply improved heart function. Prior to surgery, the maximum rate of patients' oxygen consumption was just 77% of their age-predicted maximum. One year after surgery, it had increased to 87% of their age-based prediction. A 2013 Danish study with 49 patients with a mean Haller index of 4.9 showed that patients with pectus had a 20% lower cardiac index than healthy control patients of the same age prior to surgery. Three years after surgery, the cardiac index of treated patients had normalised to be similar to the controls.

I am clear that the NHS commissioning process has failed on this occasion. It has excluded crucial evidence about the benefits of pectus surgery for those presenting severe physical symptoms, and it is written too prescriptively to allow any discretion for individual funding requests. Autumn has already been rejected for an IFR twice, despite her life being made an increasing misery by the condition. I defy anyone to explain how in severe cases such as Autumn's a normal, healthy life is possible without surgical correction of the deformity.

I pay great tribute to Autumn and her mum Sarah. Until now, Autumn has been known publicly as Katie to protect her anonymity, but ahead of this debate she has bravely waived that anonymity for the first time. She has asked me to share with the House, in her own words, how her life has been affected by the condition. She said the following:

"For as long as I remember I have had pectus excavatum.

When I was younger I embraced it as it made me unique. It didn't affect me massively.

I loved sports, I ran and did long jump for the County competitively, I surfed, climbed mountains, played football with friends, went to scouts and much more.

I spent free time caring for animals in a pet rescue. However as the years went on, my pectus has got progressively worse.

The dent deepened. I began to suffer with my health. Every cold I had went on my chest and needed antibiotics and steroids and I often ended up in hospital.

I began to miss massive amounts of school and all the things I loved.

Fast forward to now. I can't do any sports, all the clubs I loved have gone. I feel so tired constantly, my ribs and back are in so much pain I take painkillers all the time, but it still hurts.

I can't breathe.

I can't take a deep breath—it feels restricted and like my chest is being crushed and I can feel my sternum touching my spine.

Climbing stairs leaves me breathless. I don't even attend school now.

My dream was to be an athlete or a nurse, my chance of the first dream is gone.

I'm so worried about what the future holds for me as my school grades will start to suffer.

All I am asking is that you reconsider the decision not to offer pectus surgery as it would give not only me, but lots of teens like me, a chance of a normal life like those who are not born with this condition."

What should be done? I am grateful to the Minister for his time and the consideration he has given the issue in the days leading up to the debate. He is an excellent Minister, and I am all the more grateful given the many other demands on his time because of the wider national situation. Likewise, I am thoroughly appreciative of the time that my right hon. Friend the Secretary of State for Health and Social Care gave me a fortnight ago. He could not have been more attentive, and he joined me and my hon. Friend the Member for Bury South (Christian Wakeford) in a good discussion about what we might do to move the situation forward. Last week he raised the matter personally with the NHS chief executive Simon Stevens.

My central request is that the NHS should be asked to reconsider its wider policy on the issue as a matter of urgency. While such a review is being conducted, and in the interim, it would be fantastic if a holding position could be established, by which there would be a facility for surgeons to appear in person to discuss the evidence for pectus surgery in the most severe individual cases—effectively a kind of extraordinary carve-out from the wider policy. That would reflect a suggestion made by four of the five stakeholders during the commissioning process. It would make sense to allow that subset of severe patients to be identified so that selected centres could perform the operation on the NHS and report their findings in a registry. That commissioning through evaluation would allow a continuation of surgery for that small subgroup, along with monitoring of the impact of the surgery, and the provision of valuable new data to inform a wider policy review.

That would offer both a short-term and a medium-term solution to the issue. No one expects a miracle solution overnight. The process of NHS commissioning is rightly complex and independent. None the less, we should try to kickstart the process today. I should be happy to meet further with the Minister or his officials, but the current policy on pectus excavatum is not right, and it should not continue. I agree with Autumn and her parents, and with experts in the field such as Mr Dunning, that there are cases where pectus surgery is anything but an aesthetic choice. For a small group of young people in this country, it is the only route to anything resembling a normal life, and we should restore the treatment free at the point of need at the earliest opportunity.

11.12 am

Christian Wakeford (Bury South) (Con): It is a pleasure to serve under your chairmanship, Ms McVey. I thank my hon. Friend the Member for Middlesbrough South and East Cleveland (Mr Clarke) for bringing this important topic forward for debate. Similarly to him, I had a constituency case, which involved a 17-year-old girl. Using the Haller index, a value of 3.1 would normally be the threshold for requiring surgery. My constituent had a measurement of 9.6 and was told that her chest capacity was similar to that of someone aged over 100. Her chest capacity was so poor that she could not bend down to pick up the shopping, or go upstairs, without being out of breath. That cannot be right for a 17-year-old girl with her entire future ahead of her.

It is therefore a disappointment that the previous commissioning report suggested that pectus excavatum would not be covered by the NHS. I fully support continuing not to cover the more cosmetic procedures,

[*Christian Wakeford*]

but for the small cohort in question, which we estimate is fewer than 50, the surgery is a life-changing and potentially lifesaving procedure, especially when it is considered how small the cost is in comparison with most treatment.

I pay tribute to Dr Joel Dunning, to whom my hon. Friend the Member for Middlesbrough South and East Cleveland also referred. My constituent came across him purely by chance, while he was doing some great work during the first lockdown. Obviously elective procedures were cancelled, so he volunteered elsewhere in the NHS—as a nurse. My constituent was in the hospital seeking advice and treatment, and he overheard the conversation. Being an expert in the field he stepped forward and stepped up, and made a representation. My constituent has now had the surgery, as she and her family were in the fortunate position of being able to afford it. They should never have been in that position of having to do that, but her chest capacity has already improved dramatically and she is able to breathe and to walk without getting out of breath. She is still in a lot of pain and on morphine, but she is already feeling the improvements that she should have as a basic right.

It has been suggested that we carry out further studies and recommissioning, but because it is such a small cohort and there are so few experts in the field, it is very difficult to carry out individual studies. My hon. Friend's proposal that we have a panel from which a surgeon can step forward and make representations on what procedure he thinks necessary and most likely to improve the lives of these young women is the best approach.

I have kept my comments extremely brief because I want to hear from the Minister about the great work that he is doing. I hope there will be more to offer. Again, I put on record my thanks to my constituent's family, Dr Joel Dunning and to my right hon. Friend the Health Secretary for discussing this important topic for a small cohort of constituents in the middle of the second lockdown.

11.16 am

The Minister for Health (Edward Argar): It is a pleasure to serve under your chairmanship, Ms McVey.

I am grateful to my hon. Friend the Member for Middlesbrough South and East Cleveland (Mr Clarke) for bringing to the attention of the House the issue of funding for the treatment of pectus deformity and the impact that that has on people with that condition. I also pay tribute to my hon. Friend the Member for Bury South (Christian Wakeford), who, in what is a week or two shy of being in the House for a year, has already made a huge impact on behalf of his constituents. I hope that, through him, I can wish his constituent well and a full and speedy recovery from her surgery.

Before I discuss the particular case and issue, I want to place on record my thanks and gratitude to the hard work of NHS staff across the country, who as always have gone above and beyond in supporting us all during the pandemic. We remain indebted to them for their service.

I also want to be clear that the Government have and always will support our NHS, providing it with the finance and resources it needs to continue to provide

high-quality, life-changing care. As hon. Members will know, through the NHS long-term plan we committed to and then legislated for increasing investment in the NHS by £33.9 billion in cash terms by 2023-24.

A fundamental principle of the NHS is that, for people who live in the UK, treatment is free at the point of need regardless of an individual's ability to pay. That is the basis on which our NHS is built. At the same time, however, clinical commissioning groups have a duty to commission responsibly and to use the funding they have to deliver the best service they can to meet the needs of the overall local population. As such, there will be some treatments or services that are not routinely commissioned locally. These decisions can be difficult but must be subject to rigorous assessment. Surgery for those patients with severe physical complications arising from pectus excavatum is one such area, as my hon. Friend the Member for Middlesbrough South and East Cleveland set out.

NHS England Improvement—which I will refer to as NHSEI for brevity—recognised that a small number of patients might benefit more from surgery and, as my hon. Friend, set out has explored this area in depth. He mentioned that in August 2018 NHSEI launched a clinical commissioning group policy consultation for surgery for pectus deformity and sought feedback on that proposition for surgery for pectus deformity for all ages. In developing its policy proposition, NHSEI commissioned two evidence reviews to ensure that evidence-based surgical outcomes and psychological benefits were considered. The reviews considered whether scientific research has shown treatments to be of benefit to patients and whether its use represents the best use of NHS resources. In that context, I hear very clearly the points made by my hon. Friend about, in his view, the limitations imposed on that by the nature of the process and the evidence base.

As my hon. Friend set out, the findings of the NHSEI findings review concluded, after careful consideration, that for the surgical correction of pectus deformity there was not sufficient evidence to routinely commission that intervention. He has clearly set out his counterpoint to that position. The study, published in February of last year, noted that in most cases, although surgery can correct the chest wall deformity, surgical intervention does not always take. That is because the majority of people experience only mild physical or psychological symptoms associated with having a pectus deformity, according to the evidence put forward by the review. I understand that the review also discovered areas where further evidence was required, and NHSEI has been working with clinicians and the National Institute for Health Research to further build the evidence, to support commissioning decisions.

I want to be clear that although, based on the existing evidence, the current evidence base, surgery for this condition is not currently routinely commissioned, that does not mean that patients cannot access it if it is deemed clinically necessary in particular circumstances, as my hon. Friend the Member for Bury South was able to set out in the case of his constituent. There are processes in place to ensure that, if it is deemed clinically appropriate, patients can still access the treatment even if it is not routinely commissioned by the individual CCG. The process is, as he set out, the individual funding request or IFR, which can be an alternative

route, although as my hon. Friend the Member for Middlesbrough South and East Cleveland set out, this clearly has not worked for Autumn.

I turn now to the particular circumstances of my hon. Friend's constituent's case. I am incredibly sympathetic to the case that he raises. I understand both his concerns and the need for pace in finding a solution to help Autumn. I will at this point, if I may, pay tribute to my hon. Friend. He is a doughty fighter on behalf of his constituents, as we have seen in respect of this case. We in the House are incredibly lucky, as are his constituents, to have him representing them. I would say that he has made very good use of what I hope will be a very short period of freedom from ministerial office, allowing him to speak in debates such as this. He has used that freedom powerfully once again on behalf of his constituents in bringing Autumn's case to the House. I hope that his constituents will not take it amiss if I say that although I know that that has been incredibly useful to them and he has been a powerful advocate, as he always is, I hope that his freedom will be short-lived and he will return to the bonds of ministerial office soon, because he was a fabulous Minister while he was fulfilling his various roles.

I also want to place on the record my recognition of and tribute to the courage that Autumn and her mother Sarah have shown. It takes incredible bravery, incredible courage, to speak out and, as Autumn has done through my hon. Friend, to speak out under her own name and her family's and her mother's name. That shows a courage that it is very rare to see in any walk of life and in anyone, and I think it deserves recognition by the House. I hope that my hon. Friend will pass on to her my words in respect of that. She is an incredibly brave young lady.

Let me turn to the specifics of the points that my hon. Friend made. Although he will know, and it is only right, that I will caution him that decisions and the response on this of course sit with NHSEI and are not within my gift as a Minister to give, he makes an incredibly powerful case, so what I will say to him is that I am very happy to convey very clearly, as my right hon. Friend the Secretary of State has done, to NHS England and NHS Improvement and to the chief executive,

Sir Simon Stevens, his and his constituent's very clear request that the position be reviewed once again, with additional evidence considered. I will also put to them his very sensible, or what seems to me very sensible, suggestion of an approach in the short term and then in the longer term. As I have said, I have to be honest with him; I cannot make a commitment on what the NHS response will be, because quite rightly it is independent and will make those decisions itself. But what I can promise him is that I will put his case to it very clearly.

I can also reassure my hon. Friend that I am of course always delighted to meet him, and if he feels that it would be useful, I will be very happy to meet him again. We may do that in the next few weeks, while he enjoys a few more weeks of freedom from the red boxes, but I am very happy to do that for him, because this is an incredibly moving case. He has put the case in very human and very moving terms, but I suspect that, if I may put it this way, Autumn in a sense represents probably many more cases, as my hon. Friend the Member for Bury South has set out. They may not have felt able to come forward and may not be publicly known, but there are others who are in Autumn's position and will be listening to what my hon. Friend the Member for Middlesbrough South and East Cleveland said. I pay tribute to him, as always, for his eloquence, but I have to say I am afraid that although he put the case very powerfully, Autumn's words put it even more powerfully to the House. There will be people listening to what she said and identifying with that and feeling the same things, so I am always happy to meet my hon. Friend if he feels that that would be helpful.

To conclude, I will reassure my hon. Friends that we will continue to work with clinicians and researchers to build the evidence base and understanding of this condition, to support future commissioning decisions but also, hopefully, within the confines of the clinical evidence base and decisions by NHSEI, to be able to better help people like Autumn in the future. I am grateful to the House.

Question put and agreed to.

11.25 am

Sitting suspended.

Covid-19: Funding for Local Authorities

[MR PHILIP HOLLOBONE *in the Chair*]

2.30 pm

Mr Philip Hollobone (in the Chair): I remind hon. Members that there have been some changes to normal practice in order to support the new call list system and ensure that social distancing can be respected. Members should sanitise their microphones using the cleaning materials provided before they use them, and dispose of the cleaning materials as they leave the room. Members are also asked to respect the one-way system around the room.

Members should speak only from the horseshoe. Members can speak only if they are on the call list and cannot join the debate if they are not on the call list. Members are not expected to remain for the wind-ups. Members in the latter stages of the call list should use the seats in the Public Gallery and move to the horseshoe when seats become available.

I remind hon. Members that there is less of an expectation that Members stay for the next two speeches once they have spoken. This is to help manage attendance in the room. Members may wish to stay beyond their speech but should be aware that doing so may prevent Members in seats in the Public Gallery from moving to seats on the horseshoe. There are lots of Members attending this debate, so there will be a time limit, to be advised in due course.

2.31 pm

Rushanara Ali (Bethnal Green and Bow) (Lab): I beg to move,

That this House has considered the adequacy of funding for local authorities during the covid-19 outbreak.

It is a pleasure to serve under your chairmanship, Mr Hollobone. One day, there will be a public inquiry into the conduct of the Government during this pandemic and the decisions they have taken, particularly on the provision of finance to different parts of the country, and we will be able to learn what went well and what did not over the past few months. I hope that we will all support such an inquiry, so that further errors are not made in future.

Even before the pandemic, it would have been hard to argue that national Government were friends of local government and local services. Since the 2010 general election, the Government have reduced funding for local authorities by some £15 billion. The National Audit Office has found that Government funding for local authorities has fallen by 49% in real terms from 2010-11 to 2017-18, and that this equates to a 28.6% real-terms reduction. To put that in context, councils have lost 60p out of every pound they had a decade ago. The Institute for Fiscal Studies concurs, saying that local government spending has “fallen significantly”.

Let us never forget that this is not by accident: it was a decision made by Conservative Ministers and their Liberal Democrat coalition partners in the 2010-15 Government. National Government grants were gradually scaled back, so that poorer areas with great need were not provided with the additional funding they needed alongside local income generation. The cuts made in the name of austerity did not fall equally on the shoulders

of people and local authorities: they hurt the poorest and most disadvantaged areas significantly, including areas such as Tower Hamlets, where my constituency is. The IFS says that deprived communities—those communities most reliant on public services—such as those in my constituency saw the greatest reduction in national Government funding.

There is another unfairness to the way in which funding was allocated, particularly Government grants, which have pretty much disappeared. That has made it very difficult for local authorities to deal with child poverty. Unfortunately, my borough, which includes two constituencies—Poplar and Limehouse and Bethnal Green and Bow—has the highest child poverty rate in the country. It is vital that the allocation of funding is fair and addresses the actual needs of communities. According to the Local Government Association, between March and June this year, councils have faced a bill of £4.8 billion because of extra costs and lower incomes due to the coronavirus pandemic. It estimates that the cost of the increased pressures on adult social care alone will be £533 million, and that the figure for public health will be £148 million. Future non-tax income losses due to covid will be about £634 million.

In summary, in terms of funding, the coronavirus pandemic has added even greater challenges to already pressurised local authorities up and down the country. And, of course, the worst challenges have been in poorer areas. I know that many other Members will want to speak of how their own councils have struggled with all those challenges while having to provide much-needed services during the pandemic.

In addition, local authorities have had to rise to the challenge of making up for the fact that the Test and Trace system has been inadequate. It is funded by the £12 billion provided to Serco and other private contractors, but local authorities have had to step in to serve their communities and make it work. They are taking on additional responsibilities because of the pandemic but not getting the necessary funding. The Government promised to provide that funding and it is falling short.

Although I welcome the £3.2 billion of emergency funding and the £300 million of funding for clinical commissioning groups, that still leaves a shortfall of billions of pounds, which is putting local authorities between a rock and a hard place. Labour, Lib Dem and even Conservative-run councils are struggling to balance the books. Some are going bankrupt or have declared bankruptcy. That is a big worry for communities, given that local authorities are on the frontline, cleaning the streets, looking after those who are vulnerable, dealing with the pandemic and providing support, including to the police service, which has experienced cuts, with 20,000 officers taken out of the system over the last decade. In reality, this means that communities such as mine in Tower Hamlets have faced £200 million of cuts over the last 10 years.

The extra costs of covid mean that a further £30 million will have to be found; otherwise services will have to undergo dramatic changes, which will have a damaging effect on people by 2024. At the same time, demand for services has grown. At the height of covid, my area also experienced the fourth highest age-standardised death rate in the country. The health inequalities and other factors that make people vulnerable mean that our local authority has to work closely with other agencies and

their resources to protect people. Their actions have saved lives. There would have been an even greater number of deaths if local authorities and partners had not done that work, but they cannot continue to do it without support from national Government.

On education, schools are suffering and need support. Local authorities have worked closely with them to provide that support, but they need funding, as we saw in this summer's debates about holiday hunger and child poverty. My local authority stepped in a long time ago to help keep children fed, but the food bank queues are astonishing. I would welcome the Minister visiting some of the food banks in my constituency. I joined others in visiting Bow food bank recently. The number of people using it has increased dramatically. They are not the usual suspects who need help because they are extremely vulnerable; middle-income families are also struggling because of covid, employment issues and lack of support. The need is greater, but the funding and resources are not there.

Other services under threat—and not just in my constituency but up and down the country—include those for young people with special educational needs and disabilities and those for young vulnerable children. It cannot be right that, in addition to the double whammy of the coronavirus pandemic and long-term funding cuts, the future life chances of the most vulnerable are being further damaged. We need the Government to act and use tomorrow's spending review announcement to make sure that local authorities get the support they need to protect our communities.

I am sure that the Minister will say that there are limited resources. Of course there are, but the question is how the money is being used. We have to ask this. Is it right that, for instance, the towns fund—the NAO and others have pointed this out—which is more than £3 billion, is allocated in the way it has been rather than by focusing on indicators of need? That cannot be right. That kind of favouritism is what breeds distrust. It smacks of pork barrel politics and is absolutely unacceptable. How money is allocated and spent is crucial. Of course, there have also been scandals about personal protective equipment and other scandals.

It is right to say that the Government need to refocus their resources in a way that is fair and appropriate, because many local authorities and not just mine—Sunderland, Knowsley, Sheffield, Gateshead, South Tyneside, Oldham and many others—desperately need additional funding but are not getting it. I could go on, and I am sure other hon. Members will, about the number of local authorities that need support but are not getting it.

We need the Government to think quickly and act quickly to ensure that local authorities get the support that they need. If they do not, we will face, in the middle of a second wave of coronavirus—in the middle of a crisis like no other—more lives being put at risk not only by of the pandemic but by the failure to address the secondary effects of extreme vulnerability through local action and support, because local authorities will not have the capacity and resources to act.

I hope that the Minister will take on board my concerns and those of others about children and young people, adult social care and the wider issues of the underfunding and neglect of local government, which is at the frontline of delivering services and does not get

the recognition and credit it deserves for the work it does. These are decent public servants who work very hard to deliver for our constituents. We need to back them up and support them, because if we are to fight and win the battle against the coronavirus pandemic, we are going to need them even more than ever before. We are also going to need a collaborative effort from the private and the public sphere to deliver implementation of the vaccine, as well as to improve testing and tracing, on top of all that they already do.

I hope that in today's debate we can build consensus among Members of all parties to make the case for local government, because it is absolutely at the heart of addressing not only the challenges we face with the pandemic, but the long-term challenges of tackling inequality and genuinely fighting to level up. If the Government genuinely meant what they said in the election about levelling up, they need to put their money where their mouth is and deliver. I hope that the Minister will make that case later today to the Chancellor of the Exchequer, ahead of his statement.

Mr Philip Hollobone (in the Chair): The debate can last until 4 pm. I am obliged to start calling the Front Benchers no later than 3.37 pm. The guideline limits are 10 minutes for Her Majesty's Opposition and 10 minutes for the Minister, and then Rushanara Ali will have two or three minutes to sum up the debate at the end. There is a stellar cast of Back-Bench talent. Sixteen Back Benchers are seeking to contribute until 3.37, so if we have a time limit of three minutes, everybody should be able to contribute.

2.44 pm

Imran Ahmad Khan (Wakefield) (Con): It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank the hon. Member for Bethnal Green and Bow (Rushanara Ali) for bringing to the House the issue of the adequacy of local government funding during the covid outbreak, as it facilitates a much-needed debate on both the role of local governments in the crisis effort and the broader interaction between local and national Government.

It was important that any central Government approach to crisis management throughout the pandemic was measured against three key performance indicators. The objectives were, first, to provide adequate financial support to ensure that crucial local government services could continue; secondly, to equip local governments with the tools and flexibility they required to adapt their services to provide targeted support in the relevant jurisdictions; and, finally, that any such support did not create a precedent that would serve to create a further burden on an already overloaded state apparatus.

The figures as of 23 October, without taking into consideration the latest round of business grants, highlight that in my constituency alone, Wakefield Council received an extra £41.52 million to support its efforts in tackling covid-19. This ensured that critical services could continue, despite decreased tax revenues and the higher costs incurred by the pandemic.

In April, £850 million of social care grants, for both children and adults, were paid up front to cover the period from April to June 2020. Although the figures provided by central Government may not have been delivered on a like-for-like basis, they have provided

[Imran Ahmad Khan]

unprecedented sums of money to local authorities, facilitating their ability to use discretion in targeting the needs of their districts as they see fit.

In a crisis, ring-fencing funds for one service may not be appropriate when jobs are at risk and the landlord needs his rent paid, for example. Decisions were made on the best information available at one point in time, and further support was provided where required. One such example was the £617 million discretionary fund, which served as an addendum to the small business rate relief grant and retail, leisure and hospitality grants, and allowed local authorities to distribute further moneys as they saw fit to businesses in need. At the time, I suggested that any underspend from the small business rate relief grant and RHL grants should be combined with the discretionary grant, as a method through which individuals who had been defined as the economically excluded could receive much-needed support on a case-by-case basis.

Mr Philip Hollobone (in the Chair): Order.

2.47 pm

Mick Whitley (Birkenhead) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) for securing this debate. I want to begin by paying tribute to Wirral Council for the incredible support it has provided to my constituents during the pandemic. This includes instituting a greatly deserved pay rise for care workers, helping homeless people off the streets and into appropriate accommodation, co-ordinating mutual aid efforts and providing much-needed financial support to residents whose livelihoods have been devastated by the lockdown restrictions.

Despite all the difficulties that council workers have faced themselves, their commitment to the poorest and most vulnerable people in our community has always shone through. As a matter of local pride, I would argue that Wirral Council is exceptional, but I note that its efforts are being replicated nationwide and all hon. Members will have similar stories to share.

After years of being underfunded, marginalised and overlooked, local authorities have risen to meet the challenges of covid-19 admirably. This year has shown what a vital role councils play, not just in the provision of services, but as powerful advocates for those people whose voices are too rarely listened to by central Government.

I commend the resolve shown by the metro Mayors, Steve Rotherham and Andy Burnham, when the Government plunged their regions into a tier 3 lockdown with only cut-price financial support, and I was deeply moved by the testimony of the newly elected leader of Wirral Council, Jeanette Williamson, as she opposed the Government's callous decision to let children go hungry over the holidays. I was also very glad to work so closely with council leaders from across Merseyside in successfully lobbying for the reopening of gyms and leisure centres before the current lockdown was announced.

But now our councils face an uncertain future. Across the country, the threat of cuts to frontline services and even bankruptcy looms. Expenditures have soared while income in the form of business rates, council tax and parking charges has plummeted. Wirral Council faces a

black hole of £60 million in its budget, and it is not alone. Last week, the County Councils Network warned that 60% of its members anticipate having to make a fundamental reduction in frontline services, while just one fifth are confident that they can set a balanced budget next year. At a time of spiralling unemployment and a public health crisis unlike any known in our lifetime, we simply cannot afford further cuts to already overstretched and underfunded frontline services. The human cost would be unthinkable.

In March, the Secretary of State for Housing, Communities and Local Government promised that the Government would support councils in doing whatever it would take to protect their communities. Now it is time to honour that promise. The Government should listen to the Local Government Association and provide a minimum of an additional £8.7 billion in core funding over the next financial year. Councils in areas as diverse as Wirral, Nottingham and Gloucestershire have also called for the cancellation of debt held by the Public Works Loans Board. That would massively increase the spending power of local authorities and allow them to make critically important investments in housing, adult social care and green development.

2.50 pm

Danny Kruger (Devizes) (Con): It is a pleasure to serve under your chairmanship, Mr Hollobone. I am grateful to the hon. Member for Bethnal Green and Bow (Rushanara Ali) for giving us the opportunity to pay tribute to council staff across the country.

The whole country has been knocked sideways by the pandemic, and frontline workers in all sectors and industries have stepped up in the most tremendous way, and that really does apply to councils and council workers. They have faced huge costs and huge reductions in their income because of the crisis, but the real effect is not financial. It is on the staff who deliver services for councils. I want to acknowledge that. When we were having the daily press conferences at 5 o'clock, the leader of Wiltshire Council, Philip Whitehead, said to me in despair one evening, "Can we please have the press conferences in the morning," because all those announcements were coming out and his staff were having to work right through into the middle of the night to respond. That made me realise how hard council staff work, not only out in communities, but in council offices as well.

I want quickly to acknowledge the financial commitments that the Government have made to local authorities through the crisis: nearly £5 billion of non-ring-fenced money, specific grants for a range of special activities that councils have to perform, £6 billion in cash-flow facilities to help councils, and compensation for the loss of fees they have incurred. However, I acknowledge that councils are still out of pocket, and we need to think about how that gap will be met in the months and years to come.

In Wiltshire we have a prudent council that has balanced the books in recent years. It has received additional money from the Government—£15 million is due. That is still to be confirmed, but we trust that it will arrive. Also it has been possible to increase the council tax through the social care precept, which, again, is to be confirmed. We understand and hope that it will be allowed. The authority still faces a budget gap

of nearly £30 million, and I recognise that it will be a long task to match and meet that. I hope more money can be found.

I want to finish with two more strategic solutions that all councils have to grapple with, and opportunities that they can take. The first is in reform of social care, which makes up the bulk of spending by local authorities—65% in the case of Wiltshire. I am not going to get into a debate on how to reform social care, but clearly our model is not working and we need to fix it and the financing of it. I support the call by the Health and Social Care Committee and the Housing, Communities and Local Government Committee in the last Parliament for a new model of social insurance to fund social care, which will enable us to get on top of costs.

Finally, I want to pay tribute to a Labour council, Wigan, which, over the last 10 years, has faced all the challenges of austerity, and coped with them by doing a deal with the community of Wigan—the people of Wigan. It kept frontline services open and cut its own back office. It kept the frontline services open by trusting communities and working properly in partnership. That is the model for all of us.

2.53 pm

Alex Sobel (Leeds North West) (Lab/Co-op): I want to begin by thanking all those on the frontline of the pandemic, working to care for the elderly and vulnerable, collect our refuse, look after our children, and much more. Our frontline local government staff are essential workers in every sense.

We all know that local government funding has been decimated since the coalition Government started a programme of cuts in 2010. Since then, we have been subject to a slash-and-burn austerity programme that has led to councils losing more than half their budget in the past decade. Overall, councils in England can spend £7.8 billion a year less on key services than they did in 2010. That is a cut of £150 million a week. Drastic cuts to local government funding have seen the UK's most deprived areas shoulder the burden of austerity. Poor areas have faced a threefold impact. They have less money to start with, they have been hit hardest by the demands caused by austerity, and are the least able to meet the shortfall with council tax.

Covid-19 has added fuel to the fire. The financial pressures of meeting the costs of tackling covid include lost income from council tax and other revenues. The total is between £10 billion and £13 billion for councils. I would usually be quick to point out that more is being cut from poor Labour councils than wealthy Tory ones, but after 10 years of cuts and a lack of meaningful funding through the pandemic almost all councils are now at breaking point, including large Conservative-controlled councils.

Naturally, though, I want to talk about Leeds. Our situation is not unique. It represents the situation that many, if not most authorities, are facing, but still the figures create a grim picture. Following significant extra costs relating to covid-19, the council is currently projecting, after the application of Government support, an estimated funding gap of £52.5 million for this year. For the year after, 2021-22, the projected funding gap is £118 million. Leeds City Council may have to make more than £95 million of cuts in the coming months if no extra source of income is found.

Council staff are in the frontline in the battle against this disease. Bus drivers, social workers and public health officials are all vital to the proper functioning of cities—now more than ever. But at Leeds City Council jobs are being hit. The most recent figures put the projected job cuts at around 800 with the current funding gap. The council has done everything asked of it, including lending its chief executive officer to the Government to assist with track and trace and going door to door in areas talking with local communities.

Labour councils in this country have found new ways to help their citizens with the pressures they face. Labour councils make, and continue to make, a huge difference to people's lives despite a Conservative Government whose policies have left gaping holes in their budgets. I would like to pay particular tribute to Leeds City Council administration, which has done great work in providing frontline services, including to black, Asian and minority ethnic and older people, who have been hit hardest by covid.

The Government must now honour their pledge, do whatever it takes and step up to help with Government underfunding in the future, including in tomorrow's Chancellor's statement, to help close fully the funding gap in Leeds of £118 million.

2.56 pm

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Mr Hollobone.

I start by thanking Suffolk County Council and East Suffolk Council for stepping up to the plate to meet the challenges posed by covid-19. I want to highlight the challenges that county councils face, taking into account my role chairing the county all-party parliamentary group. Councils have been on the frontline supporting communities during the pandemic. This has cost money, and the Government have met covid-related costs through four tranches of emergency funding. However, there is uncertainty about the potential costs of the current lockdown, which will not show on the latest local government returns to the Ministry of Housing, Communities and Local Government.

Covid-19 has starkly exposed the fault lines in the funding of county councils and will exacerbate the underlying financial challenges they face in areas such as adult and child social care, special educational needs, highways maintenance and school and bus transport. The County Councils Network's budget survey of two weeks ago revealed that just one in five of their 35 council members was confident of delivering a balanced budget next year without dramatic reductions to services. In the following year, only one of those councils is confident of doing so.

In the immediate future, county councils are faced with an overbearing and seemingly insoluble dilemma. On the one hand, they will be expected to, and they will, play their role in the covid recovery. On the other hand, they will find that they have even less money to perform this vital task. Two thirds of the funding that county councils receive comes from council tax, and they will thus be exposed to the difficulties in collection that I fear will be inevitable.

The future is both bleak and intimidating for county councils. In the very short term, additional funds are urgently required both tomorrow and in the local

[Peter Aldous]

government funding settlement that is due next month. Grants should be provided for three years, not one year, so that councils can plan strategically, and more money is needed for special educational needs. In the longer term, we must fix social care, and the Government must carry out the fair funding review.

2.59 pm

Stephanie Peacock (Barnsley East) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I begin by thanking and paying tribute to my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) for securing this important debate.

Day in, day out, our local authorities are on the frontline fighting the virus and providing essential services that we all rely on, from bin collections, street cleaning and libraries to children's services, social care and homelessness support. I pay tribute to all council workers, especially those at Barnsley Council. During the pandemic, we have relied on them to rapidly reorient themselves in a way we could never have envisaged: being on the frontline of the fight against the pandemic as well as supporting their businesses and residents, all while continuing their everyday essential work.

For that, they were promised "whatever it takes"; they should do whatever was needed, and the Government would ensure that they were not left out of pocket. Sadly, the rhetoric has not been matched by reality, certainly not in Barnsley. Our council has done an exceptional job of supporting residents, but that has come at an expected cost at the end of March of £50 million, including around £34 million in support for the most vulnerable and social care and relief to support businesses. The council also estimates around £16 million of lost income from council tax, business rates and fees. The Government income compensation scheme is expected to provide only £2 million to cover that, with that shortfall leaving the council with a loss of £15 million. The Institute for Fiscal Studies estimated the figure nationally at £1.1 billion, and that was before the second national lockdown.

Of course, this follows a decade of austerity in which Barnsley received the biggest cut in Government support of any council in the country. My constituency cannot afford to be left behind by this Government for another decade.

Mr Philip Hollobone (in the Chair): Because everyone has been so good in sticking to the time limit, we can increase it to three minutes and 30 seconds.

3.1 pm

Aaron Bell (Newcastle-under-Lyme) (Con): Thank you very much, Mr Hollobone. It is a pleasure to serve under your chairmanship, especially with such kind strictures on the time limits. I pay tribute to the hon. Member for Bethnal Green and Bow (Rushanara Ali) for securing the debate, and to all Members who have spoken so far, all of whom clearly care very much about their communities. This debate should be conducted in a cross-party spirit, and I am sure that the Minister will respond in those terms at the end.

These are extraordinary circumstances. There has actually been an extraordinary response from central Government in terms of the amount of money going to

councils, but there has, more than ever, been some extraordinary leadership in local councils. I mean not only the leadership of the councils but the people carrying out their jobs, as my hon. Friend the Member for Devizes (Danny Kruger) mentioned. Everybody on the frontline has shown leadership in responding to the awful circumstances we are in.

To give the view from Staffordshire, Newcastle-under-Lyme Borough Council—a district council—and Staffordshire County Council told me that, by and large, they have had adequate funding from central Government to make up their covid-related losses. That funding has been timely, which they really praised. The Government acted quickly and allowed them to plan ahead, although I recognise what my hon. Friend says about those 5 pm press conferences, which definitely necessitated some late nights. It would be helpful if that was not repeated.

Simon Tagg, leader of Newcastle-under-Lyme Borough Council, says that the Government have listened and given funding to cover the shortfall across council budgets on homelessness, business support and leisure services. That is hugely welcome. Staffordshire County Council has had two leaders during this time, Councillor Philip Atkins and Councillor Alan White, both fine public servants. They estimate that, all in, they have received around £83 million this year in various grants from central Government. They reckon they will have an overall overspend of about £2 million, partly due to delayed cost savings, in addition to some lost income from council tax and business rates.

My councils of course have some asks of the Minister, and it would be remiss of me not to mention them. A lot are about collection fund losses. The Government have promised to bring forward proposals to share collection fund losses where councils will not get as much council tax and business rates in. I have been asked to ask the Minister to ensure that the Government will honour that promise and bring that forward as soon as possible, so that those councils can have some certainty in the year ahead. Newcastle-under-Lyme Borough Council would like more funding to cover the cost of council tax support for people claiming benefits. It expects a big increase in that bill when furlough finishes. Staffordshire County Council highlights long-term concerns around social care and the overall funding quantum for local government. It is essential that they have certainty, so that they can do all they can to help the economy get back on its feet and, of course, to level up.

North Staffordshire is one of the principal targets of levelling up in this country. We have had a lot of support from the Ministry of Housing, Communities and Local Government. I look forward to our future high streets fund announcement and our town deal bid, both of which are coming soon. Councils need certainty about their underlying funding; otherwise, they may be forced to make cuts to the universal services that many people rely on.

I again thank the hon. Member for Bethnal Green and Bow for securing this debate. I thank everybody in Staffordshire, including the leadership, the chief executives—Martin Hamilton and John Henderson—and everybody who has done their part to get us through this pandemic. I look forward to the Minister responding to my points.

3.5 pm

Wera Hobhouse (Bath) (LD): At the start of the pandemic, the message from Government to local authorities was clear: “Do whatever it takes to deal with the coronavirus, and we will cover your losses.” Councils across the country have been at the forefront of the coronavirus response. They are facing growing costs and increasing demands, and they have seen significant drops in income. At the time when local services are needed more than ever, our councils are being left to pick up the pieces.

I want to express my gratitude for the support that Bath and North East Somerset Council has provided to services such as the Community Wellbeing Hub and food clubs and pantries. However, despite the initial promises, council funding from central Government has been drip-fed and inconsistent. That creates a high degree of uncertainty about the long-term financial impact on council finances, and it means uncertainty for the core services for our communities.

Bath and North East Somerset Council is one of the hardest-hit by the pandemic. Over the past 10 years, it has done exactly what the Conservative Government asked of local authorities and created its own income stream, but its main funding stream—heritage and parking services—has effectively dried up. In normal times, the Roman bath and other heritage services would generate millions of pounds. At the height of the lockdown, however, the council was losing £91,000 a day from heritage and parking services. The council estimates that it will need to find £29 million of savings over the next five years.

Prior to covid, councils were already facing a big funding gap. According to MHCLG’s financial information service, the financial challenge facing councils in 2020-21 is now £11 billion. The delay in the comprehensive spending review has only created more uncertainty as councils try to set their budgets for next year. When will the Government make good on their promise to cover councils’ financial losses? For example, up and down the country councils such as BANES have outsourced their leisure services to companies such as GLL, a not-for-profit charitable social enterprise, which is already closing leisure centres and will close more unless the Government step in. We all know how important sports and activities are for people, especially for their mental health and wellbeing during the corona crisis.

Local businesses that are renting premises from the council in Bath are also suffering. The council cannot afford to give them more rent relief because it needs every penny to cover the cost of essential services such as street cleaning. Local councils have kept their promises to local people. When will the Government deliver on their promises to councils?

3.8 pm

David Simmonds (Ruislip, Northwood and Pinner) (Con): It is a pleasure to serve under your chairmanship, Mr Hollobone. It is clear that the countries that went local early are the ones that have had the most positive feedback about the way they responded to covid. My two local authorities, Hillingdon Council and Harrow Council, are no exception to that: they have redeployed huge numbers of staff from roles as diverse as working in our libraries and the councils’ contact centres to tasks such as delivering meals on wheels to vulnerable

residents and back-filling other staff to enable them to be released—for example, to set up and run emergency mortuaries to serve London. There is no question but that council staff are on the frontline of the response to covid.

We have to consider the question of financing and what it means for local authorities in the future. Before this year of covid, local authority budgeted expenditure in England stood at about £99.2 billion. Within that, the official returns from local authorities show reserves of just over £25 billion, of which £23.6 billion is non-ring-fenced. I dare say that colleagues over at the Department of Health and Social Care will be looking enviously at MHCLG, because whereas DHSC has to bail out NHS authorities every year for the work they do, MHCLG is in a situation that many businesses would frankly be enormously envious of.

The challenge, however, is that we uniquely require local authorities to balance their budgets in year. Unlike central Government, they are not able to borrow to finance revenue expenditure. They have to make sure that those budgets balance every year, so if there is excess expenditure, cuts need to be made. When we begin to drill down into the national financial position, we find that revenue balances to cover the additional costs are not necessarily found in the authorities that have the biggest financial challenges.

The point made by my hon. Friend the Member for Waveney (Peter Aldous) goes to the heart of the issue. Social care authorities face a lot of demand. Certain London boroughs and county councils have the largest number of vulnerable people to support, but a significant proportion of the balance is in other types of local authorities that do not face the same day-to-day costs. I add my voice to the pleas to the Minister that we need to look at how the funding in the system is distributed if we are to do this better. When we drill down even further and look at the response of individual local authorities, it becomes clear that the covid impact is very different from place to place. Around two thirds of the average council’s expenditure is on social care for adults and children, which concerns less than one in five of the population.

The response to covid has brought all manner of new and additional costs, the vast majority of which—according to feedback from Hillingdon and Harrow councils—has been covered by the forthcoming additional funding from MHCLG. I might not be expected to say this as a serving vice-president and former Conservative group leader at the Local Government Association, but MHCLG has rightly been coming forward with that funding. With respect to the points about how expenditure has changed over time, it is important to recognise that many authorities have, of course, not historically benefited from additional funding based on deprivation. Many of the authorities that have been criticised never had the extra money to cut in the first place.

3.11 pm

Navendu Mishra (Stockport) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) for securing this important debate.

As far back as May, I wrote to the Secretary of State for Housing, Communities and Local Government asking for a cast-iron guarantee that the Government would

[Navendu Mishra]

deliver on their promise to cover the costs of local authorities' response to the pandemic. At the time, Stockport Metropolitan Borough Council in my constituency was facing a shortfall of £41 million, like other councils, and that shortfall has now increased considerably. Six months on, we are still awaiting an assurance from the Government, while local authorities continue to be pushed into the red as they struggle to stump up funds to safeguard the lives of their citizens during the latest wave. Faced with economic ruin, the council was pushed into the dark, as we saw most recently when the London Borough of Croydon was forced to file for bankruptcy after being unable to address a £66 million black hole.

Our councils continue to do the job of ensuring that everyone receives the support they need during this incredibly troubling period. I have enormous respect for them and am incredibly grateful for the work that they have continued to do in challenging circumstances. The deputy leader of my council in Stockport, Councillor Tom McGee, is a fine public servant and I thank him for ensuring that our local public office holders are updated at every stage of the pandemic and are aware of the challenges faced by our local administration.

Nobody expects the Government to have foreseen a global pandemic, but it is clear that a decade of austerity—an ideological choice, not an economic necessity—has ravaged local authority finances and left them weakened, forcing councils to delve into their reserves to redress the central Government shortfall. To put that in context, Stockport Council went into the crisis with over £100 million already slashed from the town hall budget since 2010. The council has now been forced to step in to compensate for the Government's insufficient funding, and local authority budgets are stretched even further. During the first wave alone, the funding black hole for Stockport Council was £25 million. Failure to underwrite council expenditure will have dire consequences for my council and leave it with little alternative but to consider dramatic measures such as issuing section 114 notices to curtail all but essential spending, leading to wholesale reductions in services for all those living and working in Stockport.

The Government must urgently intervene to ensure that all councils are in a position to protect their citizens and prevent other services from going to the wall, including libraries, parks, museums and leisure services. Adult social care is one area that cannot be overlooked, and it is already under enormous pressure, as was mentioned by my hon. Friend the Member for Bethnal Green and Bow. The Government need to resolve the funding crisis in the adult social care sector. The Local Government Association recently estimated that social care services face an additional cost of over £6.5 billion to cover costs. The main three areas are PPE, increased staff costs, and increased cleaning and overheads.

In addition to the vast expenditure that local authorities are forced to cover during this period, many have seen their incomes cut dramatically. Every council in Greater Manchester, for example, has been hit by the drop in the dividends from Manchester airport on which it relies. For Stockport Council, that means that more than £6 million has been lost, placing further strain on services and jobs—and that is even before we factor in

the significant number of jobs lost in the aviation sector more widely, where many of my constituents work in the UK's third-largest airport.

3.15 pm

Apsana Begum (Poplar and Limehouse) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) for securing a debate on this topic, the impact of which is felt by our constituents deeply. As a Member in the London Borough of Tower Hamlets, she is right to highlight that the area has the highest rates of child poverty in the country.

The covid-19 crisis has emphasised starkly the importance of local services in making sure the essentials of life are never denied to people because of their circumstances. As has been argued by others, at the core of the issue is the need for sustainable core funding for local government—a need that is urgent and critical, and yet this year's spending review will not be comprehensive. The multi-year review that we were originally promised is unlikely to deliver funding for local services at the level required, nor is it likely to recognise the role of Government investment, public ownership, in-sourcing and care in what must be a green sustainable recovery that delivers for people. On top of that, there is a public sector pay freeze looming for public sector workers who have kept the country running throughout the pandemic.

People all over the UK are being let down by patchy support measures that result in unfairness, injustice and hardship. That is despite people continuing to work hard, whether it is from home, in cramped conditions with limited equipment, balancing paid work with caring responsibilities; being forced to work in unsafe conditions without the protections needed; or supporting others around them unpaid. The challenges in my borough cannot be underestimated. We have the fastest-growing population in the country—it has doubled in the past 30 years and is projected to grow by a further 67,000 in the next 10. As demand increases, funding reduces.

Universal basic services, of which local services are a cornerstone, was an idea at the heart of the 2019 Labour party manifesto that I was elected on. It was not only about protecting the free services that we have; it was a vision to extend the services that we should all have access to, from free travel on buses for the under-25s and full-fibre broadband free for all, to free school meals for primary school children. In health, it filled the gaps in hospital car parking and dental care. In social care, it addressed the crisis by pledging free personal social care. Despite the barrage of criticisms by the right-wing media during the election, that never sounded like a wish list to me, but rather the foundation for a decent life for everybody in the 21st century. It is an idea that has underpinned our treasured public and local services ever since Beveridge argued for the state provision of national minimums for essentials.

Collectively provided services such as our schools, libraries and parks do not just bind us together as a society; they transform lives. Events this year have made that truth even more clear. Yet just today, a report by Victim Support further emphasised the need for victims of domestic abuse, who are in urgent need of additional support as the country looks ahead to months more of lockdown restrictions. It is overwhelmingly obvious that years of cuts and a failure to invest in

services made the UK extremely ill prepared to deal with a large-scale health risk to our community. Further cuts on the horizon to services such as special educational needs support, adult social care, library services and leisure centres, to name just a few of the areas that I am being contacted about by constituents, will have a disastrous impact on local people and communities that were already vulnerable before the pandemic.

3.18 pm

Rachel Hopkins (Luton South) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) on securing this important debate.

Speaking as a sitting councillor on Luton Borough Council and as a vice-president of the Local Government Association, I too thank all the officers and workers at Luton Borough Council, and all those working in councils across the country who have shown brilliant leadership and determination throughout our coronavirus response. Their local expertise has been critical to delivering services for our communities, from supporting the roll-out of testing to ensuring that the most vulnerable can access food. It is important to note that they have worked alongside NHS and other public service workers, including the fire and rescue service and the police.

Local authorities across the country have stepped up, as we know, delivering vital additional support at pace, despite suffering a £15 million cut in core local government funding since 2010. As was mentioned, the National Audit Office has calculated that local authorities have seen Government funding reduced in real terms by almost a half since 2010-11. Austerity has left many councils understaffed and underfunded, with demand for many services, such as adult social care and children's services, increasing. The pandemic has compounded those existing difficulties through extra costs, lost income and cash-flow pressures.

Since 2010, Luton Borough Council has had £138 million cut from its budget. It tried to mitigate the impact by generating increased income from Luton airport, which it owns, to fund council services. However, covid-19 health restrictions affecting aviation have caused that income to dry up, meaning the council will not receive its forecast £20 million annual dividend and the £9 million donation to our local charity and voluntary sector is at risk.

Although the Government stated that councils would receive the support they need to get through the crisis, and have acknowledged Luton Borough Council's exceptional circumstances due to the airport, there is a requirement for local councils to set balanced budgets in year, so in the absence of any specific and exceptional Government finance to compensate for loss of commercial income, Luton Borough Council has had no choice but to implement an emergency budget that has made £22 million of in-year cuts. This is affecting our non-statutory services, which are highly valued by local residents. At a time of rising unemployment, 400 jobs will potentially be lost.

I recognise that the Government have made some additional grant support to councils, but it barely scratches the surface of the problem. Without a funding package that considers years of underfunding under a decade of Tory austerity and the instability caused by the pandemic,

services in adult social care, public health, homelessness support and children's services are at risk. The Local Government Association is calling on the Government to provide an additional £8.7 billion in core funding in 2021-22. That consists of £4 billion for the current funding gap to sustain 2019-20 service levels, £1.8 billion to deal with other quantifiable pressures to stabilise the sector, and £2.9 billion for other core funding requirements to help councils improve their core service offer.

We also need a long-term council funding review that begins to rebuild local resilience, as local councils must be at the heart of building back better in our communities. For the sake of our communities across the country, I hope the Minister has been able to persuade the Chancellor to announce a package along those lines in tomorrow's spending review.

3.22 pm

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) on introducing this debate. I am increasingly concerned about the finances of City of York Council, in terms of both sufficiency and its investment choices.

Staff have been incredible in the way they have stepped up in this crisis, working in the most difficult circumstances and going above and beyond. Social care staff have put themselves at risk to meet demand. Social workers have found new ways to safeguard children. Refuse staff have continued to keep our streets clean and bins emptied. There are so many more I want to thank today. The increased demand on them must be recognised. More than claps and kind words, they must receive a proper pay rise this year. If the Chancellor reneges on that, it will never be forgotten.

In York, due to the high rateable values, need has not been met by grants. As offshore landlords have pocketed the benefits of these grants in their tax havens, businesses are vanishing from our high street. Labour wants councils to be able to support the local economy. In York, where 30,000 people work in hospitality, retail and tourism, we have the worst-hit high streets in the country and are one of the worst affected places in general. The 8 million visitors who normally come to our city just are not there.

I want to point to a few specific areas. We know there has been increased demand in domiciliary care, because families are not placing people in care homes for fear that they will not be able to visit and because of the risk of infection. The costs have increased significantly over the last few months and must be met. The same is true of charities. When it comes to the end of the financial year, many are fearful that they will not see their contracts renewed. Already £10 billion in debt, they need security in order to safeguard their futures. As the sector says, charities have never been needed more, but we must also recognise that they have never been more in need themselves.

On public health, it has been an incredible story in York. As we were heading into tier 3, we were able to turn the ship around, bucking national trends and reducing infection rates considerably. Contact tracing has been at the heart of that, yet we need more funding to do more to ensure that we lock down this virus in future, not people or the economy. I trust that the Minister will look at the resourcing of public health to ensure that it can do its job with sufficiency.

[*Rachael Maskell*]

On the investments of City of York Council, at the heart of my constituency is York Central, the largest brownfield site in the country—I know that the Minister and I are going to discuss this. City of York Council has invested £35 million, which will turn out to be about £57 million. The other delivery partners, Network Rail and Homes England, will get their costs back plus 20% profit from the development, but City of York Council will not see such a return.

That needs scrutiny, not least in the light of the current situation, and because of its other poor investment choices, such as paying out £500,000 to a former chief executive, which the auditors are, rightly, not happy to sign off. There is something that needs investigation, and I trust that my discussions with the Minister will get to the bottom of those issues so that we can spend our money wisely in our city.

3.26 pm

Stephen Timms (East Ham) (Lab): Local authorities all over the country are the frontline in this public health crisis. As a recent all-party parliamentary group on faith and society report shows, councils have set up imaginative partnerships with faith groups to provide food and care to struggling families. I support the call made recently by the hon. Member for Devizes (Danny Kruger) in his report to the Prime Minister for a new deal for faith groups.

Covid-19 hit Newham, my very diverse borough, extremely hard. It is next door to Tower Hamlets, which we heard about from my hon. Friends the Members for Bethnal Green and Bow (Rushanara Ali) and for Poplar and Limehouse (Apsana Begum). As elsewhere, the council has been imaginative and effective. It recruited volunteer health champions to disseminate key health messages and to obtain feedback from the community. It set up Newham Food Alliance with faith and community groups. Bonny Downs Baptist church, Highway Vineyard church, Manor Park Christian Centre, Ibrahim mosque and the Newham Community Project have all done extraordinary work in East Ham.

The council has increased support for temporarily accommodated homeless families and it has extended support to rough sleepers and families with no recourse to public funds. It has spent £25.3 million extra on the pandemic this financial year. It has lost £13.3 million in income and has been unable to deliver £7.4 million in planned service cuts. That is a £59.5 million hit, but Government funding has been £36.8 million.

Some 3 million extra people have had to claim universal credit this year, but hard-working families, who work legally but have no recourse to public funds due to their immigration status, do not have that safety net. They can get council help under section 17 of the Children Act 1989 if they have children, and under the Care Act 2014 if they need additional care.

In March, local authorities were told by the Minister to support single homeless adults without care needs. I very much applaud his initiative—I wish the Home Office had shown a similar degree of enlightenment—but there was no clear legal basis for that instruction, so provision has varied immensely.

Local welfare assistance and £500 track and trace payments are available for families with no recourse to public funds only by discretion. Andy Jolly of the

University of Wolverhampton reports that many families were refused council help during the pandemic. We need new funding for basic council support for families with no recourse to public funds. Will the Minister commit to providing it?

3.29 pm

Zarah Sultana (Coventry South) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) for securing this important debate. I also thank and pay tribute to everyone at Coventry City Council who has worked tirelessly through the pandemic, as they did before it hit, to care for the city's residents and keep services going, even as workloads have been stretched and budgets have been pushed harder.

The truth is that local authority budgets were in crisis way before the pandemic. They have faced a decade of brutal Tory cuts. In Coventry, that has meant a cut of £120 million to the central Government grant every single year since 2010, meaning a total reduction of funding of £1.2 billion to date. That amounts to nearly £350,000 in lost funding every single day.

It is a similar story across the country. The National Audit Office estimated that between 2010 and 2018 central Government funding for councils was slashed by nearly 50% in real terms. Those cuts have meant a decade of youth club closures and children's centres having to shut down, and domestic violence refuges and homeless shelters being forced to close their doors. My inbox is inundated with people struggling on the housing waiting list, which now stands at 14,000 people in Coventry. That is what a decade of Tory cuts looks like.

Local authorities have now been rocked by the impact of the pandemic. Councils have been forced to spend more to meet rising needs, and their budgets have been hit by a loss of income in tax receipts and business activity. When we take into account the effects of austerity and covid on local authorities, we see how utterly inadequate the Government's funding announcements truly are. Councils do not just need eight months of funding to be plugged; they need 10 years of cuts to be reversed.

The crisis has highlighted how fundamental our local authorities are and it has shown who our key workers really are, too. They are not the hedge fund managers or the City bankers, who have had it so good for so long. They are the carers looking after our older residents in Coventry, the refuse collectors and the street cleaners, and the working people who have kept our country going. I will finish by placing on the record my thanks to them.

I call on the Government not only to compensate local authorities for temporary funding shortfalls, but to give them the funding and the powers they need to tackle everything from the housing crisis to the social care crisis, to give low-paid staff the pay rise they deserve, and to truly meet the needs of our communities.

3.32 pm

Tim Farron (Westmorland and Lonsdale) (LD): It is a pleasure to serve under your chairmanship, Mr Hollobone. I pay tribute and give my thanks to the hon. Member for Bethnal Green and Bow (Rushanara Ali) for securing this important debate.

I will focus my few remarks on the support that local authorities have given, and continue to give, to businesses. Thanks to Government support, South Lakeland District Council provided the largest single number of grants to local businesses of any shire district anywhere in the country, and it is not hard to understand why that would be the case. We are the tourism epicentre of the United Kingdom and, after London, the biggest visitor destination in the country. The largest single employer is hospitality and tourism, and at the worst part of the crisis 40% of the entire workforce of my constituency was on furlough. We have seen a sixfold increase in unemployment.

The diversity of employment is significant as well. One in four people in my constituency work for themselves. At the beginning, after initial grants and furlough, which were very welcome, were correctly provided by the Chancellor, there were some gaps in support. Discretionary awards were then made through local authorities and delivered expertly, fleet of foot, by local authorities, including my own in South Lakeland, to people such as small bed and breakfast owners, those who ran businesses from their own home or shared space with others, or those who did not get any support in the first tranche. Thanks to the campaigns of many and the Government listening, on that occasion, district councils such as mine were able to provide support, and they have done so well.

That gives us a clue as to how the Government should behave towards the remaining 3 million people who have still received no support. I am thinking about many people on maternity leave; people who have been self-employed for less than 18 months; those who are running small, limited companies, such as taxi drivers, hairdressers, personal trainers and the like; and those who just missed the cut-off date for the payroll, at just the wrong moment in March. Those people have been left with zero support since March and are struggling to pay their rent or mortgage and feed their kids. I pay tribute to them for their campaigning. I beg the Government to allow councils to do for those people what they did for the first set of excluded people back in March and April.

I thank councils for all they do at the forefront, providing social care, schools, special educational needs provision and child protection, and looking after the homeless and those in housing need. I am confident that in Cumbria we had the most effective localised Test and Trace system in the country, with public health being run incredibly well at a local government level in my community.

I will just say, on top of all that, how odd it is that the Government think this is somehow a bright period in which to force top-down reorganisation of local government in Cumbria, North Yorkshire and Somerset. Even if a Government thought there was some wisdom in changing the balance of local government in those places, how crackers—how out of touch—would they have to be to think now is the moment to do it? I urge the Minister to provide funds for local authorities to support those who have been excluded from support so far, and to not distract our social care home managers, our carers, our teachers, those people caring for the homeless, and those leading the economic recovery in our communities. Do not divert them from their vital task by a pointless act of navel contemplation—a top-down reorganisation.

3.35 pm

Naz Shah (Bradford West) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone, and I congratulate my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) on securing such an important debate.

I will start by paying tribute to the council staff across England who have worked so hard to keep our communities safe in difficult circumstances throughout this pandemic. I have seen at first hand the efforts of council staff workers in Bradford West from the very outset of this virus—the hard work they do to minimise and prevent the spread of infection, get help to the vulnerable and support the care sector, work to sustain our businesses and the economy, keep essential services such as refuse collection and bereavement going, and much more, including setting up local Test and Trace services before there was any commitment or financial support from the Government. That has been the case for councils up and down the nation.

However, local government is at a crossroads. A decade that saw £15 billion cut from local authority budgets has ended with the impact of covid-19 driving up costs and cutting income, leaving councils across the country facing huge challenges to set a balanced budget. Many of my colleagues have mentioned those budget cuts, particularly my hon. Friends the Members for Leeds North West (Alex Sobel), for Barnsley East (Stephanie Peacock), for Stockport (Navendu Mishra) and for Poplar and Limehouse (Apsana Begum). The numbers do not look good for any of those constituencies.

Without proper funding, there is a real risk that councils will not be able to balance their budget, as they are legally required to do. Councils do not want to have to make those hard choices, but they have been left with little choice by the Government. Vulnerable people across the country will suffer the most if councils are forced to stop delivering the crucial services they rely upon. The tragedy of this is that after a decade of austerity, councils will be forced to cut back on funding again. Additionally, it has been reported that the Chancellor is considering a public sector pay freeze. Can the Minister clarify whether he feels comfortable clapping public sector workers as we entered the pandemic, and cutting their futures as we start to come out of it?

Since the beginning of the pandemic, councils have sent detailed financial returns to MHCLG each month, so this time around, the Government cannot feign ignorance. Ministers know exactly how much local government is out of pocket by. Despite the fact that at the Government's daily press conference in May, the Communities Secretary said he would “stand behind councils”, it is clear to leaders of those councils that that promise will not be kept. Nor is this a short-term issue that will go away after covid; these funding pressures are cumulative. Councils are losing out on fees and charges from sources such as leisure centres and car parking: as my hon. Friend the Member for York Central (Rachael Maskell) said, York has lost 8 million visitors due to covid-19.

There is no guarantee that there will be a return to normal next year, either, and it is not just me saying that. According to analysis by the cross-party Local Government Association, councils in England will face a funding gap of more than £5 billion by 2024 just to maintain services at current levels. The present national

[Naz Shah]

lockdown has no doubt made the funding crisis more acute. The same concerns have been raised by the Conservative-led County Councils Network, and the evidence from witnesses at the Select Committee on Housing, Communities and Local Government has been equally concerning. I also agree with the concerns that the chair of the all-party parliamentary group, the hon. Member for Waveney (Peter Aldous), mentioned earlier.

I hope that the Minister can provide some clarity about how the Government intend to deal with the huge challenges facing local government, and that he will be able to answer some questions. However, before I get to those questions, I want to talk about places of worship. My right hon. Friend the Member for East Ham (Stephen Timms) highlighted the role of mosques. I have seen at first hand the role of mosques in my constituency, but ahead of the spending review, I have also had some conversations with local churches. The churches, mosques and all places of worship in my constituency have already been picking up the pieces of 10 years of austerity from Government cuts, including through food banks; across the country, each church equates to £300,000. There has been no commitment to help where churches or mosques are picking up the council pieces. Can the Minister highlight what is going on with the funding allocated to places of faith?

I understand that the Prime Minister's adviser, Sir Edward Lister, wrote to councils under tier 3 restrictions to advise that they would not be asked to set a balanced budget this financial year. Will the Minister clarify how that will work and whether it will apply to those councils that are subject to increased restrictions after 2 December? Will he also clarify how much has been paid to local government to date, through his Department's scheme to replace lost income and fee charges? Will he say whether his Department is considering further financial support for councils returning to the higher tiers of local restrictions after 2 December? Can he confirm whether that will be based on need or per head of population?

The Transport Secretary highlighted today that the Government would not engage with regional Mayors as we enter the new tiered system. Have the Government abandoned their pledges on devolution, and should we expect further Whitehall rules for the future of this Government? Finally, will the Minister clarify when the local government financial settlement for 2021 or 2022 will be published? My hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali), who secured this debate, laid out very eloquently the challenges that are faced. Councils have to make a choice: will they cut library services, refuge services, frontline workers, bin collections—what will face the axe next? Councils are between a rock and a hard place when making these decisions.

We have already seen the fiasco where the Government took the decision to centralise Test and Trace and give the contracts to Serco. My understanding is that Serco did not even have any penalties in its contracts. In my constituency, and others I have seen with a high prevalence of covid-19, people have been door-knocking and managing to test, isolate and track people locally. They have managed to isolate outbreaks, but the Government are not putting their money where their mouth is. That is an added pressure to those that councils already face.

We have had 10 years of austerity, followed by covid and a Government who have gone into national lockdown instead of taking a circuit breaker, which we advocated. That has had even more of an impact on our councils. They really need certainty. In Bradford, our councils have already had so many cuts, as have the councils of every Member on both sides of the House. Nobody is denying that we have had cuts for the last 10 years. Will the Minister confirm that the Government will be putting their money where their mouth is? Did they mean it when they said, "We will do whatever it takes"? Will he give the councils that reassurance?

Mr Philip Hollobone (in the Chair): If the Minister could finish his remarks no later than 3.57 pm, Rushanara Ali will have time to sum up the debate.

3.43 pm

The Minister for Regional Growth and Local Government (Luke Hall): It is a pleasure to serve under your chairmanship, Mr Hollobone, and to be back in Westminster Hall after such an absence. It is an important Chamber in which to hold debates such as this one, to raise issues such as local government finance and so on. I am hugely grateful to the hon. Member for Bethnal Green and Bow (Rushanara Ali) for securing the debate and for opening it in such a pragmatic, sensible, level way, which highlighted some of the issues facing local government. I thank her for the tone in which she opened the debate and I thank hon. Members for their contributions. I will do my best to address all the points that have been raised.

First, may I place on the record my thanks to local government? The work that those who serve in local government have done in these extraordinary times has been remarkable. They have risen to help us as a country respond to the incredible challenges we are facing and worked tirelessly to help us through the pandemic. From their incredible work protecting rough sleepers, offering over 90% of them accommodation within just a few days of the start of the pandemic, to the work they have done on testing, alongside NHS staff, to keep our parks, public spaces and schools open, and helping vulnerable people, including victims of domestic abuse, the response has been truly remarkable. I know that if the Secretary of State and the Prime Minister were able to attend, they would put on the record their thanks for the remarkable work of councils, councillors and officers around the country who have done so much to support their communities, their businesses and vulnerable people.

Much of today's debate has been about the response to the pandemic, so I will start my remarks there. In responding to the pandemic, we have built on what was a good local government finance settlement for this financial year: a 4.4% real-terms rise in core spending power for councils. We were genuinely grateful for the Opposition's support for that finance settlement and hope to have their support again. Clearly, they will look at the detail carefully when the Chancellor makes his statement tomorrow and when the settlement is published, but we were grateful for the cross-party support this year, which we hope will be forthcoming again.

We have been determined that no local authority should face unmanageable spending pressures because of coronavirus, and we will continue to deliver on that commitment. That is why, following the announcement

of the winter plan this week, we have allocated up to £8 billion this financial year to support councils throughout the pandemic. Crucially, that includes £4.6 billion of non-ring-fenced spending so that councils can make decisions at a local level about how that money is spent and how resources should be deployed, because councils know their communities best and are best placed to make those decisions.

A number of hon. Members mentioned the financial returns that we have asked councils to submit throughout the pandemic. I am grateful to councils for doing that so diligently. Our information shows that councils spent £3.6 billion from March through to the end of September on covid-related pressures, so we hope and expect that £4.6 billion of non-ring-fenced money has helped councils with those expenditure pressures.

It is worth putting on the record the other support that local government has received from Departments across Whitehall since the start of the pandemic. That has included: £1.1 billion for the infection control fund, which has helped support adult social care providers to reduce the rate of transmission both in and between care homes, and to support the wider workforce, which has been vital; £300 million of support for councils' Test and Trace activities; £485 million to support implementation of the national restrictions, which has been extended to the end of the financial year; £91.5 million for councils to ensure that rough sleepers do not return to the streets, as announced in September; £170 million for the winter grant scheme to support families and children; and over £22 billion in grants and reliefs for businesses at this challenging time. We believe that funding package is unprecedented.

Hon. Members commented on what extra financial support will be available now. I reiterate the point made yesterday by the Prime Minister, who confirmed further support for councils as we return to the tiered system of local restrictions with the extension of the contain outbreak management fund for the rest of the year. That will mean a payment from the Department of Health and Social Care to upper-tier local authorities of £4 per person per month in areas with very high restrictions for the rest of the financial year.

Hon. Members made points about the distribution of funding throughout the four tranches of local government finance support since the start of covid. We have distributed non-ring-fenced funding using a covid relative needs formula. It is important to state that the formula accounts for the main drivers of covid-related expenditure. Yes, of course that includes population, but it also includes deprivation, which is crucial, as well as the various cost adjusters for delivering services in different parts of the country. We think that was the right system when considering how to distribute money between councils.

Members also pointed out that it is not only additional covid spending pressure that councils have faced; many have also had to deal with tax and income losses. That is why, alongside the funding we have put into local authorities, we have introduced measures to help them manage the loss of income from tax and transactional services, sales, fees and charges. That is a substantial scheme. It compensates councils for lost income from key services, such as car parks and libraries, which are normally funded through sales, fees and charges but clearly have been largely closed or underused during the pandemic. Alongside that, we have given councils the flexibility to

spread their tax losses over multiple years, rather than the usual one year. We have committed to set out further details at the spending review—we do not have too long to wait—on how we will apportion the lost tax income between central and local government. I know that councils are keen for clarity on that point, and it will be provided shortly.

There were a number of representations about the spending review itself. I understand that this is a perfect time for that conversation to happen, and those points have been made. I will answer some of the points specifically, but the representations about spending for local authorities, an increase in core spending power, social care funding and the share of the council tax burden and grant have certainly been heard. Those points were well made.

The hon. Member for Poplar and Limehouse (Apsana Begum) mentioned the one-year spending review and how it would have been more suitable to have a longer-term settlement. I understand that point, but unfortunately we are in a place now where long-term planning is difficult to pursue, so we think it is right to concentrate on the covid-19 response. However, we absolutely share councils' desire to return to longer-term financial planning. That has been a key ask of councils, and once we are through the pandemic we aim to hold a multi-year spending review settlement.

The hon. Member for Bradford West (Naz Shah) asked a number of questions, which I will try to address. She asked about engagement with regional Mayors. That is a really important point. The Secretary of State and I spoke to all regional Mayors across the country last night. We have an open offer of conversation and continued engagement with them. We also had a webinar with local authorities yesterday, which every leader and chief executive was invited to. Hundreds of councils joined that call, and that engagement is hugely important to us as we progress through this period. We actually continue to have regular webinars and discussions with council leaders across the country, answering their questions on an almost weekly basis, which has been hugely informative.

I hope that I have answered part of the point that the hon. Member for Bradford West raised about the £4 per head in new funding. If she wants more detail on that after tomorrow, I am happy to set it out for her in writing. She asked about lost income and how much of that is being paid out. Most councils have now been informed about the first tranche of payment that is being paid out—millions of pounds. I am happy to share the details with her if that is desirable. She also mentioned public sector pay in local authorities. It is important to note that local authorities, working with unions and other employer bodies, take these decisions externally of Government, but she is absolutely right to put that on the record.

My hon. Friend the Member for Ruislip, Northwood and Pinner (David Simmonds) made sensible and important points about the long-term sustainability of funding and about funding reform. We would have liked to come forward with the fair funding review this year. Clearly, that is not possible in the current circumstances, but we continue to have that conversation. My hon. Friend the Member for Waveney (Peter Aldous) talked about the funding challenges facing counties and made

[Luke Hall]

important points about the spending review and the settlements. Those representations have absolutely been heard.

My neighbour, the hon. Member for Bath (Wera Hobhouse), who has understandably left the Chamber, made important points about the specific circumstances facing her local authority, which is unique in a lot of respects. I point her towards the sales, fees and charges scheme, which compensates councils for 75% their losses beyond the first 5% of planned income. I am always happy to meet her to discuss those unique circumstances. She also asked for certainty about leisure centres. The Department for Digital, Culture, Media and Sport will shortly set out more detail about the £100 million scheme for leisure centres. She makes an important point about the importance of those institutions for people's physical and mental health. She is quite right to raise that.

The hon. Member for Luton South (Rachel Hopkins) talked about the genuinely unique circumstances that face her council. I hope she feels that we are working with her constructively. It is a unique situation and I am always happy to meet her and her council leader to discuss it, if that would be of use. I absolutely recognise the point she raises.

The hon. Member for York Central (Rachael Maskell) also raised the unique circumstances facing her local authority. I know that we are planning to speak soon, and I look forward to addressing the issues then. She also mentioned the spending review and local government pay, which I hope I have covered in my remarks.

The right hon. Member for East Ham (Stephen Timms) raised a number of issues. I join him in putting on the record my thanks to the incredible organisations in his constituency and his local authority for the work they have done on rough sleeping, which I know is a huge challenge. I know how committed they are to that issue and to supporting people. I thank them for the work they have done in the "Everybody In" campaign. He also made passionate points about those with no recourse to public funds. I think we have made changes on that issue during the course of the pandemic, including extending the derogations to ensure that everybody can receive that basic safety net of support, further than the areas it had already been extended to.

The hon. Member for Westmorland and Lonsdale (Tim Farron) talked about some of the excellent work that his council has done, paying out grants and supporting businesses, and I commend it for that work. He also had passionate views about local government reform and the timings. He will be able to make that argument through the process in the right way. I know he feels strongly about the matter.

I want to thank again the hon. Member for Bethnal Green and Bow, who made a number of hugely important points. She talked about targeted funding. I hope she feels that we are doing that through the equalisation we did last year, to ensure that the local authorities affected

most by the social care precept are seeking that extra support. I thank her and I am at her disposal, if she needs to talk about that further. I would like once again to thank all local authorities up and down the country. I believe that this unprecedented package of support is supporting those councils and I thank them for their work.

3.57 pm

Rushanara Ali: I thank the Minister for his response and the shadow Minister for her contribution. I want to reiterate my gratitude to local council leaders and officials up and down the country, and to all those working with them. Others have talked about interfaith organisations and I pay tribute to the interfaith groups in my constituency, who acted weeks in advance of the lockdown, which I know saved a lot of lives. That is credit to the local authority and its co-ordination efforts.

I also want to pay tribute to the mayor, deputy mayor and councillors in my constituency, and the chief executive of Tower Hamlets Council, Will Tuckley, and his officials for all that they have done. As I said earlier, we have faced unprecedented challenges in Tower Hamlets.

I am heartened by what we have heard today, because we have been able to build a broader consensus across parties in those contributions, focusing on the quiet heroism of local council officials, leaders and councillors. Whichever party they belong to, the pandemic has shown that they have gone beyond the call of duty in protecting people and addressing some of the systemic problems and funding issues that they have all faced to varying degrees. They have got people off the streets, kept our libraries and leisure services open when possible and closed them when needed. As many have said, local authorities not only lack sufficient funds for covid, but have lost income as a result of the pandemic. There is still a shortfall of more than £7 billion. I hope the Government will address that in the announcement tomorrow.

Hon. Members have talked about funding for SEND children, adult social care and the need for longer-term funding, which is crucial for budgeting. Many issues have rightly been raised. What we need, however, is a collective effort, perhaps starting with this group of Members of Parliament, to speak to the Chancellor and the Prime Minister. I know that some hon. Members have closer ties than others. I appeal to all colleagues to use their influence to get the funding that local authorities desperately need, not only to face the crisis and defeat the virus, but to protect our communities.

The hon. Member for Devizes (Danny Kruger) talked about the shortfall of about £30 million in his constituency—he represents a much more affluent seat than mine. Whether they are affluent or poorer areas, we have seen the impacts, so we need to address those issues rapidly.

Motion lapsed (Standing Order No. 10(6)).

4 pm

Sitting suspended.

Covid-19: Acquired Brain Injury

[Ms ANGELA EAGLE *in the Chair*]

4.2 pm

Chris Bryant (Rhondda) (Lab): I beg to move,

That this House has considered acquired brain injury and covid-19.

It is a great delight to serve under your chairmanship, Ms Eagle, as I have never done so before, as far as I can remember. Some have greatness thrust upon them and I have always waited for this moment.

As hon. Members will know, the issue of how brain injury is treated and dealt with in society has been close to my heart for some considerable time. My hon. Friend the Member for Blaydon (Liz Twist) and I have been running the all-party parliamentary group for acquired brain injury for the past few years. It is frustrating that we have not been able to hold as many meetings this year as we would like to, but I am determined that we are going to move forward on this.

Most hon. Members will have had moments when they have visited a Headway group, a local hospital, a local trauma centre, or perhaps one of the day care centres run by their local authority, and met individuals who have had traumatic brain injuries—perhaps people who have suffered carbon monoxide poisoning, or who have had a stroke, or any one of the many different ways in which the brain can be injured. They will know of the great joy that many families feel that somebody's life has been saved, and of the great sadness that their quality of life is not what they would want it to be.

I praise the Government for setting up the major trauma centres, because in the last few years, despite lots of controversy locally in many parts of the country, those centres have undoubtedly saved many lives. Probably in the region of 800 to 900 lives are saved every year because of those centres. However, many of those people come out with brain injuries, and the pain for the individual and the family surrounding them can be phenomenal.

I want to say up front to the Minister the things that I want out of this, just to be absolutely clear. I want a national neurorehabilitation strategy, because there is not one at the moment—there are lots of bits and pieces of strategies, but no national neurorehabilitation strategy. I want a national neurorehabilitation lead—a single person who is in charge. I have heard rumours that somebody might have been put in charge, but I am not sure, so I hope the Minister will be able to respond to that.

I want a mandatory system, not a casually achieved system, for commissioning neurorehabilitation, particularly within the community. It is far too patchy up and down the country, and I am not even referring to the differences between England, Wales, Scotland and Northern Ireland; even within England, it is far too patchy and insecure. I have a real fear that, after covid, we will not reinstate all the neurorehabilitation services that we had before covid came to these shores. I have a real fear of that, so I want a guarantee from the Government that all those services and more will be reinstated, and that all the posts that have been furloughed, suspended or not appointed throughout this year will be kept and will be restored.

Liz Twist (Blaydon) (Lab): Does my hon. Friend agree that our report, “Time for Change”, which was produced by the APPG with the help of the United Kingdom Acquired Brain Injury Forum, actually demonstrates the importance of neurorehabilitation, both in acute settings and in community-based cases?

Chris Bryant: My hon. Friend is absolutely right, and I pay tribute to her for the work that she has done on this issue in lots of different debates, particularly on the relationship between neurorehabilitation and education. It is about the individual in the acute setting, perhaps after a traumatic brain injury in a car crash or something like that, and then it is about that person being given enough neurorehabilitation so that they do not need an enormous care package when they go out into the community, but it is also making sure that there is enough ongoing neurorehabilitation in the community so that they do not fall back on requiring even more of a care package—not because I want to deny care packages, but because I want people to live independently and have the freedom that we would all want for every individual.

I will add two other things that I really want. I am sorry that I am sounding like a popular beat combo from a previous generation—my husband will be proud of me. Neurorehab should be one of the 12 specialities protected during covid. I have made a similar argument about cancer, and cancer has quite rightly had lots of coverage in the country. I hope that very soon we will see the cancer recovery plan, which we have been awaiting for some time, but we also need one for neurorehabilitation. I will come to some of the reasons for that.

The final thing that I really want is a coherent, consistent and tidy arrangement of community neurorehabilitation across the whole country, so that whether someone is in Wells, in Winchester or in the middle of Manchester, they and their family or loved ones have the same right to access ongoing community rehabilitation. Otherwise, it just seems terribly unfair. One of the things that so many families have said to me time and again is that they feel as if they are pushed from pillar to post. They hear a story of somebody getting rehabilitation sorted in one part of the country, and then they find that it is simply not available in their part.

I therefore reiterate that I really want a single coherent approach towards brain injury, and not just in neurorehabilitation—although, as I said earlier, we also need a national neurorehabilitation strategy. We also have to bring together all the different elements. I have spoken to the Minister for the Cabinet Office, the right hon. Member for Surrey Heath (Michael Gove), about the need to bring together all the different departmental Ministers into a single committee to look at the interaction between the work of the Department for Work and Pensions, the Ministry of Defence—it deals with many veterans who have had brain injuries during active service—the Departments for Education and for Health and Social Care, the Treasury, the Ministry of Housing, Communities and Local Government, because it looks at the provision in local communities, and, for that matter, the Department for Digital, Culture, Media and Sport. One of the most depressing and upsetting things this year has been hearing the family of Bobby Charlton say that they reckon that the dementia from which he

[Chris Bryant]

suffers is a result of his experience playing football, and particularly heading the ball. I am not an England supporter, being a Welshman, but how depressing is it that so many of the players in the 1966 team have subsequently been found to have had dementia, depression and anxiety, which were almost certainly related to their playing of football? We put these people on a pedestal, but we are not prepared to protect them. I am still extremely critical of the way the Football Association has behaved around this.

The problem this year, in particular, is that during the first lockdown, a lot of people with brain injuries were discharged early. I understand why it happened, because hospitals had to make beds available for people with covid, but lots of units were closed in the east of England and in the midlands, which are the two areas that have done the most research into this. Between 50% and 100% of the beds that are normally allocated for neurorehabilitation were closed down and simply not available, and people were very swiftly discharged into their community.

The Chartered Society of Physiotherapy has found that 80% of NHS services in this field have not yet resumed—80%. The number of people acquiring brain injuries during this time, in all the different ways that I have mentioned, has not slowed down; if anything, it has sped up. We have always said in our all-party parliamentary group that brain injury is a hidden epidemic. The person standing in front of us in a queue may be slurring their words and we might think that they are doing so because they have been drinking, but it may be because they have a brain injury. Of course, it is not written on their forehead. Lots of the problems associated with brain injury are not visible, so it is all the more important that we dig down into these issues.

The waiting list for community neurorehabilitation is now four to six months. That is a phenomenal length of time for families to be providing care, particularly when covid means that they sometimes cannot even visit the person concerned. There are major comorbidity questions as well. Patients have been discharged into adult social care with no neurorehabilitation at all. We now know that covid itself is causing neurocognitive problems for many people—not just people with long covid, but those with other symptoms as well. I guess that as covid develops and we get more understanding of the disease—and, incidentally, as we are able to treat more people and keep them alive—it is likely that there will be more, not fewer, people who need neurorehabilitation.

Liz Twist: Does my hon. Friend agree that we now need to make sure that those rehabilitation services come to the top of the pile, because this is causing a real problem for too many people in their everyday lives?

Chris Bryant: Absolutely. This is one of the difficulties in this field. We have worked with the United Kingdom Acquired Brain Injury Forum, and Chloe Hayward is wonderful. Headway is also a wonderful organisation, although like many charities in this field, it is having a really difficult time this year. Despite that, the truth is that because there are many different routes to a brain injury, it does not always acquire the same currency as

cancer or other medical conditions, and yet it affects at least 1.4 million people in the United Kingdom. That is one of the things we need to tackle.

Specialist early supported discharge and community neurorehabilitation teams were redeployed in large numbers during the first lockdown earlier this year, and many were furloughed. In some cases, they have still not been brought back, and in lots of parts of the country there simply are no services available in this situation. What happens is that the person with the acute condition—the acute set of problems—is not treated but sent out of hospital, because the bed is needed in this second lockdown. That person is sent directly into adult social care, with a phenomenally expensive care package. I am not against the expensive care package—that is what we have to provide—but the point is that neurorehabilitation would be far more cost-effective; there would be far better outcomes for the individual patient; and it would be far more sensible for Government if we could get the system sorted out. In the second lockdown—who knows whether we are having a third lockdown, or a tier situation, or whatever it is?—the truth is that lots of neuro patients are being discharged early. That is just a fact, and I think that it will give us a long problem, not only for the individuals and their families but in lots of local authorities and community services.

What am I talking about here? What is the real issue? I will end in a moment, Ms Eagle. As I have said, brain injury comes in many forms. Young brains are often particularly affected. Kids under the age of five from poorer families are four times more likely to have a significant brain injury—as are teenage kids from poorer backgrounds—than those from wealthier backgrounds. There is a knock-on implication for the Ministry of Justice, and so on. Sometimes it is the executive function that is affected, so people may find it difficult to inhibit some of their immediate instincts. Sometimes it is memory that does not work, or it may be language or elements of personality. For some people, the issue is phenomenal fatigue—not just the kind of thing where someone had a big night out the night before and cannot really be bothered to come into a Westminster Hall debate, but a real fatigue that brings people to the point of absolute despair and an inability to feel like living. For many children in particular, sometimes nine or 12 months after the event, there is neurocognitive stall—basically, the brain seems to go on strike and refuse to work as anybody would want it to.

The thing is that neurorehabilitation works. I do not mean just any old rehabilitation; I mean neurorehabilitation, which uses specialist staff who deal with these issues all the time and know about how the brain and the mind work together and how people can be rehabilitated. That works when it is there from the beginning, when it is available consistently for a sustained period and when the connections between acute and community services are absolutely clear. When it works at its best, it is such a joy, because we see kids who were completely dependent on their parents, and on a whole team of people from social services, suddenly able to smile again and able to discover their own freedom and ability to get on with their lives independently of others. We see older people who are able to regain many of the physical and mental skills that they had before, and to regain some of their personality. That is such a beautiful and rewarding thing to behold, and it is why I hope that the Minister will be able to give me everything that I want.

4.18 pm

The Minister for Care (Helen Whately): It is a pleasure to serve under your chairmanship, Ms Eagle. I congratulate the hon. Member for Rhondda (Chris Bryant) and thank him for securing a debate on this important matter. I give him so much credit and pay tribute to his passion and his huge knowledge of this subject—I know that he has debated it at length with other Ministers—which he has brought to this debate and other debates on the matter. I also pay tribute to his commitment to this cause and the tireless work that he does. Of course, I know that he speaks on this subject from direct personal experience. I pay a huge tribute to him for all that he brings to these debates.

It is also good to have the hon. Member for Blaydon (Liz Twist) here. I thank her for the work she is doing with the APPG and the hon. Member for Rhondda to campaign for those with acquired brain injury.

I recognise the vital work of charitable organisations such as Headway, the United Kingdom Acquired Brain Injury Forum and the Disabilities Trust. Their work is invaluable not only in raising awareness but in providing hands-on help and support to patients, families and carers. I am aware that acquired brain injury affects not only an individual's health but their family, work, relationships and education, in the case of children, so it has a huge impact on people's lives.

I have met people with brain injuries. Shortly after I was elected, I visited Kent and Canterbury Hospital, which has a neurorehabilitation unit, and I spoke to staff and patients and saw the really impressive work that they were doing. I appreciate the points that the hon. Gentleman makes about the importance of effective neurorehabilitation.

As the hon. Gentleman set out, the pandemic has had a real impact on the care and treatment of people with acquired brain injuries. As he said, staff have been redeployed on to frontline covid work, and that has affected people's care. For instance, some consultations have been moved online, and services are not what we would want them to be. Face-to-face neurology rehabilitation services are being restarted as quickly as possible. Guidance has gone out from NHS England and NHS Improvement and the Association of British Neurologists, and every effort is being made to catch up on delayed care. I will look into the point that the hon. Gentleman made about his concern that services are not yet up and running. I recognise that the pandemic has been a really difficult time for those affected by ABI across a range of areas, not simply access to healthcare services.

This debate and previous debates owe a debt to the all-party parliamentary group and the hon. Gentleman's leadership. I want to flag the wide-ranging inquiry into the causes, impact and treatment of ABI, culminating in the report published in October 2018, which set out a host of things that we need to address across Government. As he knows, my Department worked with officials across Whitehall to give a response in February 2019. I welcome the fact that the APPG, along with UKABIF, continues to drive the "Time for Change" agenda, most recently in an online summit held on 16 November.

One of the key issues highlighted in the report, as the hon. Gentleman said, is the importance of better Government co-ordination. I absolutely take his point. He mentioned a conversation with the Chancellor of

the Duchy of Lancaster. I speak directly for Health, but I am very aware that brain injury cuts across almost all aspects of an individual's life, from education to work and welfare, and sadly sometimes the justice system, so we need to work on this across Government. I will work with my officials to drive stronger co-ordination for ABI across Government.

On the services available to patients with ABI, the hon. Gentleman will know that since 2012 we have had 22 regional trauma networks across England, and those major trauma centres can provide the specialist care needed by patients with major trauma, including brain injury. Alongside that, timely and appropriate neurorehabilitation is a critical part of care. As the hon. Gentleman set out, that is absolutely crucial for improving the outcomes for people with brain injury. For patients with the most complex need, NHS England commissions specialised rehabilitation services nationally. Trauma unit teams then work to assess and develop a rehabilitation prescription for brain injured patients. RPs are rightly regarded as very important for rehabilitation, as they reflect an assessment of the needs of the patient in the round. That approach is showing results. As the hon. Gentleman knows, the latest data shows that 94% of patients accessing specialist rehabilitation have evidence of functional improvement.

The hon. Gentleman spoke about local commissioning and the differences across the country. The majority of rehabilitation is commissioned locally. To support that, NHS England has produced guidance setting out what good rehabilitation looks like and what services people should expect. Community services clearly play a crucial role.

Chris Bryant: I am grateful for the nice comments that the Minister has made, but one of the problems with the guidance is that it does not feel very enforceable, and until the money goes with the guidance, as it were, I think it is unlikely that people will invest in this. It feels sometimes—not to use a cliché—a bit too Cinderella-like. I just wonder whether there is a means of twisting it into enforceability.

Helen Whately: I absolutely take the hon. Gentleman's point, and I have heard the argument made about the service we are discussing and other services that are commissioned locally. There is the holy grail—people want a locally responsive health service to respond to what the community needs, but on the other hand they want consistency. Achieving both of those is hard and, arguably, not entirely possible, because the mere fact of having something locally responsive will involve some variation. However, I will also take away the hon. Gentleman's point that there are ways to try to achieve a higher overall standard and more consistency without necessarily going all the way and saying that it must be done in exactly that way everywhere. Oversight is one way of doing that, so I shall see whether there is further we can go with regard to the point that he made.

I want to pick up on the list of questions—or the wish list, as we are approaching Christmas—

Chris Bryant: Demands.

Helen Whately: In that case, demands: I shall see which of them I can answer. One was about a national neurorehabilitation lead. During the period of covid-19 there is indeed a national lead. Suzanne Rastrick has been designated the national clinical director for

[Helen Whately]

rehabilitation, co-ordinating clinical advice and leadership in that area. That is for the period of covid. I appreciate that the hon. Gentleman's demand is that it should go beyond the period of the covid pandemic.

As to whether all neurorehabilitation services will be restored after covid, I have no reason to believe that they will not, but I shall, again, take the matter away, and make sure that we see that happening. The hon. Gentleman asked whether neurorehabilitation is one of the 12 specialties that are protected during covid, and I can broadly answer yes. NHS England has made a specific provision for a subset of services, to ensure that they are protected, and complex rehabilitation services are included in that. I hope that answers the hon. Gentleman, at least on that issue. I shall look at his ask on a national neurorehabilitation strategy and consider whether it is something we can do. It is a clear request.

Chris Bryant: Will the Minister give way?

Helen Whately: I was just about to conclude, and I believe that the hon. Gentleman has a couple of minutes at the end.

Ms Angela Eagle (in the Chair): No, he does not.

Helen Whately: In that case, I shall take his intervention.

Chris Bryant: I am grateful. I fully get that one of the dangers of having a postcode lottery is that trying to overturn it can mean ending up with no freedom locally, and all the rest of it; but I just say again that the Chancellor of the Duchy of Lancaster really needs to get everyone together. There are real benefits that we could deliver to people, as well as financial savings across the piece.

Helen Whately: The hon. Gentleman makes a good point, and I shall, as I say, take that matter away, as the Chancellor of the Duchy of Lancaster has done as well. In conclusion, I take the matter absolutely seriously. Clearly, covid has put huge pressure on the Department, Ministers and the whole health service, but the hon. Gentleman raises a really important point about how seriously we must take the care, treatment and rehabilitation of those with acquired brain injuries. I thank him again for all that he is doing to campaign on it, and for the impact that he has in doing so.

Question put and agreed to.

4.29 pm

Sitting suspended.

5G Network

4.31 pm

Ms Angela Eagle (in the Chair): I remind Members that there have been some changes to normal practice in order to support the new call list system and to ensure that social distancing can be respected. Members should sanitise their microphones using the cleaning materials provided before they use them, and should dispose of the materials as they leave the room. Members are also asked to respect the one-way system around the room. They should speak only from the horseshoe—although it does not look like that will be a problem for our debate today. Members are not expected to remain for wind-ups. There is less expectation for them to stay for the next two speeches once they have spoken. That is to help to manage attendance in the room. Members may wish to stay beyond their speech but should be aware that, in doing so, they might prevent Members in the seats in the Public Gallery from moving to seats in the horseshoe. Again, I do not think that will impinge on our concern this afternoon.

4.32 pm

Alun Cairns (Vale of Glamorgan) (Con): I beg to move,

That this House has considered business and economic opportunities after Huawei's exclusion from the 5G network.

It is a privilege to serve under your chairmanship, Ms Eagle. I am grateful to the Members present for their interest; I am sure that there will be cross-party support for my objective. I want to use the UK's excellence in areas of new technology as an opportunity to help to grow the UK economy and to support the Government's levelling-up agenda across the UK.

Some time has passed since the decision was taken to exclude Huawei from the UK's 5G network. Governments around the world faced challenges over Huawei's dominance in this field. Concerns around security contradicted the will or demand to roll out the technology as quickly as possible. A tension between the two was created. We all know the difficult decision that the Government took to exclude Huawei's influence, and we look forward to the Telecommunications (Security) Bill, which will be presented shortly.

Alternative providers need to be found and developed, and that is an opportunity for the UK to step up in specific areas. As a free marketeer, my instinct is to let the market decide, and that remains true, but with the UK having considerable expertise in the field, the Government can play an active part in setting the direction, creating the parameters and providing the greatest certainty to allow for private investment, particularly in the fields where as a nation we are in a leading position. Announcements on open standards such as Open RAN—radio access network—highlight that the Government understand that, and their focus should be recognised. It will diversify the market, improve resilience and innovation and facilitate the UK to play a leading position in a field recently dominated by the Chinese.

The reach and influence of 5G technology will extend much further than previous generations of communication. Its capacity to carry much larger volumes of data at very high speeds means that our connected lives will be

taken to a new plane, from the internet of things to connected vehicles and smart cities, and many more areas that we have not even thought of yet.

There are several fundamental elements needed to achieve that, including a range of areas, such as radio frequency and satellite communications, 5G and base station capabilities, backhaul technologies and cyber-resilient networks among others. I highlight those elements, because I believe the UK already has specific expertise there, which can be developed further, as I will comment on later. All of them come together using compound semiconductors. These very high capacity chips enable more data to be managed effectively.

It was once described to me that if a silicon chip is a country lane, a compound semiconductor is a great big highway. That encapsulates the opportunity and possibilities 5G will create. Interestingly, they also minimise energy consumption and will play a big part in our net zero target. It is with great pleasure that I can say that the world's first cluster of compound semiconductor technology is in south Wales, developed from companies such as IQE, SPTS Technologies and Newport Wafer Fab. Many others have followed since. All are supported by the Compound Semiconductor Applications Catapult.

I want to pay particular tribute to the work of Dr Andy Sellars from the Catapult, who first sparked my interest in this field when I was the Secretary of State. Government investment has been significant through the Department for Business, Energy and Industrial Strategy, UK Research and Innovation and the Cardiff capital region city deal. It was a privilege to play an active part in supporting the projects and to see Swansea University and Cardiff University research play its part, along with other universities from Bristol to Cambridge and many more. I also had to ensure that the Department for International Trade was also aware of their expertise. It was good to see Andy Sellars in a prominent position at the GREAT Festival of Innovation in Hong Kong, highlighting the possibilities and seeking to attract interest and investment globally. It was an extremely impressive show, as recognised by everyone. It was a privilege to be there to see it in action.

The fundamental elements I have highlighted, however, are also areas where the UK has specific expertise that can be developed with an appropriate framework. The high-speed radiofrequency technology along with satellite communications needed to maximise coverage is one example. The UK's investment in OneWeb shows that the Government understand the opportunity. There is also a cluster of complementary technology companies in the north east, such as VIPER RF, Diamond Microwave and aXenic. These are all supported by the Satellite Applications Catapult in the region. Elsewhere in the UK, iconicRF has a very strong reputation internationally.

I pay tribute to the Minister for his active interest in this area, which has given a lot of support to the industry and encouraged further investment, but there is more to do. As part of the network improvements, there will be a need to upgrade base stations with the specific need to develop small cell technology. Blu Wireless in Bristol is an example of the UK's expertise that also benefits from the compound semiconductor cluster that I have already referred to, which also forms part of the western gateway region. Also in the western gateway economic region lies the UK's strength in cyber-resilience, including Airbus, Thales, GCHQ and Bristol University's quantum optical network strength, among others.

Another essential element is backhaul, which takes data from the cellular base stations and feeds into the network. The introduction of 5G applications will mean a need to develop from its strength beyond 400 gigabits per second. Filtronic in Durham and Cambridge Broadband Networks are forerunners in this area, too. The final piece of the jigsaw is test and validation. This is critical to guarantee the interoperability between the vital elements that I have already referred to. The world's leading test and validation company, Spirent, has its headquarters in the UK. It also operates in the United States. Bringing all those together highlights our expertise in discrete areas of 5G apparatus—a technology and infrastructure project for which demand will grow exponentially. We have an opportunity to develop a plan to ensure that those companies and others are well positioned to benefit from that opportunity, but how do we do that?

There are examples of support across Government, such as for the automotive sector, that offer a model of how to engage with the industry to develop the necessary clusters of consortia. For example, the Advanced Propulsion Centre plays a role in facilitating the shift to electric vehicles. Its modest budget has attracted significant private sector investment in the field. In one case, the APC supports a consortium of 13 companies that work with the Compound Semiconductor Applications Catapult in south-east Wales, to which I have already referred, to create the UK semiconductor supply chain to power McLaren's electric sports car.

On the back of that project, further consortia have been formed with BMW and Mini to benefit from UK technology. In total, the catapult is working on approximately £100 million-worth of projects, 50% of which have been funded by the private sector. I suspect that the private sector proportion will continue to grow because of the cluster of excellence that has been created.

Another model, in a different field, is the ventilator challenge that the Government set up in response to covid-19 to encourage manufacturers to innovate to meet the global shortages of ventilators. A consortia of companies brought together by the High Value Manufacturing Catapult built more than 15,000 ventilators, which represents five years of production, in just three months. That was pulled together in the national interest and would not have happened if the Government had not played a facilitating role.

A third example is the development of energy generation projects, which have received similar support. The certainty that the Government gave to offshore wind energy installation has allowed the UK to dominate the engineering field in that sector. Similarly, the commitment to small modular nuclear reactors is leading to a world-first in the UK that has the potential to be a major export. Again, I pay tribute to the Department for Business, Energy and Industrial Strategy, the DIT and the Wales Office, when I had a personal interest in it, because Wales has a strong presence in the opportunity.

The Minister will be pleased that I am not calling for a new agency or for identical models to be used, but I am asking for the same principles to be applied that were established for electric vehicles, ventilators, offshore wind and SMRs to prompt further investment from the private sector. The Government have a part to play in providing certainty on policy. The Department for Digital, Culture, Media and Sport is playing a significant part,

[Alun Cairns]

but it also needs to act as a facilitator to bring some of those excellent companies together and to work with BEIS because of the cross-departmental agenda.

I also gently say to the Minister, and other hon. Members, that not all Government Departments are as joined-up as we would like them to be. Sometimes there needs to be an able Minister with a great pedigree who has the opportunity to bring people together, such as the Minister before us. The market potential is significant and would be a welcome boost to many parts of the United Kingdom.

Companies have a part to play too. If I have any criticism of them, it is that they do not shout loud enough about their expertise or their potential. I deliberately stated where most of those companies are based, because their siting is relevant to the Government's levelling-up agenda. The western gateway that I referred to is sited in some of the most deprived parts of the UK, but there is the excellence in that region to bring together complementary expertise that does not exist anywhere else in the world. Similarly, the north-east has a leading position in radio frequency and satellite technology, as I have highlighted, and we all know about the Government's ambitions to grow the economy in that part of the country.

The Government's decision on Huawei could be a pivot to develop our expertise further and to scale up research in manufacturing, which would lead to a major increase in UK components for our 5G network and a huge export market. At the same time, that would remove the security risks that many hon. Members were concerned about. I look forward to the Minister's response.

4.45 pm

Imran Ahmad Khan (Wakefield) (Con): It is a pleasure to serve under your chairmanship, Ms Eagle.

In this interconnected world, we are all utterly reliant on telecom services and digital infrastructure. It not only ensures that we can communicate with one another; it allows businesses to operate and provides people with new ways to socially interact—increasingly crucial during this pandemic and subsequent lockdowns.

There are no absolutes in cyber-security; it is not a binary subject. We can never envisage an entirely secure system. During the covid-19 pandemic, cyber and digital security have become ever more important. There is a growing mountain of evidence that hostile actors have used the pandemic as an opportunity to carry out malicious cyber-activity. The pandemic has revealed the importance of ensuring that our digital infrastructure and telecoms services are as secure as possible.

It is precisely for this reason that I strongly commend Her Majesty's Government's decision to remove Huawei entirely from the UK's 5G network by the end of 2027. The Foreign Secretary has already outlined concerns with Chinese involvement in our networks and that China is worryingly engaged in pernicious cyber-attacks against our commercial, academic and—even during this pandemic—medical institutions.

China, or more precisely the Chinese Communist party, is irrefutably a threat to our cyber infrastructure. Huawei is, in effect, a state-owned structure under the control of the Chinese Communist party. The company's

trade union committee is registered with and pays dues to the Shenzhen Federation, an all-China federation of trade unions, which in turn is controlled by the CCP.

Through a combination of a prolonged poverty of western strategic thinking and Chinese Communist party subsidies, intellectual property theft and entering low-income markets with low-cost products, Huawei has become a market leader in 5G. To some, Huawei's exclusion may well be seen as a risk. However, in reality, it provides the United Kingdom with numerous opportunities—and benefits—to build a safe and secure 5G network.

As stated, Huawei, like every major Chinese firm, is not truly independent of the Chinese state. The very real risk of this is the Chinese Communist party utilising Huawei's infrastructure to access, spy upon, disrupt and even sabotage critical UK interests via our communications, which would undermine the security of our allies and ourselves.

Secondly, the strength and durability of Huawei's systems are questionable. While Huawei has gained success with low-cost products, its ability to withstand cyber-attacks is questionable. The BBC's security correspondent, Gordon Corera, reported that UK security services have been highly critical of the company's engineering standards. The UK must seize this opportunity and pave its own path in developing and maintaining its 5G network with minimal interference from Huawei and its communist overlords.

The benefits of using British cyber and telecommunications companies should not be underestimated, boosting the success of our firms and simultaneously providing a strong foundation for our digital economy. Naturally, this does not only have to include British firms. Companies such as Japan's NEC Corporation or South Korea's Samsung could also be brought in to assist in creating the UK's 5G network. Our close trading relationship with Japan and the signing of the UK-Japan free trade deal only weeks ago mean that such partnerships would make commercial, political and economic sense. While Huawei does present a cheap and quick option to create a 5G network in the UK, it would forever be compromised by the Chinese Communist party while, additionally, further denying opportunities for UK businesses and wider economy. The economic, commercial and political case for Huawei's exclusion is overwhelming.

4.49 pm

Stephen Flynn (Aberdeen South) (SNP): It is a pleasure to serve under your chairmanship, Ms Eagle. It is important to congratulate the right hon. Member for Vale of Glamorgan (Alun Cairns) on bringing forward this debate. It is clearly a matter that he knows a significant amount about, and he spoke incredibly passionately, particularly about what could be achieved in and around Wales and the north-east. In silicon chips and, I think, semiconductors, he used turns of phrase that I had not heard before. He certainly educated me in that regard, which I will definitely take away from this debate, if nothing else. I am sure that my dad, an engineer, will be delighted about that. He spent many years trying to educate me on these things when I was younger, to no success whatsoever. The hon. Member for Wakefield (Imran Ahmad Khan) raised some incredibly important matters, which I will come to in due course.

First, on interconnectivity, we have all been particularly reliant on the ability to contact people virtually during the pandemic, and a great deal of this House at this moment in time operates virtually, albeit not enough. This has shown us the reliance that we now have on technology. We should be willing to embrace the further betterment of technology, be that with 5G or otherwise, to improve all our standards of living.

I was quite surprised by the number of people here to talk about Huawei, because it is usually a matter that garners much attention, particularly in the Chamber, but there we are none the less. The points raised were incredibly important. The best way to sum them up is the fact that it was a particularly sorry episode for the Government. The to-ing and fro-ing that took place was not necessary, particularly when we were all aware that Huawei was deemed to be a high-risk vendor. I am sure that, if the Government had their time back, they would probably do things differently. That is one of the pitfalls of government, I suppose. I see a wry smile on the Minister's face.

Obviously, the debate relates to the potential of 5G, particularly for business. That potential is enormous, be that for health, transport or climate change. We are not talking only about better connectivity on our mobile phones, as some may believe. I will briefly reflect on climate change. There are two sides to that debate. There are those who believe that 5G working in the manner in which it should will ultimately increase energy usage, because we will do more and see more much more quickly. On the contrary, we can also seek to combat climate change by doing things in a more efficient and effective manner, a goal that we all must aim for, particularly when looking at 5G moving forward and how we can tie that into the climate change challenges that face us in Scotland, the UK or across the globe. That should really be at the heart of most of the things that we seek to do going forward.

Ultimately, when it comes to 5G, telecommunications is a reserved matter. I wish, like all policy matters, that it sat in the remit of the Scottish Parliament. We have not quite reached that stage yet—"yet" being the operative word—but we will get there. *[Interruption.]* I hear some sniggering at the back, but we will get there. However, until that moment, telecommunications is reserved, and from Scotland's perspective we are very much at the behest of the UK Government and the avenues that they seek to go down.

As the UK Government progress with this matter, it is incredibly important that we take into account the specific geography of Scotland. As the Minister's parliamentary private secretary, the hon. Member for Berwickshire, Roxburgh and Selkirk (John Lamont), will be acutely aware, 42% of Scotland does not even have access to 4G. On my way to the Aberdeen airport today, I lost 5G signal on numerous occasions while going round the city—although not when going through the city; I believe that there is some 5G enablement within the city. We need to be mindful of the geographical challenges across the entire UK as we move forward with this matter.

It is important that investment—be it from the Government or the private sector—seeks to benefit everyone and that nobody misses out. Climate change will be key, but those rural communities across Scotland and the rest of the United Kingdom must also get the

connectivity that they so badly deserve. Ultimately, while we need to ensure that nobody misses out, we also need to make sure that security and resilience are at the forefront of everything that we do when it comes to 5G and ensuring better interconnectivity within Scotland and the UK.

4.54 pm

Chi Onwurah (Newcastle upon Tyne Central) (Lab): It is a great pleasure to be here to serve under your chairship for the first time, Ms Eagle. I thank the right hon. Member for Vale of Glamorgan (Alun Cairns) for securing this really important debate, and it is a pleasure to have the opportunity to talk about such an important subject. I am very grateful to him for that, and for his opening comments: rarely have I heard a speech from the opposing ranks with which I agreed so fully, and almost entirely. I appreciate his comments about the importance of 5G and its opportunities; I also appreciated his reference to Dr Andy Sellars, who is making important advances in this area, and his comments on photonics in the north-east of England. There has always been closeness between the north-east and Wales, and leading in the diversification of the telecoms supply chain would simply be another example of that.

I should also declare an interest: as some Members may know, I worked as a telecoms engineer for 23 years before coming into Parliament, and my very first job was with a telecoms equipment supplier called Nortel—Northern Telecom—who, when I joined it, had just bought one of the last two British telecoms suppliers, that being STC; Marconi stayed around a little bit longer. It is a real shame that having worked for Nortel, and having spent my entire career in telecoms, I never went on to work for a British telecoms supplier. That was a consequence of the industrial strategies pursued under the then Government, Thatcher's Conservative Government, and under the current Conservative Government, with not enough having been done in the intervening Labour years.

I agree with both the right hon. Member for Vale of Glamorgan and the hon. Member for Wakefield (Imran Ahmad Khan) in their characterisation of the opportunities presented by 5G, which we hope can transform and bring broadband to every corner of our country—which is so much lacking now—and allow us to have real on-the-go mobile broadband, together with the opportunities presented by the internet of things and the vast increase in connected devices that we will see. That is why it is such a shame that the Government find themselves in such a 5G mess. I understand that they are happy to pass the cost of their mistakes, indecision and poor planning on to the operators, stating, for example, that the costs of removing Huawei are "commercial decisions that are for the mobile operators to make"—costs that the sector worries could top £7 billion and cause delays of up to three years to 5G roll-out, harming growth and innovation. We should not accept such a delay, which harms UK productivity and sends a message to innovators that they should look elsewhere. Can the Minister confirm that there will be no delay to the target of rolling out 5G to the majority of the country by 2027?

The right hon. Member for Vale of Glamorgan and the hon. Member for Wakefield were right to emphasise the opportunities of an effective diversification strategy.

[Chi Onwurah]

I have put many questions to the Minister on this point, and he has confirmed that the Government plan to prioritise open source and Open RAN technologies, which the right hon. Member mentioned, as part of their plan to build market resilience. However, we still lack any clear strategy for the diversification of our telecoms infrastructure. Yes, we have the names of those on the telecoms taskforce, but no telecoms systems developers are among them. The Minister said that was because the focus was on cyber-security; I should say that while we are taking steps to hopefully secure our network, we need a network that is innovative, effective and resilient as well as secure. The absence of any telecoms systems developers on the telecoms taskforce is a real loss, as is the lack of any representation for any organisation or person from north of Bristol. Can the Minister set out how he intends to ensure that we have a truly representative task force, able to make use of the talents and innovation throughout the relevant sectors and throughout the country?

The Telecommunications (Security) Bill was published this afternoon. I have not had time to assess all its clauses in full, but it does not seem to refer to the diversification strategy that we are promised. The official Opposition welcome the measures taken to secure our network, but without the diversification strategy, our network will not be secure because we will be so dependent on perhaps two vendors. We have to have a diversification strategy, not only to ensure the opportunities in different sectors and different parts of our country in terms of economic development, but to make that network secure. Where is the diversification strategy? How can we have a Bill that does one thing, which is to secure the network, that is so dependent on a strategy that does not appear to be mentioned?

I turn to the opportunities in Open RAN defence and international collaboration. I thank the right hon. Member for Vale of Glamorgan for the explanation of Open RAN. The market is estimated to be worth £47 billion by 2026 and the UK can gain a significant amount of that if we build on our existing strengths, such as compound semiconductors, radios and software for disaggregated networks.

The decision to remove Huawei from the network was based on national security, exhibiting one of the many synergies between telecoms and defence, with many UK companies supplying both the telecoms and defence markets. For example, semiconductor fabricators II-VI, a north-east company based in County Durham, or INEX Microtechnology, in Sedgefield, provide critical infrastructure to both the telecoms and defence markets.

We will see immediate action from operators to replace high-risk vendors and a long-term replacement strategy in UK 5G infrastructure, opening doors for businesses. Japanese firms such as NEC, which the hon. Member for Wakefield mentioned, have already agreed to set up a UK telecommunications centre to help provide immediate alternatives to high-risk vendors, providing NEC with a springboard into the European market. This is a good opportunity for many smaller UK firms, but it cannot be a one-off. What is the Government's strategy to ensure that UK firms can forge strong partnerships with international firms?

It takes investment as well as strategic vision to diversify our supply chain after so many years. I am afraid that both of those seem to be sadly lacking. Will the Minister take the chance to tell us today how much additional funding the Government will provide for telecoms research, development and innovation? At the same time, can he say how much will be going to the north?

We have excellent science-based and technological opportunities to be found. Indeed, in March, as a constructive Opposition, I offered the Minister a five-point plan to help diversify our supply chain. I called for a communications Catapult centre, and for next-generation research and development projects. BT used to have a major lab, developing and looking far ahead at new telecommunications technology. Is the Minister considering something like that? Can he give us more details? I also called for support for standards development, to support interoperability. We have heard nothing about that. He needs to look at non-5G wireless technologies. What is the Minister doing to support those in all the regions of the UK?

The UK has an opportunity to build a highly resilient, secure and diversified 5G network, unlocking opportunities for business and innovation across the country. Furthermore, when we think about the next generations—6G and 7G—the UK has the opportunity to lay the foundations to make us a leading telecommunications country once again. Let us remember that we invented both fibre and the web in the UK. I urge the Minister to obtain the political will and set out the plan that ensures our diverse telecoms sector has the confidence and the investment that it needs to grow and to lead the world.

5.5 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman): It is a pleasure to serve with you in the Chair, Ms Eagle. I pay tribute to my right hon. Friend the Member for Vale of Glamorgan (Alun Cairns) for securing a debate on a genuinely important topic, which would have perhaps attracted a significantly bigger crowd on other days—I take that as a sign that the Government are going in the right direction in lots of ways. It is none the less a critical topic for the Government, and it has been my focus for the last few months, to say the least.

I begin by paying tribute to the work of the Catapult and Dr Andy Sellars, already mentioned by my right hon. Friend and others. It is a £43.5 million Government project supported by UKRI, and it is important to say that £12 million from the Welsh Government is an important contribution. Some 1,500 people are already employed as part of the project and, as my right hon. Friend said, we expect thousands more to come as part of that investment. It is as though he read some of my speech, because he mentioned that we are already seeing clusters forming from the clusters. The close collaboration with the private sector in the north-east, Cambridge, Bristol and elsewhere shows that Britain is beginning to take the opportunity by the horns and make the best of it that we can. We do that in collaboration with our other international partners, but ultimately the opportunity is due to a wealth of expertise in this country, as the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) highlighted. That private sector collaboration will only continue to grow.

As my right hon. Friend highlighted, we have plenty more work to do. One of the things that we will seek to do through our diversification strategy is to shape the market and set the direction in a way that works genuinely with our private sector partners, because he is right to say that although there is much that we should leave to the market, we have to work collaboratively in the interests of national security, and we have to do it in way that ensures that we do not repeat the mistakes of the past. Ultimately, we are in the position that we are in with Huawei because of decades of wrong decisions, albeit with the best intentions.

My right hon. Friend also observed that not every Government project is as joined up as it could be. I can tell him that the diversification strategy will be one of the most joined-up Government projects he has yet seen—I do not know where that sets the bar in his expectations.

I am glad that we are having the debate, but I rather wish we were having it at this time tomorrow, because I will be able to say significantly more after the Chancellor has made his statement. To some extent, that will also tie in with the diversification strategy. As the Secretary of State has said, we will publish the diversification strategy alongside the Bill that so many colleagues have referred to. As the hon. Member for Newcastle upon Tyne Central knows, we have published the Bill today, so she will not have to wait long for her salvation. She mentioned the international angle, the need to put money behind it, the need to focus on standards and the need to focus on a specific institution, if not specifically a lab. In some form or another, those things will all be of great interest to her when she reads the diversification strategy, which she will be able to do in due course.

Chi Onwurah: I appreciate the Minister's comments and look forward, as always, to the publication of the Bill. Will the diversification strategy have the same legislative structure, content and meaning as the Telecommunications (Security) Bill? Will it have legislative power that is binding on the Government?

Matt Warman: It is a crucial complement to the Bill introduced by us today. We will be putting in place all the right incentives to ensure that the requirements being imposed by us through primary and secondary legislation can be met, or even beaten, within the timescale that we will be laying out. We cannot impose requirements on individual companies to make specific procurement decisions through legislation, but we can make sure that they are as secure as they need to be, and that the programme fits in a way that works for the market and for our national security. I know that the hon. Lady will take a close interest in both the primary and the secondary legislation, which will fill in some of that picture.

My right hon. Friend the Member for Vale of Glamorgan was right to imply that while we are now more dependent as we move away from Huawei, we have an opportunity to work both with the existing incumbents—primarily Nokia and Ericsson—and new incumbents. We are already working towards increasing the presence in our markets of those incumbents and, crucially, towards that Open RAN future of interoperability and far greater opportunities for our companies to thrive.

Alun Cairns: I underline my point that many of the component businesses to which I referred will have the opportunity to work with Ericsson and Nokia, as well

as with other leaders in the field that are alternatives to Huawei, so the UK can play a prominent role even if it is not the headline, first-tier organisation.

Matt Warman: My right hon. Friend is absolutely right. That is why the Government have been working as fast as they can on the 5G supply chain diversification strategy, which not only meets our short-term needs but prioritises the bold and ambitious approach that, as we both agree, makes it possible for our companies to make the most of their place in a global market, not just the UK. To reiterate what has already been said, that approach is built around supporting incumbents and attracting new suppliers, and also around accelerating the development and adoption of the Open RAN interoperable standards. They are all major opportunities, both nationally and internationally.

As discussed, the decision taken on high-risk vendors means that the UK is more resilient in respect of Nokia and Ericsson, and although 5G is now available in over 90 towns and cities with the support of those two companies, we need to seize the emerging opportunities to grow that number as rapidly as we can. That is why the Government are looking through a series of R&D interventions of the sort that the catapult has been so pivotal in accelerating.

Of course, we also want to bring new suppliers into the UK market. It is worth saying, as the hon. Member for Newcastle upon Tyne Central did, that the presence of the NEC global centre of excellence in the UK is not just an important sign of what is already there, but an important signal of the esteem in which the global supply chain holds the UK's enthusiasm for adopting 5G.

I will take the opportunity to say that we have no intention whatsoever to delay the 2027 target for the majority of the UK population to be covered by 5G. It is already in 100 towns and cities, and the figure is increasing all the time. I also take the opportunity to point out that the chair of the taskforce mentioned by the hon. Lady, which is expert in both commercial and academic senses, is Lord Livingston of Parkhead. I am sure she knows that Parkhead is a part of Glasgow and is some way north of Bristol, but we are keen to focus on the diversity and expertise of that taskforce. Ultimately, we have prioritised expertise in the taskforce rather than the geographic location. She makes a fair point but, as I say, Glasgow is consistently north of Bristol.

Chi Onwurah: Will the Minister give way?

Matt Warman: I think we have covered the geography of Glasgow.

We are working to remove the barriers for new market entrants, and the taskforce is a crucial part of that, but our ambition will not stop there. We will be keen to make sure that our global ambitions are a part of the work of both the taskforce and the diversification strategy, and that will persist well beyond the process that we go through with the Telecommunications (Security) Bill and with the diversification strategy.

My right hon. Friend the Member for Vale of Glamorgan noted our existing expertise and mentioned Open RAN, which will be hugely important in future. He will know that Vodafone has already launched a trial in Wales. That is the first, we think, of a significant improvement in the percentage of Open RAN, and we will seek to

[Matt Warman]

ensure that that persists. He also mentioned the potential of the low earth orbit satellite and OneWeb. It is important that we are open-minded when it comes to what technologies can be developed both through the Catapult and elsewhere. As the hon. Member for Newcastle upon Tyne Central said, we should not simply look at 5G when it comes to making sure we connect as much of the country as we possibly can.

I will address the comments made on behalf of the Scottish National party. The hon. Member for Aberdeen South (Stephen Flynn) is completely right that when we talk about 5G, it is important not to forget that significant parts of the country need a step change in their connectivity. The shared rural network, a £1 billion partnership between the UK Government and the mobile networks, will see 4G connectivity, particularly in Scotland, accelerate rapidly between now and 2025. That is hugely welcome, as he and others in this Chamber are keenly aware. Scotland is challenging geography to wire up, but it is crucial that we do so as rapidly as we can.

My hon. Friend the Member for Wakefield (Imran Ahmad Khan) was absolutely right to mention the opportunities for us in this project. We should see the next few years as a crucial opportunity to grow a really important UK market. The hon. Member for Newcastle upon Tyne Central said that she had never had the opportunity to work for a major British telecoms company. I say to her that the night is young.

If we get this right, opportunities will come in Britain and elsewhere. All of this will require investment, and the Government will put forward an initial funding package, to be set out in the spending review tomorrow, along with a boost to the Ofcom budget to reflect its enhanced security role under the Bill that we have laid today. The funding package will drive early progress and ensure that our diversification strategy not only bolsters the resilience and security of our digital infrastructure, but creates opportunities for competition, innovation and prosperity in all four nations. It is a huge opportunity that I hope we will be able to seize rapidly over the next few years, not just in 5G but through the UK's gigabit programme as well.

This country already benefits hugely from the digital economy. This programme and this debate are part of

doing that better. They are part of building back better, and I am confident that we will look back and say that we took a decision about Huawei that improved our national security and drove our ability to seize economic opportunities. I thank my right hon. Friend the Member for Vale of Glamorgan for securing the debate.

5.20 pm

Alun Cairns: It is a privilege to have the opportunity to respond to a debate in which everyone has been in agreement. I pay tribute to the Minister and the shadow Minister for the healthy banter between them.

We recognise the real economic opportunity in parts of the UK where there are specific economic challenges. This is a great opportunity for the levelling-up agenda and for making great advances in technology in the UK—in the 5G network in the UK and globally. They come together, and the UK can play a prominent part.

I am also grateful to the hon. Member for Aberdeen South (Stephen Flynn) and my hon. Friend the Member for Wakefield (Imran Ahmad Khan) for their contributions. They recognise the challenges that the Government have faced and the opportunities ahead of us.

We need to move away from the headline, first-tier organisations, because most of the expertise lies in a diversified supply chain. We have named some of the organisations in the supply chain, but there will be many more that we are not aware of, such as start-ups that have broken through in some of these fields. Ministers in DCMS, BEIS and beyond need to play a facilitating role in responding to the latest emerging technology and in creating a framework where companies can come together to further enhance the research and excellence in the field. They must take this opportunity for the UK to play a prominent part not only through its own network, but in the exports sought by those nations around the world that do not have that base level of excellence and research.

Question put and agreed to.

Resolved,

That this House has considered business and economic opportunities after Huawei's exclusion from the 5G network.

5.22 pm

Sitting adjourned.

Written Statements

Tuesday 24 November 2020

TREASURY

London Capital and Finance: FCA Investigation

The Economic Secretary to the Treasury (John Glen):

On 23 May 2019, I laid a direction before Parliament using the powers conferred by sections 77(1) and (2) and 78(5) and (6) of the Financial Services Act 2012 (“the Act”) and set this out in a written ministerial statement (HCWS1584). I formally directed the Financial Conduct Authority (“the FCA”) to launch an independent investigation into the events relating to the regulation of London Capital and Finance plc (“LCF”). Paragraph 3 of the direction required that the investigation focus on whether the FCA discharged its functions properly (“in a manner which enabled it to effectively fulfil its statutory objectives”) and with a particular focus on matters listed in the direction. The direction required that the FCA appoint an independent person to undertake the review and that the review should be completed within one year. The FCA appointed Dame Elizabeth Gloster, who has had a distinguished career as a barrister and as a judge on the High Court and the Court of Appeal, to lead the investigation. I also approved this appointment.

The direction also set out that if the investigator considered that it would not be possible to complete the investigation within one year the FCA must inform the Treasury of the reasons for the delay and set a revised target date for its conclusion. The FCA wrote to me in May setting out that the delivery of the report would have to be delayed to 30 September 2020, and again in August setting out that the target date for conclusion would have to be delayed to the 23 November 2020, which reflected capacity constraints as a result of covid-19 and delays in the FCA providing key documents to Dame Elizabeth. I also received correspondence from Dame Elizabeth on both occasions. Further information can be found on the Government website <https://www.gov.uk/government/collections/independent-investigation-into-the-failure-of-london-capital-and-finance>.

On 23 November 2020, Dame Elizabeth, in accordance with the revised timeline, delivered her final written report to the FCA. In line with the direction, the FCA will now consider the report, the recommendations and any lessons learnt. Section 82 of the Act requires the Government to lay before Parliament the FCA’s written response to the investigation which will include the investigator’s findings and recommendations.

I recognise that it continues to be a very difficult and uncertain time for all LCF bondholders. I can confirm today that I have asked the FCA to work with the Treasury so that the Government can lay before Parliament—and publish online—Dame Elizabeth’s report and the FCA’s response before the December recess. This independent investigation is separate to criminal and regulatory investigations into the failure of LCF by the Serious Fraud Office (SFO) and FCA which are still ongoing.

[HCWS595]

DIGITAL, CULTURE, MEDIA AND SPORT

Historic England Tailored Review

The Secretary of State for Digital, Culture, Media and Sport (Oliver Dowden): The tailored review of the Historic Buildings and Monuments Commission for England (more commonly known as Historic England) is published today.

As a non-departmental public body, Historic England is required to undergo a tailored review at least once in each Parliament. This review also examines the 2015 decision to split Historic England into two separate, though related organisations: one an arm’s length body operating under the name “Historic England”, and the second a charity called the English Heritage Trust (trading as “English Heritage”) that manages the national heritage collection of historic sites and monuments on behalf of the nation.

The review received evidence from a public consultation and roundtable discussions and from in-depth interviews with a wide range of heritage stakeholders. The review concluded that Historic England is a highly regarded and well run organisation with a strong reputation for its heritage and planning expertise and advice. Historic England is seen as one of the leaders in the heritage sector, providing high quality expert advice in England and undertaking world-leading conservation research.

The review made 31 separate recommendations that, once implemented, will complement and enhance the high regard in which Historic England is currently held.

The review concluded there are two significant areas in which Historic England can do more. First, in order for it to ensure first-class, long-term management of the national heritage collection, Historic England must improve its oversight of the English Heritage Trust’s performance and make it more publicly accountable.

Secondly, the review identified opportunities for Historic England to strengthen its leadership role within the wider heritage sector, especially in relation to diversity, by making heritage more relatable to wider audiences. This report comes at a time when our shared values are under close scrutiny, with the role of heritage at the forefront of this debate. Embracing the ambition for a more representative and inclusive sector must include reinforcing the primary role of heritage: preserving our history in its place and presenting it properly and accurately in its time and context. Rather than seeking to destroy, we should be enhancing and promoting our shared history so that its complexity can be fully understood. Historic England has a central role in delivering this for us all.

Copies of the Historic England tailored review have been sent to the Chair of the DCMS Select Committee and copies are available in the Libraries of both Houses of Parliament.

The attachment can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-11-24/HCWS598/>.

[HCWS598]

HOME DEPARTMENT

Firearms Safety: Public Consultation

The Minister for Crime and Policing (Kit Malthouse):

I have today launched a public consultation to seek views on a range of firearms safety issues.

The firearms laws in this country are among the toughest in the world and the Government keep them under constant review to ensure they continue to safeguard the public.

While lawful shooting is well regulated and generally safe, there remains a risk of firearms falling into the hands of criminals, or in the case of air weapons, being misused. The Government are therefore consulting on how to reduce these risks in certain areas of firearms control where concerns have been raised with us by law enforcement and others.

This consultation looks at how we might address the potential threat posed by high muzzle energy rifles through enhanced security arrangements to reduce the risk of them falling into the wrong hands.

We are seeking views on improving the controls on air weapons, including safe storage. This follows on from a Home Office review of the regulation of air weapons initiated after the tragic death of 13-year-old Benjamin Wragge, who was killed accidentally with an air weapon in 2016.

Views are also sought on how we might address vulnerabilities presented by the current exemption from licensing that applies to miniature rifle ranges, and whether to make it an offence to possess component parts of ammunition with intent to unlawfully manufacture complete rounds.

The consultation will end on 16 February 2021.

A copy of the consultation paper will be placed in the Libraries of both Houses and is available on the Government's website at gov.uk.

[HCWS596]

TRANSPORT

Covid-19: Global Travel Taskforce

The Parliamentary Under-Secretary of State for Transport (Robert Courts): On 7 October, at the request of the Prime Minister, the Government announced the launch of our global travel taskforce. Co-chaired by the Secretary of State for Transport and the Secretary of State for Health and Social Care, the aim of the taskforce was to consider steps that Government could take to encourage the safe recovery of domestic and overseas travel and tourism while reducing the risk of imported cases.

The taskforce was to report back to the Prime Minister in November; a commitment we met last week after a period of constructive consultation with the travel sector.

The message we received during those consultations was clear. The global covid-19 pandemic remains an existential threat to the aviation and maritime sectors, as for all travel and tourism businesses, and we need to act now to help these industries get back on a trajectory towards strong economic growth.

That is precisely what the global travel taskforce report aims to achieve, making 14 recommendations following three broad principles:

First, to ensure that journeys are safe.

Secondly, to increase demand for travel without compromising safety.

Thirdly, to position the UK so we can take a leading role in driving the global standards required to support recovery.

The most fundamental priority in all this work is safeguarding public health. That is why we are introducing, as the first initiative resulting from the global travel taskforce's work, a new regime "Test to release" for international arrivals from countries that are not on the travel corridor list.

Following extensive work by officials from the Department for Transport and Department of Health and Social Care, this will be rolled out in England from 15 December in time for Christmas.

Travellers will have the option of booking and paying for a test from a list of private sector providers. They can take the test five full days after they left a destination not on the travel corridors list, which for most international arrivals will be after five full days of self-isolation. If the test result is negative, they will be free to go about their daily lives. A test on day five of self-isolation provides a strong level of protection for the UK population from transmission of covid-19 acquired abroad. It also provides much more freedom for people seeking to travel.

Individuals who opt in will be required to self-isolate until they receive a negative test result. Compliance checks are carried out by Public Health England's isolation assurance service (IAS) who contact randomly sampled international arrivals to ensure that they are self-isolating. Details of those found not to be isolating will be passed to the Home Office, who in turn pass relevant details on to the police for targeted follow-up enforcement activity.

Anyone who does not comply with this requirement could be fined £1,000 for the first offence and up to £10,000 for repeat breaches. Only a negative test result from a provider on the gov.uk list will enable a traveller to cease self-isolating early.

If a traveller tests positive for covid-19, they will move into the UK's existing system for positive cases, meaning that they will self-isolate for a further 10 days from the day of the test and their contacts will be traced and notified as normal. Minimum standards have been set by clinicians to ensure that the tests give accurate results, but we are not specifying exactly what type of test must be used. This is to allow for innovation in the testing market. Tests will either be taken at a private testing site, or using a privately provided home testing kit, meaning the scheme will be accessible to the widest section of the community and across England.

As we emerge from this latest period of restrictions, the new testing scheme will allow people to see family, go away on business, or book holidays with the option of taking a test to shorten any self-isolation period in the UK and reduce disruption to their lives.

In addition to "Test to release for international travel", we will of course remain open to new testing technologies and other approaches that help people travel overseas in safety. For example, mass testing may help more people to travel with fewer restrictions in the future. As our knowledge and capacity for testing develops, so will our policy.

However, we have always known that testing alone is not a silver bullet, nor a comprehensive solution to the challenges we face. The taskforce has made further recommendations, including:

- to advocate the development of a global framework for the validation of tests and vaccination records;

- to assess the feasibility of short stay exemptions for businesses and tour groups;

- to publish the criteria for when cruises can restart and implement a phased return for cruising when the public health advice makes clear it is safe to do so;

- to boost consumer confidence about inbound and outbound travel through targeted communications and marketing campaigns; and

- to provide assurance to passengers, we will work with our world-leading aviation regulator, the CAA, to ensure that the aviation industry is doing everything it can to make air travel as low risk as possible, as well as continuing to work with the maritime sector to ensure that it operates safely and that industry guidance remains in line with best practice.

As soon as the time is right, we want to encourage people to travel with confidence. That means British people being able to go abroad safely, and welcoming back overseas visitors to our country to do business, and enjoy our hospitality, entertainment and world-famous tourist sites. The recommendations outlined above provide a springboard to ensure the safe and viable recovery of the sector.

However, while the taskforce's work has concluded, ours does not end here. The collapse of the market this year has not just affected airlines but airports, ground handlers and other airport services too. The Government have already made available an unprecedented package of economic measures to companies across the aviation industry. This includes schemes to raise capital and flexibilities with tax bills, as well as financial support for employees.

We have worked closely with the sector during the course of the pandemic and listened to its concerns. Airports have highlighted specific challenges arising from a lack of passengers, and the relatively high fixed costs they face. Therefore, we will shortly be making available a support scheme providing financial assistance to commercial airports and ground handlers in England to help with business rates.

These businesses will be able to apply from the new year for the equivalent of their business rates costs in this financial year, up to a maximum of £8 million per eligible site, subject to certain conditions which the Department of Transport will take into account when considering applications.

The Government are committed to giving people the freedom to travel with confidence and supporting the wider travel industry. I will publish this statement on gov.uk and will place a copy in the Libraries of both Houses.

[HCWS597]

Command Paper for the High Speed Rail (West Midlands to Crewe) Bill: Statement Reasons Command Paper

The Minister of State, Department for Transport (Andrew Stephenson): My noble Friend, the Parliamentary Under-Secretary of State for Transport (Baroness Vere of Norbiton) has made the following written ministerial statement.

I am today, 24 November 2020, publishing the statement of Reasons Command Paper for the High Speed Rail (West Midlands to Crewe) Bill. The Command Paper is titled the "Government overview of the case for HS2 Phase 2a and its environmental impacts—Update for the House of Lords". This is required by Parliamentary Standing Order 83A(9) to assist the House during the third reading of the High Speed Rail (West Midlands to Crewe) Bill. This document summarises the work that has already been done to assess, control and mitigate the environmental impacts of HS2 Phase 2a, and explains why the Government continue to take the view that the HS2 Phase 2a project is worthy of their support.

Copies of the Statement of Reasons will be placed in the Libraries of both Houses.

Attachments:

Command Paper (CP 325 HS2 Phase 2a Lords Statement of Reasons)

Attachments can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-11-24/HCWS594/>.

[HCWS5943]

Ministerial Corrections

Tuesday 24 November 2020

EDUCATION

Childcare Provision

The following is an extract from Education questions on 23 November 2020.

Stuart Anderson (Wolverhampton South West) (Con): What steps his Department is taking to support parents with childcare provision.

Vicky Ford: We have made an unprecedented investment in childcare of £3.6 billion this year. Childcare settings have been prioritised for reopening, childcare bubbles have reduced pressure on working parents, and from next Easter, disadvantaged children will be able to take part in our holiday activities and food programmes all across the country.

[Official Report, 23 November 2020, Vol. 684, c. 581.]

Letter of correction from the Under-Secretary of State for Education, the hon. Member for Chelmsford (Vicky Ford).

An error has been identified in the response I gave to my hon. Friend the Member for South Cambridgeshire.

The correct response should have been:

Stuart Anderson (Wolverhampton South West) (Con): What steps his Department is taking to support parents with childcare provision.

Vicky Ford: We have made an unprecedented investment in childcare **entitlements** of £3.6 billion this year. Childcare settings have been prioritised for reopening, childcare bubbles have reduced pressure on working parents, and from next Easter, disadvantaged children will be able to take part in our holiday activities and food programmes all across the country.

National Funding Formula

The following is an extract from Education questions on 23 November.

Sir Edward Leigh: The headmaster of Caistor Grammar School has contacted me. This school produces, for kids from all sorts of backgrounds, some of the best results in the east midlands, but its buildings are in a shocking state. He has been refused a condition improvement grant, despite the fact that he has temporary and mobile classrooms that are classed by the Secretary of State's Department as grade A. Will the Secretary of State assure me that, in his national funding formula negotiations, there is no discrimination against grammar schools? I often find that, while the education is wonderful, the buildings are peeling.

Gavin Williamson: I can absolutely assure my right hon. Friend that there will be no discrimination shown against grammar schools. I encourage him to be in contact with the school as the next round of condition improvement funding is due in January next year. I very much encourage that school, as well as other schools in his constituency, to apply. That gives me the opportunity to highlight the fact that we are spending more on the

condition and improvement of our schools, with an extra half a billion pounds allocated to support schools and their rebuilding.

[Official Report, 23 November 2020, Vol. 684, c. 582.]

Letter of correction from the Secretary of State for Education, the right hon. Member for South Staffordshire (Gavin Williamson).

An error has been identified in the response I gave to my right hon. Friend the Member for Gainsborough (Sir Edward Leigh).

The correct response should have been:

Sir Edward Leigh: The headmaster of Caistor Grammar School has contacted me. This school produces, for kids from all sorts of backgrounds, some of the best results in the east midlands, but its buildings are in a shocking state. He has been refused a condition improvement grant, despite the fact that he has temporary and mobile classrooms that are classed by the Secretary of State's Department as grade A. Will the Secretary of State assure me that, in his national funding formula negotiations, there is no discrimination against grammar schools? I often find that, while the education is wonderful, the buildings are peeling.

Gavin Williamson: I can absolutely assure my right hon. Friend that there will be no discrimination shown against grammar schools. I encourage him to be in contact with the school as the next round of condition improvement funding is **open now**. I very much encourage that school, as well as other schools in his constituency, to apply. That gives me the opportunity to highlight the fact that we are spending more on the condition and improvement of our schools, with an extra half a billion pounds allocated to support schools and their rebuilding.

Topical Questions

The following is an extract from Education topical questions on 23 November 2020.

[909133] **Harriett Baldwin** (West Worcestershire) (Con): Many schools in West Worcestershire have benefited from the condition improvement fund, but Malvern Parish Primary School, with its leaky, draughty Victorian windows, keeps missing out. Would the Secretary of State kindly look again at its bid?

Gavin Williamson: I have some good news: on 14 January—after Christmas—there is going to be an opportunity for such schools to apply for the next round of condition improvement funding. There is more money in this pot than ever before due to the fact that we are spending more money on the improvement of our schools. Of course, I would always be very happy to sit down with my hon. Friend and discuss her educational priorities, including for the schools in her constituency.

[Official Report, 23 November 2020, Vol. 684, c. 599.]

Letter of correction from the Secretary of State for Education, the right hon. Member for South Staffordshire (Gavin Williamson).

An error has been identified in the response I gave to my hon. Friend the Member for West Worcestershire (Harriett Baldwin).

The correct response should have been:

[909133] **Harriett Baldwin** (West Worcestershire) (Con): Many schools in West Worcestershire have benefited from the condition improvement fund, but Malvern Parish Primary School, with its leaky, draughty Victorian windows, keeps missing out. Would the Secretary of State kindly look again at its bid?

Gavin Williamson: I have some good news: **there is currently an open round, in which schools can apply for** condition improvement funding. There is more money in this pot than ever before due to the fact that we are spending more money on the improvement of our schools. Of course, I would always be very happy to sit down with my hon. Friend and discuss her educational priorities, including for the schools in her constituency.

HEALTH AND SOCIAL CARE

Covid-19

The following is an extract from the debate on covid-19 on 22 October 2020.

Ms Dorries: ... My hon. Friend the Member for Christchurch (Sir Christopher Chope) mentioned Sweden, but an article in The BMJ—a research study—concluded

that Sweden and the US are the only two countries that are failing to reduce their numbers of deaths. In fact, it is far more accurate to compare Sweden with its Nordic neighbours. Sweden has 586 deaths per 1 million people, while its neighbour Norway has 279, so I am not quite sure why Sweden would be cited as a country of success. [*Official Report, 22 October 2020, Vol. 682, c. 1337.*]

Letter of correction from the Minister for Patient Safety, Mental Health and Suicide Prevention, the hon. Member for Mid Bedfordshire (Ms Dorries).

An error has been identified in the response I gave to my hon. Friend the Member for Christchurch (Sir Christopher Chope).

The correct response should have been:

Ms Dorries: ... My hon. Friend the Member for Christchurch (Sir Christopher Chope) mentioned Sweden, but **a JAMA research letter referred to** in the BMJ concluded that Sweden and the US **were among eight countries that were** failing to reduce their **excess mortality numbers**. In fact, it is far more accurate to compare Sweden with its Nordic neighbours. Sweden has **582.3 covid-related** deaths per 1 million people, while its neighbour Norway has **52.5 covid-related deaths per 1 million people**, so I am not quite sure why Sweden would be cited as a country of success.

ORAL ANSWERS

Tuesday 24 November 2020

	<i>Col. No.</i>		<i>Col. No.</i>
FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE	671	FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE—continued	
Armenia and Azerbaijan.....	684	Myanmar: ICJ Case	681
ASEAN Countries: UK Relations	675	Nuclear Non-Proliferation Treaty Review Conference.....	682
Climate Change: International Co-operation	674	Quality Education for Girls	683
Covid-19 Vaccines	680	Saudi Arabia: Human Rights Defenders.....	679
Deportation: Human Rights Compliance	671	Topical Questions	685
Ethiopia	677	UK Preparedness: End of the Transition Period....	682
Hong Kong Opposition Lawmakers.....	674	UK-US Co-operation	672
Hungary: Same-sex Couple Adoption.....	676	Yemen	678
Mahboob Ahmad Khan	672		

WRITTEN STATEMENTS

Tuesday 24 November 2020

	<i>Col. No.</i>		<i>Col. No.</i>
DIGITAL, CULTURE, MEDIA AND SPORT	22WS	TRANSPORT—continued	
Historic England Tailored Review	22WS	Covid-19: Global Travel Taskforce.....	23WS
HOME DEPARTMENT	23WS		
Firearms Safety: Public Consultation.....	23WS		
TRANSPORT	23WS	TREASURY	21WS
Command Paper for the High Speed Rail (West Midlands to Crewe) Bill: Statement		London Capital and Finance: FCA Investigation .	21WS
Reasons Command Paper	26WS		

MINISTERIAL CORRECTIONS

Tuesday 24 November 2020

	<i>Col. No.</i>		<i>Col. No.</i>
EDUCATION	5MC	HEALTH AND SOCIAL CARE	7MC
Childcare Provision	5MC	Covid-19	7MC
National Funding Formula	5MC		
Topical Questions	6MC		

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CONTENTS

Tuesday 24 November 2020

Oral Answers to Questions [Col. 671] [see index inside back page]

Secretary of State for Foreign, Commonwealth and Development Affairs

Leaseholders and Cladding [Col. 691]

Answer to urgent question—(Christopher Pincher)

Telecommunications (Security) [Col. 715]

Bill presented, and read the First time

National Health Service Reserve Staff [Col. 716]

*Motion for leave to bring in Bill—(Alan Mak)—agreed to
Bill presented, and read the First time*

Private International Law (Implementation of Agreements) Bill [Lords] [Col. 719]

*Programme motion (No. 2)—(David T. C. Davies)—agreed to
Lords message considered*

Exiting the European Union [Col. 734]

Motion—(Amanda Solloway)—agreed to

Virtual Participation in Debate [Col. 760]

*Motion—(Mr Rees-Mogg)
Amendment—(Chris Bryant)
Debate interrupted*

HMP Frankland: Covid-19 [Col. 797]

Debate on motion for Adjournment

Westminster Hall

Charity-funded Medical Research [Col. 305WH]
Pectus Deformity Treatment: NHS Funding [Col. 327WH]
Covid-19: Funding for Local Authorities [Col. 335WH]
Covid-19: Acquired Brain Injury [Col. 361WH]
5G Network [Col. 368WH]
General Debates

Written Statements [Col. 21WS]

Ministerial Corrections [Col. 5MC]

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
