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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Monday 7 December 2020

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The House met at half-past Two o'clock

PRAYERS

[Mr SPEAKER in the Chair]

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

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

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Military and Security Co-operation: European Union

Allan Dorans (Ayr, Carrick and Cumnock) (SNP): What plans he has for future military and security co-operation with EU (a) institutions and (b) member states. [909779]

The Secretary of State for Defence (Mr Ben Wallace): Although we are leaving the EU defence structures, we remain committed to the security of Europe and will continue to co-operate with the EU and European nations on a bilateral or multinational basis on shared threats and challenges. We do not need an institutionalised relation with the EU to do so. The defence settlement reaffirms our position as Europe's leading power, with the second highest defence budget in NATO, providing leadership and the ability for investment to help to drive forward NATO's adaptation.

Allan Dorans [V]: Any major conflict will require UK forces to be able to work collaboratively and fully with EU forces in the future. What steps has the Secretary of State taken to ensure that that is possible through access to the European Defence Standardisation Committee, which replaces the former Materiel Standardisation Group?

Mr Wallace: The leader in the field of standardisation has always been NATO, with the setting of NATO standards, which have let us interoperate with our allies the United States and all the other nations of Europe. It would be wrong to abandon that to adopt another approach. We all know in Europe, whatever part of the EU debate one is in, that the United States is the cornerstone of European security, and that is why NATO is so important.

Mr Tobias Ellwood (Bournemouth East) (Con): My right hon. Friend knows, however, that NATO and Europe are not quite the same. As Brexit talks reach their conclusion, does he agree that to depart without a trade deal would be less than helpful in re-establishing western resolve to take on the growing, complex threats that we face? The Government's integrated review emphasises a commitment to reinvigorating a proactive

role for the United Kingdom on the international stage, giving real purpose to global Britain. Would it not be an abject failure of statecraft, and diminish our collective security co-operation, to leave the EU without a deal?

Mr Wallace: My right hon. Friend obviously urges us to make a deal. I think that right now, as we speak, members of the Government are trying to make a deal with the European Union to enforce the decision by the British people to leave the European Union. What would be a mistake is if both sides forgot that security is not a competition—it is a partnership. That is what I always said as Security Minister, and as Defence Secretary I mean it now. There has been no sign among many of our European allies that that situation has changed. We are still partners in going after whatever threatens all of us, our way of life and our values.

Dr Julian Lewis (New Forest East) (Ind): I am encouraged by the Secretary of State's replies so far. Given that there is no security for Europe without the United States, what specific reassurance can he give that we shall not be sucked, via Permanent Structured Cooperation, into the European Union's persistent attempts to create an alternative NATO without the United States, which would be a particularly dangerous military version of Hamlet without the Prince?

Mr Wallace: My right hon. Friend raises a worrying spectre. First, we are very grateful to the Germans, who have tried very hard to get a proper third-party agreement with PESCO, although we have no plans to participate in it because we have serious concerns about the intellectual property rights and export controls that it would seek to impose. However, we will always be open to working with European industries—on the future combat air system, for example. We have engaged with the Swedish and the Italians, for instance, because the collective security of Europe is often based on a good sovereign capability in our industrial base. We will continue to do that on a case-by-case basis, and to do that with our other allies such as the United States. Britain is also the keystone of European security.

UK-produced Steel Procurement

Jessica Morden (Newport East) (Lab): What steps he is taking to increase the take-up of UK-produced steel in defence procurement. [909780]

The Minister for Defence Procurement (Jeremy Quin): The Government publish their future pipeline for steel requirements, together with information on compliance, with steel procurement guidelines. These measures enable UK steel manufacturers to plan better and bid for Government contracts.

Jessica Morden: Last month, UK Steel criticised the opaque procurement processes involved in the defence sector. I know the Government will agree that UK steel is vital to our national interests. Will Ministers therefore set clear and transparent objectives regarding UK steel in defence projects and commit to engaging with the industry early, meaningfully and often in the procurement process?

Jeremy Quin: I am sorry to hear that. We are very keen to engage fully with the steel industry; it is important that we do so. We need transparency, and that is absolutely a goal, as is reinforced by the Cabinet Office guidelines. Looking at the macro picture, however, I am sure that the hon. Lady would agree that the plans we put in place for the biggest single boost to defence expenditure in 30 years, with the commitments to Type 26, Type 31 and the fleet solid support programme, all suggest that there are going to be good opportunities for steel manufacturers in the future.

Departmental Spending: High-skilled Jobs and UK Economy

Sir David Amess (Southend West) (Con): What steps he is taking to ensure that his Department's spending supports (a) high-skilled jobs and (b) the wider UK economy. [909781]

Mark Logan (Bolton North East) (Con): What steps he is taking to ensure that his Department's spending supports (a) high-skilled jobs and (b) the wider UK economy. [909787]

The Secretary of State for Defence (Mr Ben Wallace): The Ministry of Defence is one of the largest providers of apprenticeships in the United Kingdom, with around 20,000 on a programme at any one time. We are investing in cutting-edge capabilities and research and development with the future combat air system technology initiative, resulting in more than 1,800 highly skilled engineers in 300 companies throughout the UK. The MOD spent £19.2 billion with UK industry and commerce in 2018-19, safeguarding and supporting thousands of jobs throughout the UK.

Sir David Amess: Will my right hon. Friend confirm what impact the end of the transition period will have on our ability to amend defence procurement regulations to support UK jobs?

Mr Wallace: The Government are using the opportunity offered by leaving the EU to develop defence and security procurement regulations tailored to better meet the UK's needs. We have embarked on a comprehensive review of the Defence and Security Public Contracts Regulations 2011 with a view to improving the pace and agility of acquisition.

Mark Logan: Two years ago, MBDA's high-tech manufacturing facility was officially launched in Bolton. As the Secretary of State for Defence said at the time, we cannot have prosperity without security. What good news can my right hon. Friend share with Boltonians in the run-up to Christmas and beyond?

Mr Wallace: I think the best news for Boltonians and fellow Lancashire constituents such as mine is that the Government's record defence spending commitments for the integrated review mean that there will be money for the future combat air system, one of the mainstays of north-west aerospace. That is good news for MBDA in Bolton, good news for BAE, good news for the supply chain and good news for the thousands of people in the north-west who work in aerospace, and that is because the Government have invested in the future capabilities of sovereign aerospace.

Veterans: Covid-19 Support

Fleur Anderson (Putney) (Lab): What support his Department has provided to veterans during the covid-19 outbreak. [909782]

The Minister for Defence People and Veterans (Johnny Mercer): The full range of veterans' support services, including the Veterans UK helpline and the welfare service, have continued to be provided throughout the covid-19 pandemic, with appropriate adjustments to keep people safe. This Government have sponsored a study into the specific effect of covid on the veteran community, and we will report on that in the next few months.

Fleur Anderson: I welcome the study. This year has been very challenging for older veterans, who are more at risk of isolation because of the covid-19 lockdowns and restrictions and the tightening of funding for military charities. What work is the Minister undertaking to ensure that no veteran in Putney and across the country is going lonely this Christmas?

Johnny Mercer: Over the course of the past 15 months, the UK's first Office for Veterans' Affairs has spent every day trying to design a system to stop veterans who leave the military falling through the panoply of services that are there. That includes working with the third sector, which has an enormously important role, and also with statutory provision, because we understand that, ultimately, this nation's duties to its veterans should be ensured—not delivered—by the state. I am determined we will reach the goal that this will be the best country in the world to be an armed forces veteran.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab) [V]: I thank the Minister for his remarks. As he knows, many of our veterans up and down the country have faced loneliness and isolation as they shield during the pandemic, and that feeling will only get worse as we approach Christmas, with the reality of not being able to see family as usual. Will the Minister support and promote the Jo Cox Foundation's "Great Winter Get Together" to help our veterans who may be experiencing loneliness this winter?

Johnny Mercer: I would be delighted to support the initiative in the name of my friend Jo who was in the same parliamentary intake as me. Loneliness is an acute problem, particularly at this time of year, and I am especially aware that our veterans, who often depend on the sort of face-to-face contact of such things as cognitive behavioural therapy, will have been challenged by the specific circumstances we find ourselves in. I would be delighted to support that effort.

NHS and Public Bodies: Covid-19 Support

Holly Mumby-Croft (Scunthorpe) (Con): What recent preparations his Department has made to support (a) the NHS and (b) other public bodies in their response to the covid-19 outbreak. [909783]

David Simmonds (Ruislip, Northwood and Pinner) (Con): What recent preparations his Department has made to support (a) the NHS and (b) other public bodies in their response to the covid-19 outbreak. [909784]

Caroline Ansell (Eastbourne) (Con): What recent preparations his Department has made to support (a) the NHS and (b) other public bodies in their response to the covid-19 outbreak. [909797]

The Minister for the Armed Forces (James Heappey): As part of the national covid-19 response, Defence has supported NHS trusts in a variety of ways, including the distribution of personal protective equipment and diagnostic equipment; the planning, construction and staffing of Nightingale hospitals; conducting testing; and supporting the vaccine taskforce. We have established a winter support package of 13,500 personnel with specialist capabilities to ensure our continued support to the NHS and other civil authorities throughout the winter period.

Holly Mumby-Croft: I thank the Minister for his response. Will he give a little more detail on how many armed forces personnel are currently deployed on covid-19 tasks and in which specific capacities?

James Heappey: I would be delighted to. There are currently 2,600 personnel committed to covid-19 tasks. The number of tasks is too numerous to list in full in the Chamber, but personnel are deployed on everything from mass testing to the deployment of vaccines and just about everything else besides. The body of the deployment at the moment is in planning, logistics, support to local authorities and ensuring that Defence's planning and delivery expertise is shared as widely as possible around Government, so that we can ensure that we are poised to respond to whatever else comes during the winter.

David Simmonds: I commend the armed forces for the amazing work they have done in supporting the civil authorities. Will my hon. Friend provide an update on any discussions he has had with the Department of Health and Social Care and the NHS about how the armed forces will support the roll-out of mass vaccination?

James Heappey: Defence is working closely with other Departments, particularly the DHSC and the Department for Business, Energy and Industrial Strategy, to assist with vaccine roll-out plans. Some 60 military planners are integrated within the vaccine taskforce, and Defence has deployed 56 personnel to assist in constructing vaccination centres. Defence stands ready to provide further support to the NHS in meeting the challenge of vaccinating the UK against covid-19.

Caroline Ansell: The professionalism and logistical support of the Army have already proved vital in our country's ability to respond to this pandemic. That was seen most recently in Eastbourne's mobile testing unit, which allowed key workers to return to work. I was most interested in my hon. Friend's remarks about how the Army might help to roll out the vaccine, having performed various other important tasks. Could he tell the House how many military liaison officers have been deployed to date to help with these very localised planned operations?

James Heappey: My hon. Friend is right to single out the military liaison officers who have been working alongside local authorities across the country throughout

the year. There are 350 of them currently deployed. I know from speaking to my own council chief executive in Somerset, and I have heard from colleagues around the country, just how much their expertise has been valued by local authorities, assisting them with their preparations initially for the distribution of PPE, then for testing and now for vaccines.

Stephen Morgan (Portsmouth South) (Lab): There are welcome reports that our armed forces are to support the NHS with the roll-out of the coronavirus vaccine, performing vital work to transform sites across the country into distribution hubs. However, personnel are already stretched, and resourcing is a key concern after a decade of defence decline. Will the Minister update the House with real detail on the steps he is taking to ensure that they have the resources needed to perform their vital work safely?

James Heappey: There are 2,600 service personnel deployed right now. The winter preparedness package is 13,500 people at readiness. We are confident that in generating that package, we have not in any way damaged Defence's ability to prepare for operations that are required currently or in the next six months. We are very proud of the 13,500 that we have been able to generate. Everything that Defence is doing, we are able to do without threatening defence outputs, and we are delighted to be playing the part that we are in supporting the country at this important time.

Official Development Assistance

Layla Moran (Oxford West and Abingdon) (LD): What recent assessment he has made of the effectiveness of his Department's official development assistance spending. [909785]

The Minister for the Armed Forces (James Heappey): Defence engagement programmes, including those that count as official development assistance, help create the conditions for sustained economic development for recipient nations by increasing the effectiveness and integrity of their defence institutions. We assess the impact of our programmes continuously and subject them to formal evaluation annually.

Layla Moran [V]: As the Minister knows, it is the OECD's Development Assistance Committee, or DAC, that sets out the guidelines for development spending, and it states that spending

"promotes and specifically targets the economic development and welfare of developing countries."

As the MOD explores new areas, such as cyber-technologies and space-based assets, will the Minister ensure that any development spending by his Department is DAC-compliant and continues to focus on helping the world's poorest?

James Heappey: I think that the answer to the hon. Lady's question is that we will do our best, but of course what matters is that we are doing the right military things in order to create the right situations for prosperity and security wherever we are serving around the world. If the activity is not directly compliant, I am not sure that should stop us doing it. The reality is that there are many things that Defence does, not least the forthcoming

deployment to Mali, where we will set the conditions for security in a very troubled country, which does not meet the definition but is a very worthwhile thing to do and has real positive humanitarian effects.

Armed Forces Veterans: Covid-19 Response

Andrew Jones (Harrogate and Knaresborough) (Con): What recent assessment he has made of the potential merits of including armed forces veterans in the UK's response to the covid-19 outbreak. [909786]

David Johnston (Wantage) (Con): What recent assessment he has made of the potential merits of including armed forces veterans in the UK's response to the covid-19 outbreak. [909803]

The Minister for Defence People and Veterans (Johnny Mercer): Responding to the covid-19 pandemic has been Defence's highest strategic priority, and as part of the national response thousands of service personnel and veterans have been active in every region of the United Kingdom and devolved Administrations.

Andrew Jones: I thank my hon. Friend for that answer. I think the nation has been inspired by the actions of one veteran during this pandemic, and that, of course, is Captain Sir Tom Moore, but veterans from all of our services have got so much to offer—skills in a wide variety of areas, involvement in many community groups and an approach to getting things done—so how is my hon. Friend ensuring that veterans are kept safe while they provide their invaluable support?

Johnny Mercer: As I mentioned earlier, during this period I have been acutely aware of how our needs for our veterans have changed or moved along during the pandemic. We have rolled out a series of services—the veterans trauma network; the transition, intervention and liaison service; and the complex treatment service. We are working towards that place where we can build a panoply of services so that all of our veterans are looked after in this country, in line with the Prime Minister's intent.

David Johnston: Veterans across my constituency have been supporting one another, whether by calling in on those they have mental health concerns about or raising money, as the Wantage branch of the RAF Association did in raising £6,000 for Operation Connect. Will my hon. Friend join me in thanking them, and does he agree with me that this shows that, even when our service personnel stop their active service, they continue to serve us in our local communities?

Johnny Mercer: I of course pay tribute to the RAF Association in my hon. Friend's constituency for raising £6,000. Veterans, like many community and voluntary groups across the country, have really stepped up during this time to deliver services, deliver medicines and help vulnerable people. It is something that I certainly have been enormously proud of, and it reflects the true values and ethos of our veterans community in this country.

Fleet Solid Support Ships: Invitation to Tender

John Spellar (Warley) (Lab): When he plans to issue the invitation to tender for contracts relating to the fleet solid support ships. [909788]

The Minister for Defence Procurement (Jeremy Quin): It is a pleasure to hear from the right hon. Gentleman. No one could ever accuse him of being inconsistent on this subject. I am pleased to assure him, as I have previously, that we will be commencing the competition in the spring.

John Spellar: The Confederation of Shipbuilding and Engineering Unions has argued forcefully for defence orders to be brought forward to help our industry through the economic crisis, especially in our regions and nations. The Navy carrier group needs the fleet solid support ships, and the Department has the specifications from the previous bidding round. It is a project that is really shovel or welding-ready, so when is the Secretary of State going to get off his backside and start ordering these ships? *[Interruption.]* He may even want to intervene and answer himself.

Mr Speaker: I think we will leave it to the Minister to answer.

Jeremy Quin: I am most grateful, Mr Speaker, though the Secretary of State is raring to go.

Just to reassure the right hon. Gentleman, the specification has changed. It has changed because we now understand more about the carrier strike group and how we will deploy these important assets. It is on track, and we will get there. We have had two rounds of market engagement, and we may wish to do more market engagement. We have got a busy shipbuilding supply chain; there are a lot of orders going through. It is important that this is well based and well founded, and I want to make certain that we launch this competition successfully and, indeed, that it is concluded successfully.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab) [V]: The country has a vaccine for covid-19, and it will be rolled out as a matter of urgency to save lives. The Ministry of Defence has had approval for funding the defence industry. Will the Minister, as a matter of urgency, roll out the FSS and other shovel-ready defence projects now, not wait until the summer, to give a real shot in the arm to the defence industry, and to retain thousands of jobs and create thousands of new jobs and apprenticeships for new technology graduates, as well as to support British workers and use the springboard of the British defence industry to lead the country out of this covid recession?

Jeremy Quin: I suspect that the hon. Gentleman is referring to the CSEU report on shovel-ready projects, which I commend. It is always good to have advice from those quarters, and indeed, many of them are already ongoing. I gently remind him, however, that the report praised the German Government for increasing spending by €10 billion to €12 billion over the next few years. It also praised the French—I think the French Minister has been asked to go before the Assemblée Nationale with an extra €1.5 billion, or around that number. That does not bear any comparison with our £24 billion investment in defence over the next few years. That is the biggest single boost to defence over the past 30 years,

and it will mean a lot of orders coming through, to the benefit of British defence, the British armed forces, and British firms across the Union.

Integrated Review: Treasury Discussions

Owen Thompson (Midlothian) (SNP): What discussions he plans to have with the Chancellor of the Exchequer prior to the conclusion of the integrated review of security, defence, development and foreign policy. [909789]

The Secretary of State for Defence (Mr Ben Wallace): I have regular discussions with the Chancellor of the Exchequer about the integrated review, and will continue to do so on wider issues concerning defence.

Owen Thompson: The spending review made recent welcome changes to defence spending, particularly with cyber and other areas of resilience. It seemed strange, however, that those spending increases were announced before the integrated review. Are the new funds in the spending review part of the Government's response to the integrated review, and is that a case of the cart coming before the horse? Or, is it a case of "That's it", meaning that the review will not make any new announcements backed up by spending commitments?

Mr Wallace: The hon. Gentleman asks a valid question about the timing of the integrated review, and there will be an integrated review at the beginning of next year. The defence announcement was a building block as part of that review, and it will obviously work towards the overall posture of global Britain when it is announced in the new year.

John Healey (Wentworth and Dearne) (Lab): The extra funding was a welcome promise to upgrade Britain's defences after nearly a decade of decline, so it is long overdue. The capital announcement is one thing, but what is the real-terms revenue funding for defence over the next four years?

Mr Wallace: Over the next four years, £188 billion will be spent on defence. Some £126 billion of that will be set for resource spending, while £62 billion will be for capital spending.

John Healey: I asked the Secretary of State about resource funding, and he has to face that question. The answer is on page 67 of the Chancellor's spending review report, which shows a 2.3% real cut in resource funding through to 2024-25. That means less money for forces' recruitment, training, pay, pensions and family support, at a time when our armed forces are already 12,000 below strength after the last review. That could mean new ships, but no sailors. Will the Secretary of State recognise that high-tech weapons systems are essential for the future, but highly trained service personnel are indispensable? May I urge him not to repeat the mistakes of past Conservative reviews, and instead to put forces personnel at the heart of the current integrated review?

Mr Wallace: I know the right hon. Gentleman was a Minister in Mr Brown's Government, who did not have the greatest reputation for financial accuracy. Although

we can agree on the spending profile, his interpretation of the rates of inflation and alleged real-term cuts is not something that we recognise. On the "decade of decline", as he calls it, I thought that before coming to the House I would read the National Audit Office "Major Projects Report 2010", on the Government in which he was Minister of State, and the spending on defence. That report highlights that in one year up to 2009, the Government overspent by £3 billion. That is where the black hole that amounts to £38 billion came from, so before he throws stones in glass houses about managing defence budgets, he should be very careful.

Perhaps I could be very clear about how we went about getting to this settlement. We started, as I have said repeatedly in the House, with the threat and what we need to meet the threat and to fight tomorrow's battles, not the last. We then took that request to the Chancellor and the Prime Minister, had a discussion, and it resulted in the record settlement that Members see before the House today.

Stewart Malcolm McDonald (Glasgow South) (SNP): Surely the review is meant to tell us what the threat is and then the Government respond with the spending, rather than the spending coming before the review is published. All that being said, I suppose we are where we are. I am grateful for one thing that the Secretary of State has done: he has finally listened to our policy of a multi-year defence agreement. May I ask him to go one step further? In other countries where those are used, they involve all political parties. Will he pledge to do so?

Mr Wallace: What would be good is a welcome from the Scottish National party that £1.76 billion will be spent with Scottish business, at least, year on year. That is something that the Union manages to deliver for Scotland through the United Kingdom armed forces. This record spending unlocks funding for Type 26, Type 31, Type 32, research vessels and the fleet solid support ships. Where they are to be built is obviously still a matter for decision in some cases, but I can guarantee that, right now, many ships of Type 26 and Type 31 are being built in Scotland. A welcome for that from the SNP would be great, but of course we know we will never hear it.

Stewart Malcolm McDonald: Someone's put 50p in them today, Mr Speaker, haven't they just? Let me ask the Secretary of State this. I have asked him time and again, and he usually just shouts back to me whatever is in his folder; let's try answering the question. Of the spending announced for Scotland, at what point—he has only a few days of the year left—will the Government finally meet the promise they made six years ago of 12,500 personnel stationed permanently in Scotland? It is currently below 10,000. In all the projects he listed, he did not mention the promise of the frigate factory. [Interruption.] He laughs because he knows it is a promise that is not going to be met between now and 31 December, is it?

Mr Wallace: I laughed because, having examined the proposals, the frigate factory would have included the closing of Govan and the investment in Scotstoun. I am not sure, but I remember distinctly that Govan was originally a very proud Labour seat, obviously then represented by the First Minister of Scotland. Having done the review, BAE and, indeed, the MOD and others recognised that

the best value for money was to invest in both Govan and Scotstoun, to make sure that we make the frigates and destroyers that the hon. Gentleman wants so much but does not want to use, and to sail them up to Scotstoun to be integrated. That is why we support over 10,000 jobs in Scotland, and we will continue to do so. Where the future basing of our armed forces goes is for the integrated review. All will be revealed to the hon. Gentleman.

Integrated Review: Publication

Mrs Emma Lewell-Buck (South Shields) (Lab): When the Government plan to publish the integrated review of security, defence, development and foreign policy; and if he will make a statement. [909790]

Stuart Anderson (Wolverhampton South West) (Con): What recent progress the Government have made on the publication of the integrated review of security, defence, development and foreign policy. [909801]

Jack Dromey (Birmingham, Erdington) (Lab): When the Government plan to publish the integrated review of security, defence, development and foreign policy; and if he will make a statement. [909812]

The Secretary of State for Defence (Mr Ben Wallace): My right hon. Friend the Prime Minister has announced the first outcome of the integrated review of security, defence, development and foreign policy, with the significant increase for defence funding of more than £24 billion over four years to enable modernisation of the armed forces. The full conclusion of the integrated review will be published, as I have said, early next year.

Mrs Lewell-Buck: I thank the Secretary of State for that response. An unaffordable and delayed equipment programme; a shortfall in personnel targets; plans to invest in space and cyber, and integration across all five operational domains, as well as a fall in defence spending since 2010 of more than £8 billion in real terms—the Government's poor handling of our nation's defence means that the review's ambitions will not match the Secretary of State's rhetoric, so when is he going to share with us what areas of defence will be scaled back or sacrificed in the review?

Mr Wallace: I am sorry; I thought the hon. Lady was referring to the 2010 National Audit Office report on the Labour Government. It is a very good read; all those comments are in there, and it is remarkable that Labour has not learned the lessons. We have learned the lessons. We have looked at what we need to do, we have started with the threat, we are tailoring our response to our ambition, and, as a result, it is my intention that we will make the tough decisions to disinvest in equipment that was fit for previous encounters with adversaries and to invest in future equipment. But at the heart of it, as I have said from the beginning, the most important equipment of our armed forces is the men and women of them. That is why included in that is wraparound childcare, for example, to reflect the modern armed forces.

Stuart Anderson: In the Defence Committee, we have been able to look at the evolution of warfare and what that might mean for this country. Will the Secretary of State confirm that the integrated review will clearly lay out Britain's position in the changing battle space?

Mr Wallace: Yes. My hon. Friend is quite right to highlight the profound changes we are already seeing at home and abroad, and I thank the Committee for the work it has been doing on that issue. The integrated review will set out the UK's global leadership, commitment to collective security and burden sharing, alongside defence's historic settlement. It will enable us to prepare for this new and complex reality, including investing billions in combat air, shipbuilding, space, cyber and world-leading research.

Jack Dromey [V]: The four years capital programme is welcome, even if it conceals a real-terms cut in revenue spending. Right now, we have funding without a strategy, which is why it is essential that the integrated review be published as quickly as possible. Will the Secretary of State undertake that the capital spend will be spent on British industry to equip the British armed forces, creating tens of thousands of jobs in our defence, aerospace and maritime industries?

Mr Wallace: Can I be absolutely clear? While we recognise the figures of RDEL, or resource departmental expenditure limits, and CDEL, or capital departmental expenditure limits, over the four years, we absolutely do not recognise the interpretation by the Labour Front Bench of a real-terms cut in RDEL using the inflationary figures and depressors that they have already jumbled up. The simple fact is that this Government have made a record defence spending commitment and we will be investing it in people, their capabilities and their equipment. When it comes to equipment, the first thing is to ensure that we give our men and women the best to keep them alive and safe on a battlefield. I am confident, because Britain makes most of the best equipment in the world, that a large proportion of that will be British made and British secured.

Armed Forces: Covid-19 Response

Mr Toby Perkins (Chesterfield) (Lab): What support the armed forces are providing during the covid-19 outbreak; and if he will make a statement. [909791]

Rosie Cooper (West Lancashire) (Lab): What support the armed forces are providing during the covid-19 outbreak; and if he will make a statement. [909794]

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): What support the armed forces are providing during the covid-19 outbreak; and if he will make a statement. [909822]

The Minister for the Armed Forces (James Heappey): As part of the national covid-19 response, the Ministry of Defence has, as we discussed earlier, 13,500 personnel to assist in winter resilience operations, including the response to the current pandemic crisis. The force capabilities include liaising and planning, logistical support, engineering and other specialist capabilities.

Mr Perkins: People in Chesterfield have had cause to be grateful to members of our armed forces, who helped to erect the coronavirus testing station at the Technique Stadium in Chesterfield. Of course, the armed forces would have been better placed to support the effort if we had not seen service numbers cut by 46,000 under this Government over the past 10 years, but can the

Minister tell us whether the armed forces stand ready to offer mass testing in all tier 3 areas should the Health Secretary request that they do so?

James Heapey: First of all, I am grateful to the hon. Gentleman for his kind words about the service personnel who have been at work in his constituency. Defence will generate as much as we can possibly generate to meet the needs of the Government. At the moment, 13,500 personnel are in readiness. We are looking at how we might generate more if required. No such demand signal has yet come from the Health Secretary, but if it did we would see what we could do. Of course, we have the opportunity, given that we have placed the mobilisation orders in the House, to look at how we might generate our reserves to participate in the response as well.

Rosie Cooper [V]: Our armed forces have helped to deliver successful whole-town testing in Liverpool, and we have heard today that the Ministry of Defence plans to use MACA—military aid to the civil authorities—support for more testing and preparations to roll out covid vaccines. Can the Minister indicate whether good quality local accommodation, together with extra funds, will be provided to the armed forces to help them with this vital work?

James Heapey: Clearly, these are matters for operational commanders, but my expectation would of course be that those we deploy to do this important work at such an important moment for our nation are properly accommodated and fed while doing those duties.

Mr Dhesi: I commend our world-renowned armed forces on their much valued efforts in the fight against the pandemic, especially when they recently helped to deliver successful whole-area testing. Will the Minister explain exactly how the Government plan to use MACA support for other areas in tier 3, such as my Slough constituency?

James Heapey: The hon. Gentleman tempts me to give him a lecture on the intricacies of the MACA process, which I have come to love over the last nine months. The reality is that if he feels that his local authorities would benefit from military support, he should ask them to put in a MACA request, and the MOD would look to resource that, as we have done on hundreds of others over the course of the year thus far. If he feels that the chief executive of his local authority would benefit from assistance in generating that MACA request, he can write to me and I will be delighted to help.

Challenger 2 Life Extension Programme

Mark Pritchard (The Wrekin) (Con): What recent progress his Department has made on the Challenger 2 life extension programme. [909792]

The Minister for Defence Procurement (Jeremy Quin): The assessment phase of the Challenger 2 life extension programme has concluded. The proposition is now being worked up prior to a decision being taken on the investment case.

Mark Pritchard: The Minister will be aware of the excellent Shropshire defence engineers who have recently been awarded an £860 million project for the Boxer vehicle delivered through RBSL—Rheinmetall BAE Systems Land. Would he like to put on record his thanks to all those in defence engineering in Shropshire and perhaps allude to the fact that, should the contract be awarded in the west midlands, it might be going to Shropshire?

Jeremy Quin: I would not comment on any particular forthcoming potential procurement, but I have visited Telford to see RBSL and I can absolutely endorse my hon. Friend's remarks about the brilliant engineers and apprentices I have met there. He is rightly proud of the capabilities in defence throughout Shropshire, and I was delighted with the £860 million contract to support Boxer. It is a brilliant supply chain in Shropshire and throughout the UK.

Departmental Overseas Aid Activity

Richard Graham (Gloucester) (Con): What recent estimate he has made of the proportion of his Department's overseas activity which is accounted for as aid. [909793]

The Minister for the Armed Forces (James Heapey): Around 0.01% percent of defence expenditure is reported as official development assistance, reflecting the fact that the majority of defence activity falls outside the definition of ODA.

Richard Graham: Given that military aid is not eligible for the OECD's goal of ODA, although a stable and peaceful Government is surely helpful for the economic development and welfare of developing nations, is it time for our military aid to be included in the many exceptions list, or is it time for a review of the OECD definition so that the good work of our armed forces can be recognised and accounted for as part of the Government's aid commitments?

James Heapey: My hon. Friend is right to acknowledge the important contribution that defence activities make in helping to create the secure conditions essential for sustained economic development. As he may have heard me say to the hon. Member for Oxford West and Abingdon (Layla Moran), to be constrained by the definition would do a disservice to our freedom of manoeuvre as the Ministry of Defence, but we very much hope that ODA rules could be changed to reflect the very wide range of activities that defence is involved in but that currently are not accounted for as part of our ODA spend.

Procurement Policies: Green Book Changes

Philip Dunne (Ludlow) (Con): What assessment he has made of the potential effect on his Department's procurement policies of the November 2020 changes to the Green Book. [909795]

The Secretary of State for Defence (Mr Ben Wallace): The MOD makes procurement decisions based on security, capability requirement, cost, supply chain and other social value considerations and will continue to do so. The November 2020 changes to the Green Book will ensure that there is an increased focus on setting clear objectives and consideration of location-based impacts. MOD footprint and spend is widely distributed across the UK and future procurement will continue to reflect this.

Philip Dunne [V]: The potential pragmatism of the Treasury towards its Green Book rules on public procurement is welcome, as it was heralded as one of my recommendations in my report on prosperity two and a half years ago. Does my right hon. Friend believe that this will make clear the prosperity metrics, which the Treasury will recognise when it comes to defence procurement, and will the Treasury accept that a pound spent on defence in the UK is worth more than a multiplier of 1 in the levelling-up impact on the UK economy?

Mr Wallace: My right hon. Friend is absolutely right, especially in that last observation, and I congratulate him on his prosperity report. He was clearly thinking ahead of the Treasury at the time, and I am delighted that it has recognised the importance and contribution that those changes will make to levelling up and closing the north-south divide. While the end-of-year rules were not changed, the recent £24.1 billion multi-year settlement with the Treasury will now allow the MOD to invest in next generation military capability across the whole United Kingdom.

Overseas Veterans: State Pensions

Carol Monaghan (Glasgow North West) (SNP): What discussions he has had with Cabinet colleagues on the effect of frozen state pensions on veterans living overseas. [909796]

The Minister for Defence People and Veterans (Johnny Mercer): The Government have no plans to change their policy on overseas pensions uprating. It is long-standing Government policy that the state pension is not uprated annually for those not resident in the United Kingdom unless the pensioner resides in a country with which there is a reciprocal social security agreement requiring that uprating.

Carol Monaghan [V]: The Minister prides himself on standing up for veterans, so it is surprising to hear him say, as he just has, that he is not going to do anything for the estimated 60,000 veterans who have their pensions frozen, many of whom are living in poverty and relying on family handouts. These are pensioners such as world war two veteran Anne Puckridge, who, instead of receiving £134 a week, receives a mere £72 a week. When is the Minister going to stand up for veterans, as he should be doing as the Minister for veterans?

Johnny Mercer: I will not take any lessons from the hon. Lady on standing up for veterans. State pensions are the responsibility of the Department for Work and Pensions, and she is well aware of that fact. This arrangement has been conducted by successive Governments for over 70 years, and questions about the policy should be directed to the Department for Work and Pensions.

Topical Questions

[909839] **Andrew Jones (Harrogate and Knaresborough) (Con):** If he will make a statement on his departmental responsibilities.

The Secretary of State for Defence (Mr Ben Wallace): On 21 September, I made a statement to the House on allegations that the Ministry of Defence had blacklisted

the media outlet Declassified UK. An independent review that I ordered into those allegations has now concluded and I have placed a copy in the Library today. The review concludes that the Ministry of Defence does not operate any policy of blacklisting and has no direct political bias. However, on this one occasion, individuals acted as if there was such a policy. That was wrong and, on behalf of the Department, I apologise. As long as I am Secretary of State for this Department, we will not tolerate any form of bias within the communications directorate, and I fully accept the findings of the report and will be taking forward its recommendations.

Andrew Jones: I thank my right hon. Friend for his statement. May I ask him about the recent funding announcement for his Department and what that means for the Army Foundation College and the junior soldiers who attend it? The college is, of course, located in Harrogate and has Captain Sir Tom Moore as its honorary colonel.

Mr Wallace: I had better not cross that, then. My hon. Friend has rightly championed the Army Foundation College, which was assessed as outstanding during its most recent Ofsted inspection. The college is just one part of the training and education that make our armed forces admired across the world. We expect it to continue to play that role as we modernise the armed forces and train the skilled persons we need to meet future threats.

As we approach and prepare for Christmas, I would like to place on record that not only the young men and women training in the Army Foundation College and the other depots across the United Kingdom, but the men and women operating above the sea, below the sea, in Iraq, Afghanistan and right across the world will be standing guard and looking after our values and interests and allies while many of us are getting time off at home. I think this is the last Defence questions before our Christmas session, and, on behalf of my Department and my Ministers, I would like to pay tribute to them.

John Healey (Wentworth and Dearne) (Lab): I reinforce that tribute to our armed forces, who will be serving throughout the Christmas and new year period. I welcome the report that the Secretary of State says he has had placed in the Library this afternoon, and his apology. I also welcomed his written statement last week after troops had begun to arrive in Mali, because on the Opposition side we strongly support the deployment of our forces to support the United Nations mission in Mali; I simply believe that any Secretary of State should report directly to, and answer questions in, this House before committing British forces to conflict zones.

I ask the Secretary of State now, if I may, to report to the House on another matter that for many is at the heart of forces life and aspirations: why is the forces Help to Buy scheme now helping fewer forces families than when it was launched six years ago? What action is he taking to fix the failings of this scheme, so that those who serve are not denied the same dream of home ownership as everyone else?

Mr Wallace: I would be troubled if fewer were being helped by it. That is not our intention and, indeed, one of the early things I did when I took this office was to extend the Help to Buy scheme, because it is a thoroughly

worthwhile scheme. I will be delighted to look into the matter and present to the right hon. Gentleman why the numbers have dropped and what we can do to increase them.

[909841] **Taiwo Owatemi** (Coventry North West) (Lab) [V]: The 2015 defence review highlighted all the things that can go wrong when a Government fudge funding figures. This mistake opened up a £30 billion black hole in the defence budget. It also led to a monumental failure to secure the recruitment of troops that the UK needs, leaving us 12,000 short of strength. Will the Secretary of State tell the House what lessons the Government have learnt from the past review, and how they plan to implement adequate funding to the MOD to ensure that they do not underfund financial resources again?

Mr Wallace: If the hon. Member has been an avid attender of Defence questions, she will have heard me say on a number of occasions that the lessons of the past for both Governments—including Labour Governments; I refer her to the National Audit Office report of 2010—are that we should not over-promise, be over-ambitious or underfund, and that we should cut our cloth accordingly. I have read not only the 2010 report but all the successive NAO reports and SDRs going back to 1998, to learn what mistakes should and could have been avoided. That is why we have had this review and this record funding, and it is why the Prime Minister made the exception for a multi-year spending decision not only in CDEL but in REDL. This gives us the space to put things right that have been wrong and to ensure that we make long-term investments that match our ambition. I am sure the whole House agrees with that. I am always happy to take suggestions from hon. Members from all around the House about what we could do even better.

Mr Speaker: Let's fly over to Bob Blackman.

[909849] **Bob Blackman** (Harrow East) (Con) [V]: Thank you, ground control. I understand that my right hon. Friend has, on behalf of the Ministry of Defence, agreed a new co-operation agreement with the Israeli defence force. Could he update the House on the impact of that agreement and tell us what benefits it will bring both to the United Kingdom and to the state of Israel?

Mr Wallace: I will write to my hon. Friend. Obviously, defence co-operation with a range of countries benefits our mutual interests. For example, we often, even unofficially, in that we do not have a formal agreement, work with countries where a threat presents itself that poses a threat to our citizens and our interests. I will write to him about the specific details of the country he mentioned.

[909843] **Dame Diana Johnson** (Kingston upon Hull North) (Lab) [V]: I thank the Secretary of State for agreeing last week to provide four military planners for Hull and the Humber after the three Hull MPs asked for help due to the very high rates of covid-19 infection. I understand that the local area will have to meet only the subsistence costs of those four military personnel, so can the Secretary of State confirm that, if Hull needs more logistical help in the form of boots on the ground to get lateral flow tests out and help with mass vaccinations, military help will be forthcoming, and with no charge to Hull City Council?

The Minister for the Armed Forces (James Heappey):

As the hon. Lady says, the MACA request for Hull was approved on 1 December, and four military planners have been provided to support the Humber local resilience forum until the end of January with specific areas of covid-related planning. If that planning reveals a demand for further military resource, I am sure that a further MACA request will be forthcoming, and we will consider it on its merits.

[909852] **Mr Richard Holden** (North West Durham) (Con): The tradition of military service runs deep in County Durham, with young people from my constituency currently going through their training. Their parents are rightly proud of them and their achievements. When will parents' physical attendance at passing-out parades be able to resume? May I also reiterate my previous invitation for a departmental Minister to come to visit suppliers in my county Durham constituency as soon as possible?

James Heappey: I know that the Minister for Defence Procurement, my hon. Friend the Member for Horsham (Jeremy Quin), is itching to visit the company in my hon. Friend's constituency. As for attendance at pass-out parades, I know how much my own family enjoyed my pass-out parade at Sandhurst. These are big, big moments in the lives of soldiers and the families who support them. We have to work within the Government's guidelines, but as soon as we can get parades open to family and friends again, we will do so.

[909850] **Anne McLaughlin** (Glasgow North East) (SNP) [V]: We are hearing about some of the great work that our armed forces are doing to respond to the pandemic; why do the Government allow a shadow to hang over them by reneging on the promise of a public inquiry into the murder of Pat Finucane, through which we could all be reassured that they have addressed the practices that led to collusion with paramilitaries? How do I answer my constituents who ask me whether the Government have something else to hide?

Mr Wallace: The decision to grant a public inquiry in the case of Pat Finucane is a decision for the Prime Minister and the Secretary of State for Northern Ireland; as Secretary of State for Defence, I have no role in it. However, I am a former Northern Ireland Minister and a former member of the armed forces who served there. The hon. Lady will know that there have been numerous inquiries and inquests into a range of killings by both the state and terrorists. We take every case very seriously and examine the evidence before us, but we are also keen to make sure that we uphold the spirit of the Good Friday agreement, which is to help to draw a line under the troubles to allow the men and women of Northern Ireland move forward in peace. That does mean dealing with the legacy, but it also means making sure that when things have been examined we can all move forward together.

[909857] **Jonathan Gullis** (Stoke-on-Trent North) (Con): Sadly, the number of covid-19 cases in Stoke-on-Trent North, Kidsgrove and Talke keeps us as one of the top hotspots nationally, and our local hospital, the Royal Stoke University Hospital, has had to take its critical care to level 4 in past weeks and has seen staffing numbers down by 60%. Is my hon. Friend able to help us by using our brave servicemen and women from the Royal Army Medical Corps to assist our health and care heroes?

James Heappey: The men and women of the Defence Medical Services have been real heroes throughout the pandemic, working in hospitals throughout the country. Many of them already have jobs in the NHS, which means they are not ours to flex in response to MACA requests. However, other military medics have been used in response to MACA requests from health trusts, and I am sure that if such a request was to come from my hon. Friend's local authority, we would be happy to look at it.

[909851] **Andrew Gwynne** (Denton and Reddish) (Lab) [V]: The Prime Minister has said that he is ending the "era of retreat"; presumably, that means an end to the retreat in armed forces personnel numbers that we have seen over the past decade—yes?

Mr Wallace: It means an end to an era in which successive Governments, both Labour and Conservative, over-promised and underfunded. What is absolutely key is that the Prime Minister determines that this Government and this defence policy meet the threat and do not fund into everything else. *[Interruption.]* The hon. Gentleman makes a scissors gesture; I distinctly remember serving in the armed forces under a Labour Government and that is pretty much what most of the Labour Government did. If the hon. Gentleman turned his hand upright, that was the attitude to our armed forces of the Labour Front Bench under Jeremy Corbyn.

[909859] **Simon Baynes** (Clwyd South) (Con): Will my hon. Friend comment on and commend the contribution made by armed forces personnel in Clwyd South and across Wales to the national effort during the coronavirus crisis?

James Heappey: Defence personnel have assisted across Wales during the pandemic, including in Wrexham and Clwyd South, by supporting the Welsh ambulance service, the planning and staffing of Nightingale hospitals and mobile testing. Currently, defence is supporting whole-town testing a little further south in Merthyr Tydfil. I am sure that the whole House will join me in commending the contribution of our armed forces, who have worked tirelessly to tackle covid-19 in Wales and across the United Kingdom.

[909853] **Mr Tanmanjeet Singh Dhesi** (Slough) (Lab): According to the latest figures released by the Ministry of Defence, four in 10 of our service personnel have actively searched for a job outside the service in the past 12 months. What does the Secretary of State think is driving that trend—is it low morale, low wages or poor accommodation? Or is it the fact that the Ministers over the past decade have not been on top of their brief?

James Heappey: When we look at retention in the armed forces we are never complacent. We take continuous attitude survey responses very seriously indeed. Clearly, there are things we can do to improve the life of our service personnel, but the hon. Gentleman is wrong to suggest that retention is a problem; in fact, retention is improving quickly.

[909863] **Ben Everitt** (Milton Keynes North) (Con) [V]: What steps is the Department taking to ensure that the UK can properly defend itself from cyber-attacks?

James Heappey: In line with the national cyber strategy, the Ministry of Defence works closely with the National Cyber Security Centre in support of national objectives to protect and defend critical infrastructure. The MOD has funded programmes to mitigate cyber-risks against our platforms, weapons systems and core digital infrastructure, and we are developing a cyber-aware workforce to embed cyber-security into our business and operations.

[909861] **Rachel Hopkins** (Luton South) (Lab): Commonwealth War Graves Commission staff have been forced to decide by today, with only three weeks' notice, where they will work and live in the new year. That is terrible treatment, as usually they have a minimum of three months, and support from the commission. Will the Secretary of State intervene to ensure that the commission upholds its values by stopping this action, holding a meaningful review of the situation, and allowing unions to negotiate with it?

Mr Wallace: I thank the hon. Lady for bringing this matter to my attention. I would be delighted to meet her to discuss it, and then we can discuss it with the Department and the commission.

[909864] **Caroline Ansell** (Eastbourne) (Con): With the number of combat roles set to increase, does my hon. Friend the Minister agree that now is the time to invest in our people, and most specifically in support for mental health resilience, hardware and cyber, so that our troops are prepared in every sense of the word to do the important work that they need to do?

The Minister for Defence People and Veterans (Johnny Mercer): Over the past two years, we have made a real effort to completely redesign the mental health care provision for our armed forces personnel, both during their time in service and when they leave. I am delighted to confirm for the first time that this country's armed forces will receive mandatory mental health training every year from 1 April next year. I pay tribute to the service chiefs who have led the way on this significant policy change.

[909867] **Margaret Ferrier** (Rutherglen and Hamilton West) (Ind) [V]: Analysis by army-technology.com on 23 November has highlighted a risk of disruption: new customs controls at borders may create delays in the defence procurement chain. Given that the UK Government are pursuing an increasingly reckless strategy in Brexit negotiations, will the Secretary of State clarify what measures are being taken to ensure no disruption in the defence supply chain?

Mr Wallace: The hon. Lady is making a brilliant argument for why we do not want to put borders between countries. Perhaps she could join our campaign to save the Union at the next referendum.

Simon Jupp (East Devon) (Con): What further support do the Government plan to provide, as part of the UK-Ukraine strategic partnership agreement, signed in October, to develop Ukraine's navy and deliver maritime security in the Black sea?

Mr Wallace: Ukraine is incredibly important to the United Kingdom, not only as an ally, but hopefully as a future member of NATO, and it is important that we help those people defend themselves against Russian

aggression. That is why our ships are often on tour and deployed in the Black sea. Indeed, only recently, a Type 45 was deployed in that sea. At the same time, it is important to help Ukraine build its own capability, so that it can defend itself against aggressive Russian tactics, which is why, under Operation Orbital, we are out there right now, training its navy in how to do that.

Marco Longhi (Dudley North) (Con): Military aerospace is incredibly important in my constituency of Dudley North, and across the west midlands. Can the Minister say what he is doing to promote our first-rate exports to our allies?

Mr Wallace: Only recently, I hosted my colleague the Defence Minister of Qatar who came to see the joint Typhoon squadron that we operate in the United Kingdom. That squadron, obviously, uses Typhoon, which is built

in Lancashire and has a supply chain that reaches right across the north of England. That is why my hon. Friend, like many in this House, will welcome the announcement of the next generation of the future combat air system. Billions of pounds will be put into research and development for the next generation of fighter. This will mean lots of jobs for people in the United Kingdom—in the north, south and south-west of England, and in Scotland.

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

3.33 pm

Sitting suspended.

UK-EU Future Relationship Negotiations and Transition Period

3.36 pm

Rachel Reeves (Leeds West) (Lab) (*Urgent Question*): To ask the Minister for the Cabinet Office if he will make a statement on the progress of the negotiations on the UK's future relationship with the EU and preparations for the end of the transition period.

The Paymaster General (Penny Mordaunt): I am grateful for this opportunity to update the House on the progress of our negotiations with the European Union.

Intensive talks continue. In fact, the United Kingdom's negotiating team, led by Lord Frost, has been in talks with the EU almost every day since 22 October and is working tirelessly to get a deal on our future relationship. This also affords us in this place the opportunity to show our collective resolve to get a good deal, our expectations of what that needs to look like, and what we will not accept. While there has been some progress across many areas, familiar differences remain on the so-called level playing field, fisheries and governance. Of these, the level playing field issue is currently the most difficult.

On Friday, after an intensive week of talks in London, the respective chief negotiators, Lord Frost and Michel Barnier, issued a joint statement. This outlined that the conditions for an agreement had not been met, and that talks should pause briefly to allow the Prime Minister and the Commission President to discuss the state of play on Saturday. Following their telephone call, the Prime Minister and President von der Leyen issued a joint statement. It welcomed progress, but noted that an agreement would not be feasible if the issues on the level playing field, fisheries and governance were not resolved. They agreed that a further effort should be made by the UK and the EU to assess whether the outstanding differences can be resolved, and instructed the chief negotiators to reconvene in Brussels.

We are at a critical moment in the negotiations. Teams are negotiating as we speak, and the Prime Minister will call the Commission President later this afternoon to discuss progress again. My right hon. Friend the Chancellor of the Duchy of Lancaster is in Brussels today, meeting the European Commission vice-president; they are meeting in their capacity as co-chairs of the UK-EU Joint Committee under the withdrawal agreement.

We are all working to get a deal, but the only deal that is possible is one that is compatible with our sovereignty, and that takes back control of our laws, trade and waters. While an agreement is preferable, we are prepared to leave on so-called Australian-style terms if we cannot find compromises. As the Prime Minister has made clear, people and businesses must prepare for the changes that are coming on 31 December, most of which are related to our departure from the EU single market and customs union, and not the outcome of these talks.

Mr Speaker, we will continue to keep the House updated as we seek to secure a future relationship with our EU friends that respects our status as a sovereign, equal and independent country.

Rachel Reeves: Last year, the Prime Minister said that to leave with no deal would be a "failure of statecraft", so this Government must take responsibility for their failure if we leave without a deal. We will hold the Government to account for whatever they bring back—deal or no deal.

With just 24 days to go until the end of the transition period, let me ask a few basic questions about this Government's and our country's readiness. Trading on World Trade Organisation terms would mean tariffs on lamb exports of 40%, so what is the latest assessment of how many farms would go to the wall in the event of no deal? Tariffs on car exports would be 10%, so what is the viability of our great automotive industry if there is no deal on rules of origin?

The Office for Budget Responsibility said last week—I am surprised the Chancellor did not mention it at all in his spending review statement—that if we leave without a deal, GDP would fall by an additional 2% next year, unemployment would rise by an additional 1% and inflation would be up 1.5%. Those are not just numbers; this is about British industries and people's jobs. The detail does matter, so will the Minister admit to the House how many of the 50,000 customs agents who the Government agreed are needed by the end of the year have actually been recruited?

Today, the Minister for the Middle East and North Africa claimed that the oven-ready deal had already been delivered. If that is the case, it must have been sent to the wrong address, because the whole country is still waiting for the comprehensive trade and security deal that was promised to the British people at the general election less than a year ago.

Mr Speaker, you will remember that the former International Trade Secretary, the right hon. Member for North Somerset (Dr Fox), once said that a trade deal with the EU would be the "easiest in human history". Let me finish by asking the Minister: is that still the view of this Government?

Penny Mordaunt: I have some sympathy with Her Majesty's Opposition today, because although I have been involved with various aspects of the negotiations and am vice-chair of the Joint Committee under the withdrawal agreement, I have not been in the room for these negotiations, and neither has any Member of this House. I understand that we have so much invested in getting a good result, for all the reasons the hon. Lady sets out. This is how it must have been for an expectant father waiting for news outside the delivery room. I can understand the tension and frustration many Members must be feeling at this critical moment.

We are all waiting for what we hope is good news, but we are not powerless in this. We are all active players and participants, and we should all be doing everything we can at this critical moment to ensure that our negotiating team are supported, and that we get the best result for this country. That means that we should provide clarity and resolve about what we want from a deal and what we are not prepared to accept, and show united support for our negotiating team. I hope that all Members of this House will join me in sending our resolve and good wishes to Lord Frost and his team as they continue to work on our behalf. We must also provide the necessary focus to get the negotiations over the line, which many Members of this House did by ensuring that we did not extend the transition period.

Sadly, the hon. Member for Leeds West (Rachel Reeves) and her colleagues on the Opposition Benches have failed to do any of those things to help us secure a good deal for this country. That is fair enough if Labour does not have a position on Brexit, but it might like to get one in the next few days.

All of us in this House must show support and resolve to get the deal that the hon. Lady articulates, and that we all want for citizens and businesses, not just within the UK but throughout the remainder of the EU. *[Interruption.]* I am turning to her questions; there were not that many. The tariff issues are published on gov.uk. I know that she has recently written to the Chancellor of the Duchy of Lancaster, who will reply to her in detail, as he always does.

What I would say to the hon. Lady, having been involved with transition preparations, is that when we have got into some of the detail—site visits and so forth, and helping ports, for example, put together their bids for the port infrastructure fund—assumptions that have been made about what we will need have been reduced. On my own local patch, for example, we were looking at having to have 10 freight gates. We now need only three because we have had greater clarity about how things will work.

We will keep the hon. Lady and all Members of the House updated on this front, but I assure her that we are making every effort to secure a deal. That is our aim. That is what everyone, I think, in this House would want, but that deal must respect the United Kingdom's sovereignty and its integrity as a nation. We want to be able to control our own borders, set our own robust and principled subsidy control system, and control our waters. Those things are not up for compromise. We will not compromise. If the hon. Lady and colleagues want to assist Lord Frost and his team in that, that is the message that they should send them this afternoon in this place.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): I thank my right hon. Friend for the statement. I, for one, absolutely have confidence in Lord Frost and the Prime Minister, who are basing their negotiations on a manifesto that won us a huge majority at the last election. The British public voted for a sovereign departure—that is to say, that we would be a sovereign nation. She is right, therefore, and does she not agree that although this is entitled a trade discussion or a trade deal, the truth is that at the end of the day, as she said, this is essentially about sovereignty? To have continuing control of our laws, our territorial waters and, for that matter, our trade are matters of sovereign control, not just trade. Will she give that message back to our negotiators, and say that they have the Government side of the House completely behind them?

Penny Mordaunt: I thank my right hon. Friend for his comments, and for saving my breath in saying that again. He is absolutely right. I think it has been a difficulty on the EU side to come to terms with the fact that we are a sovereign equal in these negotiations. We have made this point time and again. I know that many Government Members have made that point many times, but that is the sticking point. I hope that the EU negotiators, and all member states, have heard his message loudly and clearly.

Pete Wishart (Perth and North Perthshire) (SNP) [V]: So here we are at the 59th minute of the eleventh hour, where we were arguably always going to be. What was supposed to be the easiest deal in history has become the biggest unconcluded disaster of modern times. The oven-ready deal was in fact a barely defrosted turkey. We still do not know if it is to be a low deal or a no deal. The chaos is due to commence in a few short weeks, and we still do not know the scale of the carnage that each sector will have to endure.

What we do know, I suppose, is that it will all be the fault of these Europeans. We know that even if it is a low deal it will cost every Scot £1,600 and Scotland's GDP will fall by 6.1%, and we know, of course, that Scotland rejected this whole miserable project. Will the Minister concede that these negotiations have been nothing other than a shambles, that the Government simply do not care about the repercussions of no deal, and that the views of Scotland simply do not matter? If the Government do not care about the views of Scotland, why should Scotland endure this misery any longer?

Penny Mordaunt: The hon. Gentleman has surpassed himself today. As someone who has worked very hard with Mike Russell and other colleagues to ensure that their views and ideas are taken up by the negotiating team, I can tell the hon. Gentleman that throughout the course of the negotiations the position has evolved to take on board many aspects of what his colleagues have been asking for—for example, participation in programmes. The team changed their original position and have gone in to negotiate very hard on things that they have asked for. If we have good news in the coming days, I hope that he will give the UK Government the entire credit.

Sir Bernard Jenkin (Harwich and North Essex) (Con): Will my right hon. Friend ensure that the Government point out to our European partners that under their own treaty there cannot be any kind of deliberate go-slow or disruption of UK exports to the continent, whether or not we have a free trade agreement, because under their own treaty they are obliged to pursue free and fair trade with their neighbours, and, under article 8(1), to pursue good neighbourliness? Both the UK and the European Union have also signed up to the trade facilitation agreement at the World Trade Organisation, which obliges us to ensure that trade flows and does not get blocked by people doing box-ticking exercises, which are basically unnecessary.

Penny Mordaunt: My hon. Friend makes an excellent point, and is absolutely right. If our European partners were to do such a thing, they would also be disadvantaging the businesses in their own member states.

Hilary Benn (Leeds Central) (Lab): We all wish the negotiators well, not least—as my hon. Friend the Member for Leeds West (Rachel Reeves) pointed out earlier—because of the assessment of the Office for Budget Responsibility that no agreement could reduce real GDP by a further 2% in 2021, on top of the adverse consequences that will come from Brexit anyway. Does the Minister agree with that assessment? If so, can she explain to the House why, in the middle of the worst economic crisis for 300 years, the Prime Minister still appears to believe that no deal would be a good outcome? British business certainly does not.

Penny Mordaunt: The right hon. Gentleman will hear no argument from me to say that no deal is going to be better than getting a deal, but everyone is working to get a deal; that is our objective. That is why Lord Frost, as I speak, is there with his team trying to secure that. I would say to the right hon. Gentleman that delaying a decision and extending the negotiations—[*Interruption.*] Well, I think that is what he is driving at, but the facts are not going to change. We have all the information and the positions are as they are. It is only by continuing those negotiations, and by us continuing to put the pressure on for those negotiations to be concluded, that we will, I hope, arrive at a deal.

Dr Liam Fox (North Somerset) (Con): We all want to see a deal, but the difficulties are not really about trade. Uniquely, we began these negotiations with an entire identity of regulations, of tariffs and of trade law, which is unprecedented in the history of trade negotiations and should have made this more straightforward. Does my right hon. Friend agree that this is not really about trade difficulties, but about EU politics? It is about ensuring that no country follows the United Kingdom in exercising their legal powers to leave the European Union, and about the desire of some in the EU to limit the competitive potential of post-Brexit Britain.

Penny Mordaunt: I agree with my right hon. Friend. It is not just the issues that I have set out in the UK's position that should be focusing the minds of the EU's negotiating team and the Commission; it is also what is in the interests of their member states. Britain's position—the United Kingdom's position—is that we want this outcome not just for our own benefit, but for the benefit of all member states, and the businesses and citizens within them.

Wendy Chamberlain (North East Fife) (LD): According to the Cabinet Office's leaked reasonable worst-case scenario document, in the event of a no-deal Brexit, the supply of medicines and medical devices could be reduced by up to 40%. In the spirit of doing all we can, can the Minister advise us of which products might be affected and whether my constituents, and indeed the constituents of every Member in this place, should start to stockpile them?

Penny Mordaunt: As has been said at the Dispatch Box before, a reasonable worst-case scenario is not a prediction; it is the worst case that we need to prepare for and prepare to mitigate. We thought it was right—as we do across many areas, including covid—to think through those consequences and put those documents in the public domain, and the reasonable worst-case scenario was a document that we published. Whether it is food supplies, medicine or anything related to the covid pandemic, we have put in place mitigations for all sorts of things that could happen and could go wrong. We are not anticipating disruption to those supplies, and the work that we have undertaken includes the stockpiling of certain goods, securing our own freight capacity and many other things.

Tom Hunt (Ipswich) (Con): With regard to the fact that we are the first country in the world to have approved a vaccine for covid-19, does my right hon. Friend agree that we benefited from the ability to act quickly, nimbly

and dynamically and that one of the key benefits of Brexit is that it will extend that ability across a number of different areas—for example, international trading relationships and social employment legislation? Will she assure me that, whatever happens come 31 December, we will have that ability and that power as a country to chart our own course and have a wonderful future?

Penny Mordaunt: I supported Brexit—I voted for it—and I think there are many positives and opportunities that will come from it, not least being able to increase our collaboration and co-operation with many countries around the world. Unless we eradicate covid, and unless we ensure that every nation has access to vaccines and can benefit from the science, whatever its provenance, we will not defeat this pandemic. We are an incredibly connected nation, and we need to do that. With the future that we have, we will be able to be a major player in ensuring that that happens.

Sammy Wilson (East Antrim) (DUP): The Government are doing the right thing in resisting any demand from the EU to take the power to impose penalties on the UK at some time in the future if Brussels deems that we have not kept pace with laws made outside the United Kingdom. Taking back control is the whole point of Brexit. In resisting the level playing field demands of the EU, the Government must also ensure that the EU's demand for Northern Ireland to be included in its level playing field is resisted. If the Government do not do that, we have not taken back control—we have surrendered part of the United Kingdom to EU demands.

Penny Mordaunt: The right hon. Gentleman makes very good points that he has made many times over. The level playing field is the most difficult issue facing the negotiating teams at the moment, and I thank him for his comments, which will have been heard by the team today.

Rob Butler (Aylesbury) (Con): In simple terms, could my right hon. Friend confirm that the UK Government will not sign up to any agreement that compromises our sovereignty or our ability to reach new trade agreements with the many countries around the world that are very keen to do business with an independent Britain?

Penny Mordaunt: I can give my hon. Friend those assurances. The Prime Minister has been very clear on this point, and it is something that the EU negotiating team will be fully apprised of.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) [V]: The Minister might know that I am a member of the Select Committee on the Future Relationship with the European Union, which will be abolished next week. As a member of that Committee, I have witnessed the sheer incompetence of the Government's leadership. On Small Business Saturday this weekend, a businesswoman said to me, "We have suffered 1,000 cuts in the last year from covid. Why would any Government inflict another 1,000 cuts by coming out of Europe on the wrong terms, in the wrong way?"

Penny Mordaunt: What would be damaging for business is more prolonged uncertainty. Our businesses, as we have seen especially over the past year, are incredibly

resilient and can cope with all sorts of things. What they cannot cope with is every eventuality as opposed to any eventuality. We need to give them certainty. I hope that we will soon be able to inform them of the remaining issues that the negotiating teams are working on. That will provide them with 100% clarity about the situation that they are facing. We will continue to support them to get ready for the transition.

Richard Graham (Gloucester) (Con): We all wish the Prime Minister, Lord Frost and the negotiating team every success in securing a deal with the EU, but should the trade talks fail, the Government's reasonable worst-case scenario suggests that there might be significant issues with the flow of imported medicines in the first few months. Will my right hon. Friend therefore reassure all our constituents that, come what may, there will be no impediment to imported covid-19 vaccines and other crucial medicines—if need be, in the worst-case scenario, deploying military transport?

Penny Mordaunt: I can give my hon. Friend and his constituents those assurances. This is an incredibly serious matter. The supply of medicines and medical devices, even without the pandemic, has always been a priority, going right back to last year and the potential no deal scenario planning that went on, with huge efforts. His question affords me the opportunity to pay tribute to the civil servants, military personnel, local resilience forums and many other people who have been planning and conducting exercises—and of course all the people who have been working on the winter planning assumptions around that. I can give him those assurances that we take this very seriously indeed.

Mr Ben Bradshaw (Exeter) (Lab): Those assurances were flatly contradicted only last week by the head of the UK's pharmaceutical industry, Richard Torbett, who said that border delays and, crucially, the absence of mutual recognition standards in the event of no deal will disrupt the supply of vital medicines to this country, including vaccines. Why should we believe Government Ministers rather than the man who heads our multibillion-pound medicines industry and knows what he is talking about?

Penny Mordaunt: There are many potential problems, but those problems have been methodically thought through. As I say, they range from administrative issues that the right hon. Gentleman refers to, right through to freight transport issues, including our securing back-up plans if commercial transport is not available or we have issues of pinch points on the key transit routes. In addition to that, and in addition to the phased approach to the border that is being taken next year, we have also, for the first few weeks, put additional measures in place to really try to ensure that there are no delays and no snarl-ups on those key freight routes.

Sir Robert Neill (Bromley and Chislehurst) (Con): I refer to my entry in the Register of Members' Financial Interests.

My right hon. Friend is right, of course, to observe that it is in everybody's interests that there should be a deal, and that uncertainty is damaging for everyone. Will she bear in mind that that is particularly acute for the people of Her Majesty's territory of Gibraltar? Will she ensure that they, above all, as we have responsibility

in these negotiations, are not allowed to become collateral damage? Will she also undertake to ensure that the Government of Gibraltar are kept fully informed of all developments and every assistance is given to ensure that whatever the outcome, there is a smooth and flowing land frontier and the delivery of essential services for Gibraltar?

Penny Mordaunt: I agree with all the points that my hon. Friend has made. I can assure him, from my involvement in the negotiations and keeping our partners informed, that all those issues with regard to Gibraltar are absolutely at the heart of our negotiating position. I thank him for raising that on the Floor of the House today.

Hywel Williams (Arfon) (PC) [V]: In the worst case of no deal, tariffs on food imports from the EU would on average be over 20%, but on beef mince they would be 48%, cheddar cheese 57%, oranges 12%—the list goes on and on. Over the weekend, however, the Environment, Food and Rural Affairs Secretary said that the impact of tariffs would be "modest". Will the Minister concede that that is not true for the third of children in Wales who live in poverty, or for poor children all across the UK?

Penny Mordaunt: As I said, information about tariffs has been published on gov.uk. What I would say to the hon. Gentleman is that we are negotiating to ensure that we can get a deal. I understand his concerns, but our efforts are to secure that deal. I hope he would join us in that effort and send a clear message today to the EU negotiating team that that is in the interests not just of his constituents, but of all citizens across the EU.

Robin Millar (Aberconwy) (Con): There is no doubt that it is in the best interests of all parties to secure a deal. However, for many residents in Aberconwy who voted to leave, sovereignty was a key driver. It has been cited throughout the negotiations as a red line, so will my right hon. Friend reassure all our constituents that, come what may, deal or no deal, after we leave the negotiations, we will do so with our sovereignty intact?

Penny Mordaunt: I can give my hon. Friend those assurances. The Prime Minister has been very clear on that point and the EU negotiating team will recognise that it is a point from which we will not move.

Mr Tobias Ellwood (Bournemouth East) (Con): My right hon. Friend knows more than most how increasingly unstable our complex world is becoming. Does she agree that the threats we face, from both state and non-state actors, do not recognise international borders or the membership of political unions, and that no decision taken this week should diminish our collective security responsibility?

Penny Mordaunt: I agree with my right hon. Friend absolutely. It is one thing I have never accepted about what has been said about the EU's negotiating position. I do not believe that member states would tolerate their own citizens being put in the way of greater harm. The security and defence co-operation we have between member states and ourselves is highly valued, and I think that would be recognised by all member states in that respect.

Caroline Lucas (Brighton, Pavilion) (Green) [V]: Does the Minister see the irony of UK negotiators trying to persuade our EU counterparts of our good faith when it comes to compliance with the rules of any new trade deal at exactly the time that the Prime Minister is today asking Parliament to vote to break international law by ripping up rules that were agreed barely a year ago? Can she tell us why the Government have apparently yet to agree to non-regression over current standards, when Ministers have repeatedly assured us that they intend to maintain and even enhance our own environmental standards?

Penny Mordaunt: I think that the trust for which the United Kingdom is renowned is deep. I think it is very well understood that the moves the Government have taken with regard to the United Kingdom Internal Market Bill have had to be taken as an insurance policy to preserve the integrity of our country. The Prime Minister and the Minister for the Constitution and Devolution, my hon. Friend the Member for Norwich North (Chloe Smith), have been very clear, as has, the Secretary of State for Justice, on why we are taking this particular course of action. I still think that the United Kingdom is held in very high esteem in that respect.

Dehenna Davison (Bishop Auckland) (Con): A large number of colleagues have already mentioned the importance of parliamentary sovereignty, which we recognise as one of the most important cornerstones of our democracy. With people across the country voting overwhelmingly to get Brexit done, will my right hon. Friend assure Bishop Auckland residents and the House that any deal we sign will categorically not undermine our sovereignty and our ability to set our own border policy, or our ability to strike free trade deals with our global friends around the world?

Penny Mordaunt: Quite right. We have as a nation been on a rollercoaster over the past few years, and the British people have been absolutely resolved, as demonstrated at the last general election, that we are going to get this done. I think it would be a very difficult discussion to have with our constituents if we had gone through that rollercoaster for no upside. We have to secure these freedoms; we are a sovereign nation, and that is the future we must all look forward to.

Stephen Farry (North Down) (Alliance): Like the rest of the UK, Northern Ireland badly needs to see a deal, not least because no deal means the prospect of some tariffs being levied down the Irish sea interface. However, regardless of a deal or no deal, can the Minister give this House an assurance that the Government will work in good faith with the EU over the coming days to conclude the discussions in the Joint Committee around the implementation of the protocol, and that that will also include consideration of a grace or adjustment period for Northern Ireland businesses, which simply no longer have the time to prepare for 1 January?

Penny Mordaunt: Yes, I can give the hon. Gentleman those assurances. Although we are talking about issues that are extremely difficult, particularly the three issues that I alluded to earlier, the talks and negotiations are constructive and they are continuing apace. I hope that we will have good news in the coming days.

Jo Gideon (Stoke-on-Trent Central) (Con): In light of the Opposition's recent refusal to make any decision—as their constituents sent them to this place to do—in support of or opposition to the tier restrictions, what assessment has my right hon. Friend made of demands from some parts of the House for the Government to reach any deal with the European Union, while simultaneously considering voting against or not at all if any such deal is brought before this House?

Penny Mordaunt: I agree with my hon. Friend that it only makes sense to keep one's powder dry if one is prepared to accept no deal, but the position of the Opposition is a matter for them—I just hope they get one in the next few days.

Fleur Anderson (Putney) (Lab): This is a shambles. I held a meeting with local businesses in my constituency about the impact of this ongoing uncertainty all year. One owner of a logistics company said to me that the damage has been done. She waited throughout November for the deal; it did not come, and her business has now been killed and her staff have lost their jobs. Will the Minister apologise to business owners such as my constituent for this utter mess?

Penny Mordaunt: I am sorry to hear about the plight of the hon. Lady's constituent. As I have reiterated many times before, I am available every day on covid or Brexit issues, if hon. Members want to talk. I am available at 10 am every single day and have been for weeks. I am not making a political point, but saying to all hon. Members, "If businesses are in difficulty for whatever reason, please do get in touch." We would have liked this resolved earlier, but we are not prepared to compromise on matters that are of immense importance to many of her constituents. We will not compromise on those, but we are working incredibly hard to resolve the remaining issues, and I hope that in short order we will be able to provide her constituents and everyone else with the certainty that they need.

Mr Peter Bone (Wellingborough) (Con) [V]: The Prime Minister has done a fantastic job over Brexit; he has taken the United Kingdom out of the European Union and I am absolutely confident that he will only bring back a deal to this House if it takes back control of our laws, borders and trade. In fact, I would bet my house that he will not betray those principles. However, may I ask the excellent Minister why the negotiations are still continuing? The EU said the absolute deadline for these negotiations was 31 October, and here we are on 7 December. Was the Minister hinting to us in her answer to the previous question that tonight we will get a decision one way or the other, a deal or no deal?

Penny Mordaunt: I am not hinting at that, although it would be jolly nice. In my opening response, I outlined what I am expecting to happen this afternoon in terms of the Prime Minister's speaking to the Commission President. I am not raising that hope, but these negotiations are continuing because a deal is still possible, and we will continue to negotiate until that ceases to be the case.

Neil Coyle (Bermondsey and Old Southwark) (Lab): Brexit has already cost our country billions, and we have seen investments slump in crucial sectors, a rise in

unemployment, and some businesses leave our shores before we even reach the artificial, self-imposed deadline at the end of this year. How many more jobs will be lost? How much more economic damage will we suffer, and what further undermining of our international influence and national security will it take, before those who peddled the false promises of 2016 admit that they are simply undeliverable, in these negotiations or anywhere else?

Penny Mordaunt: I would ask the hon. Gentleman to reflect on why he thinks that our nation, collectively and together, voted to leave the EU. I am sure there was a range of issues. Some were economic, because people may not have wanted to be tied to the eurozone, but there were many other reasons. For many, it was about sovereignty, and being able to shape our own future. The policies that we are carrying out and doing our best to secure a deal for, are what we have a mandate to do from the British people. We put the question to them, they gave us their response, and it is incumbent on all of us in this place to act on their wishes.

Danny Kruger (Devizes) (Con): The Government are under huge pressure this week to secure a deal—any deal. Does my right hon. Friend agree that the long-term economic and political consequences of a bad deal that keeps the UK in the regulatory orbit of the EU and not as an independent sovereign state would be far worse than any temporary short-term consequences that might flow from no deal?

Penny Mordaunt: I agree with my hon. Friend. There has to be a point to all the upheaval that we have been through together as a nation over the past few years, and we can look forward to many positives with those new-found freedoms, including being able to make the right choices for this country. I say again: this is not just about the interests of the United Kingdom; I think that the negotiating position of the UK is also of benefit to the remainder of the EU.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The National Police Chiefs' Council has said that losing access to criminal information if there is no negotiated agreement would have a "major impact" on counter-terrorism and serious organised crime. Obviously we all hope that a full agreement is imminent, but if an agreement is not reached on fish or level playing fields, have the Government drawn up proposals for a fallback security agreement? Does the Minister agree that if the UK and EU negotiators fail to secure arrangements that protect our citizens' security, that would be highly irresponsible of both?

Penny Mordaunt: The right hon. Lady makes an excellent point, and that is one reason why a deal is in everyone's interest, and why I have always thought that nations would not compromise on the security of their citizens. It is the responsibility of the Government on every aspect—whether on those issues raised by the right hon. Lady, freight transport, or whatever—to have thought through the consequences and prepared for them. That is the case for all issues, including the ones she raises.

Shaun Bailey (West Bromwich West) (Con): The 70% of my constituents who voted to realise this country's potential four years ago want the negotiating teams to

succeed in obtaining a deal. I represent communities that are heavily based on manufacturing, so can the Minister reassure me that the negotiating team will continue to negotiate robustly on the point about rules of origin, and that they will stand up for manufacturing businesses, such as those in Wednesbury, Oldbury and Tipton?

Penny Mordaunt: I can give my hon. Friend those assurances. The team have done a tremendous job, and I know the detail they have gone into on each sector on that issue. It is helpful that my hon. Friend has reiterated the importance of those matters to his constituents this afternoon.

Dr Philippa Whitford (Central Ayrshire) (SNP) [V]: Even if there is a deal at this eleventh hour, it will be very thin, inflicting customs costs and delays on sectors that are already struggling to survive covid. The Minister has called on businesses to get ready, but the Government's own IT systems are not ready; indeed, the fish export service will go live just two days before the end of transition. Does the fact that this Government are having to plan military flights to bring in medical supplies, including the vaccine, not make them pause for thought before such an act of self-harm?

Penny Mordaunt: It is right that we prepare for every possible contingency. There are all sorts of things that we have not mentioned this afternoon that are part of the Government's in-tray—all sorts of contingencies that we have to think about. In the Cabinet Office, for example, I look after cyber issues. There are many things that we have to think about and many things that we have to prepare for, and it is right, particularly on medicines and medical devices, that we ensure that we have every contingency in place.

However, I would also point out to the hon. Lady that the border operating model and many things that businesses will need to do to get ready are not contingent on the final negotiations going on. We have invested heavily in support services for traders, businesses and citizens, and it has been right to do so. Again, if colleagues have issues with their constituents or businesses, please talk to me and I will do my best to get an official to talk to the business and put it in touch with the many webinars that are going on to help support businesses and citizens to make this transition.

Ben Bradley (Mansfield) (Con) [V]: I, for one, am delighted that we are finally going to reach a Brexit conclusion on 31 December. I am pleased to hear the continued commitment from my right hon. Friend to the red lines that have been set, and I know that many of my constituents will appreciate the stance taken by Lord Frost and the negotiating team. Will my right hon. Friend also recommit that, regardless of the outcome of trade talks, the Government will ensure that a UK shared prosperity fund is realised and that it finds its way to those places across the UK that most need it?

Penny Mordaunt: I thank my hon. Friend for his question. I do hope that next year, as we hopefully recover from the covid pandemic and make progress on the phased approach to the border and all the other things that we have been working so hard to put in place, we will really be able to turn to how we get economic growth happening

[Penny Mordaunt]

across the whole United Kingdom and ensure that communities such as the one that he represents get the investment that they need and the opportunities that they deserve.

Martyn Day (Linlithgow and East Falkirk) (SNP) [V]: Scottish Government modelling of a basic trade agreement of the type that the Government are still trying and, it would appear, failing to negotiate finds that Scottish GDP is estimated to be 6.1% lower by 2030 than with continued EU membership. That equates to around £1,600 for each person in Scotland, and that now looks like the best-case scenario. What assessment have the Government made of the combined impact of Brexit on top of the already severe impact on business and those about to lose their jobs due to the covid crisis?

Penny Mordaunt: What we need to be focusing on is how we ensure that, in every part of the UK, we can get the economic growth that we need and the infrastructure investment that we need. There will be opportunities that come from some of the investments that are being made over the transition period, and I would ask the hon. Gentleman to turn his energy and focus to those issues. We have left the EU. We will hopefully have news of a deal, but we will certainly have certainty for all our businesses and constituents in the coming days. We need to turn and look to the future and how we can help realise our constituents' ambitions, and I encourage him to do that.

Greg Smith (Buckingham) (Con): The 17.4 million people who gave such a clear instruction some four and a half years ago will look on with bemusement that there are still voices seeking to undermine that democratic mandate. Does my right hon. Friend agree that, in order to respect that democratic mandate, despite all the negativity and the negative voices undermining our excellent trade negotiators, the verdict must be a binary one—either we will be sovereign or we will not?

Penny Mordaunt: There is no question but that we will be sovereign; this is not an issue we are prepared to compromise on, but, as my hon. Friend has mentioned leave voters, I will stick up for remain voters. I have said this before, but I will say it again: the greatest act of patriotism in the past few years was shown by them in accepting the democratic result of the referendum. I think that everyone in this country wants us to be successful and make use of the opportunities that will be there next year as we come out of this ghastly pandemic. I hope that all Members will be working positively in the interests of all their constituents to do that.

Chris Bryant (Rhondda) (Lab): I confess that I find all of this very depressing, partly because if I understand the Secretary of State for Environment, Food and Rural Affairs correctly, the anticipation is that if there is no deal, the Government will be paying Welsh farmers to burn Welsh lamb carcasses next spring when they cannot sell them in Europe. If I understand all the police forces in the UK and the National Crime Agency correctly, if there is no deal they will not be able to have the same access to EU databases to be able to track down criminals and send them to prison. Even more worrying than that

for me is that historically this House and this country have always been good at doing deals. Frankly, we have always been the country that has compromised. We have always known how to get the signature on the paper, but every time another Member from the Government Benches stands up and demands more intransigence from the Government, the more likelihood there is that there will be no deal, and that will be a catastrophe for all of us.

Penny Mordaunt: I would say two things to the hon. Gentleman. There are many things that we can point to. In fact, the Prime Minister has tabled a statement this afternoon—I think it was tabled before I came into the Chamber—that points to two things that he has offered the President of the Commission as a way of moving this forward with regard to the United Kingdom Internal Market Bill. We have at many stages compromised and sought to find ways to encourage the EU negotiating team forward, so, with all due respect, I reject the hon. Gentleman's description of how the Prime Minister and the negotiating team have operated. They have operated in good faith and have compromised on many areas, but there are some areas we will not compromise on, because it is not in the interests or the integrity of the United Kingdom to do so.

Finally, I just point the hon. Gentleman to the plan that the DEFRA Secretary set out at the start of the weekend just gone about the opportunities that exist for UK farms. We have opportunities to look after the environment, to actually have scientists at DEFRA, as opposed to lawyers, and many other things that are hugely beneficial to UK farming and the environment. I encourage him to look at them.

Philip Davies (Shipley) (Con): May I convey my full support to Lord Frost and the Prime Minister for their stance during these negotiations? I genuinely do not think they have put a foot wrong throughout this entire process. Like the Minister, I want to see a comprehensive free trade deal with the EU, but certainly not any deal and definitely not a deal that leaves us shackled to EU rules and regulations in perpetuity. I urge the Government to stand firm in these negotiations to ensure that we deliver on the Brexit that so many people voted for and that so many of us campaigned for over so many years.

Penny Mordaunt: I thank my hon. Friend for his comments, and I absolutely can give him those assurances. His question also affords me the opportunity to pay tribute to not just the negotiating team and Whitehall civil servants, but the very many individuals, politicians and civil servants in the devolved Administrations, the Crown dependencies and elsewhere, who have worked incredibly hard to get us this far. It is because of all those efforts that I want to ensure that we get this over the line. All the encouragement that my hon. Friend and others can give in that respect is gratefully received.

Catherine McKinnell (Newcastle upon Tyne North) (Lab) [V]: The north-east region has consistently exported more than it imports, and the Government promised the people of the north-east an oven-ready deal with no tariffs, fees, charges or quantitative restrictions—a deal that would safeguard workers' rights, consumer and environmental protections and keep people safe through a comprehensive security agreement. With the negotiations

now going late in the day, and those promises looking increasingly overcooked, what are the Government doing to ensure that businesses and individuals in the north-east are able to properly prepare for and manage these changes to come?

Penny Mordaunt: The hon. Lady raises a very important point. I reiterate that we are working to get a deal. We will continue to negotiate until that becomes an impossibility, but I am hopeful that we will get a deal. We have invested a huge amount in ensuring that businesses are ready. Most of the things that businesses and citizens will need to do are already known and are not contingent on the final negotiations. I stand ready to assist if the hon. Lady's constituents or businesses have particular issues, but an enormous amount of support is available—not just information but webinars and dialogue with experts and officials—to ensure that people have all the information. There is also, of course, the substantial campaign, which has been running for many weeks, to ensure that people are fully informed about what they need to do before the end of the year.

Bob Blackman (Harrow East) (Con) [V]: I am sure that my right hon. Friend will join me in congratulating the International Trade Department on the new trade deals with major markets, including Japan, Kenya and Canada, with many more to come. Will she confirm that nothing will be done in our negotiations with our friends from the European Union that will compromise our ability to do new trade deals around the world?

Penny Mordaunt: I can give my hon. Friend those assurances. That is one of the main motivating factors as to why people wanted to leave the EU. Many other reasons related to the EU's trade policies, protectionism and their impact on developing nations in particular. I will happily join my hon. Friend in praising the International Trade Department, which has had a huge amount of work to do in not only forging new trade relationships, but rolling over and improving existing arrangements with many nations. That does not often make the press, but it is a substantial amount of work and the Department has done an excellent job.

Mick Whitley (Birkenhead) (Lab): The covid-19 pandemic has led to a tsunami of job losses in the British manufacturing sector, and thousands more will be lost if tariffs are slapped on British goods. What steps are the Government taking to help British manufacturers make the critical investment needed to save jobs and skills and to compete internationally in the event of a no-deal Brexit?

Penny Mordaunt: I reiterate that we are working to get a deal, and the issues raised by the hon. Gentleman are at the forefront of our mind as we do that. The Department for Business, Energy and Industrial Strategy has done a huge amount: it has sector committees and structures, and it is working hand in glove with the sector, listening to its needs. That is, obviously, informing policies produced from the Treasury and elsewhere. As we enter a new year and a new start, we want to ensure that exactly those types of businesses, particularly those that have been eroded in certain parts of the country, have what they need in order to have a renaissance. That will be our focus in the new year.

Jerome Mayhew (Broadland) (Con): Is my right hon. Friend aware of the strength of solid support from the Conservative Benches for the Government's negotiating position? Does she agree that a deal can be done, with all the necessary compromises that will entail on both sides, only if it starts from a point of fundamental acceptance of the United Kingdom as a sovereign, independent third country?

Penny Mordaunt: I agree entirely with my hon. Friend. I thank him for his support and I thank all Members in this House who are getting behind the negotiating team and sending that clear message to the EU negotiating team this afternoon. There is huge support not only on these Benches but in our constituencies. Whichever way people voted in the referendum, they know that this is the way forward. They want to get these final issues resolved swiftly so that we can all get on with it in the new year.

Peter Aldous (Waveney) (Con): The REAF—Renaissance of East Anglia Fisheries—project sets out an exciting vision for the renaissance of the East Anglian fishing industry. Two preconditions for achieving this are the certainty that significantly more fish will be available to land in ports such as Lowestoft and that there is a framework for promoting investment in ports and the processing sector. Will my right hon. Friend confirm that these two requirements are not being compromised in the negotiations that are taking place?

Penny Mordaunt: I can give my hon. Friend those assurances. Clearly, fish is one of the sticking points. The negotiating team are obviously working very hard, but it is a sticking point because we will not compromise on these issues. I have to say, in a former life I was coastal communities Minister and, having visited his constituency and discussed the potential that is there for the renaissance of that industry, I think that is a prize worth holding out for.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Government spend goodness knows how much money on radio adverts and newspaper adverts telling businesses to be ready for 1 January. A business in my constituency—a nursery that imports plants from Europe—wants to be ready to continue importing, but the C1800 form for handling freight imports is not available on the Government website so it does not know what inspection arrangements will be. Are there any inspection agents for plants? Where will inspections take place? Nobody knows what the conditions in road haulage will be for outgoing goods. Can the Minister tell me what I can tell my constituent about how his business can continue to trade successfully from 1 January, because it is not apparent from anything I have seen?

Penny Mordaunt: I am sure that the hon. Gentleman has done his homework and done his best to help his constituent. I do not know whether he has used the toolkit that was sent to his casework team on, I think, 26 November—[*Interruption.*] Okay. That will give contact details for him to get in touch with officials who are standing ready to talk to businesses to give them the bespoke advice that many of them will need. If he wishes to pass the details of the company to me after this, I will ensure that the relevant official can speak to them—I mean this very genuinely; I am not trying to get one over on him. We are making every effort to ensure that

[Penny Mordaunt]

all Members of the House have the information that they need if people need further help than what is on gov.uk and the webinars and so forth that are going on. We want to ensure that every business is supported in these efforts and, if he passes me the details, I will ensure that his constituent is.

Nigel Mills (Amber Valley) (Con) [V]: What does my right hon. Friend say to those on both sides who seem to believe that now is not the best time to make a deal and that perhaps it will be better to come back next year when a better deal could be done? Surely that is ridiculous and this is by far the best time for a deal. It is pretty much now or a long time in the future.

Penny Mordaunt: I am tempted to say no, no, no. I think my hon. Friend makes a very good point. We know that delaying negotiations—extending the period of negotiations—is not a possibility now, but it is also the wrong thing to do. We need the focus and resolve for both parties to come together and agree a deal. It is very clear what that needs to look like from our point of view, but the negotiations are still continuing and I remain optimistic.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab) [V]: Despite the recent re-signed fisheries framework agreement with Norway, there is currently no legal basis for UK fisheries' distant water vessels to fish cod in the Norwegian economic zone from the end of this year, as they have been doing for decades. In the event of a no-deal Brexit, what are the Government doing to ensure continued access to these waters?

Penny Mordaunt: Our position is exactly in line with the existing precedent of the EU's current fisheries agreement with Norway. We now have a seat at the forums that decide these matters—we have our UK seat back. On the specifics, I will ask a DEFRA Minister to write to the hon. Lady. If she wishes to give me any further details about a particular company that is having difficulties, I will connect it with the relevant official.

Joy Morrissey (Beaconsfield) (Con): Beaconsfield businesses are bracing themselves for and embracing the end of Brexit and the transition period, but will my right hon. Friend provide further assurances of the plans and the support that are in place for supporting businesses, particularly small businesses in Beaconsfield?

Penny Mordaunt: As I have stated, all Members have special information that has been put together to help signpost any inquiries that come to their offices, but clearly we have put in place a huge amount of support for each sector. There is the Trader Support Service that has been stood up and the work that is going on in the relevant Departments for each sector. The officials have done a tremendous job and spoken to tens of thousands of businesses across the UK, through webinars and, in some cases, on a one-to-one basis, to talk through the issues. As I have said, we know about the bulk of things that businesses need to do. I also give a nod to the Central Office of Information, which has been running the campaign that colleagues have spoken about this afternoon. That has had a great effect in raising awareness and ensuring that people are ready by the end of the year.

Barbara Keeley (Worsley and Eccles South) (Lab) [V]: Orchestras in the UK are being hit by a double whammy of the covid pandemic and uncertainty around what they need to do to perform on tour after 31 December. The Northern Ireland protocol means that goods moving between Great Britain and Northern Ireland will require customs declarations. Orchestras that work between Great Britain and Northern Ireland have to transport their instruments to perform there. Can the Minister confirm whether an orchestra in this position will require carnets for their instruments after 1 January because orchestras have not been able to find out, despite the Government promising to give the information and support needed for the end of the transition period?

Penny Mordaunt: I suspect that there is more to it than all the information that I heard in the question, because I do not think that orchestras should require—if I have understood the journey correctly—any paperwork of that sort. Again, if the hon. Lady would like to give me the details of that case, I will get her a swift answer on that.

Mark Jenkinson (Workington) (Con): I remain confident in the ability of Lord Frost's negotiating team to strike a deal over the next few days, but it is right that my right hon. Friend and Lord Frost's team stand firm on reclaiming our sovereignty. Can she confirm to me and the people of Workington who stand squarely behind her and Lord Frost that we will leave the transition period on 1 January 2021, on Australian terms if necessary?

Penny Mordaunt: As I have said, we will work until there is no hope left of getting a deal. I, too, have the same great confidence that my hon. Friend has kindly expressed in Lord Frost and the great team that are supporting him. None the less, it is very clear that if we cannot resolve these final issues, in particular the three that I mentioned in my opening remarks, we will not be able to conclude that deal. We must ensure that our sovereignty is not up for grabs. We have been crystal clear from the get-go on that, and I think that that is what the people of the United Kingdom expect.

Jim Shannon (Strangford) (DUP): I thank the Minister for her answers to the urgent question and also wish the negotiating team all the best for the next few hours, and perhaps the next few days. I have seen many concerning reports regarding the deals that have been done in reference to our seas. I ask for a clear and unequivocal assurance from the Minister on behalf of the fishing sector in Portavogie in my constituency that there will be no surrender of our seas or our rights to European fisheries and that we will bring the fishing industry back home, as was promised by our Government in the past.

Penny Mordaunt: I can give the hon. Member those assurances. Sometimes, people say that we should not be holding out on these issues, that this is a small contributor to the economy or that it has got some kind of talismanic status because of what went before many years ago, when we first went into the EC. It is not because of those things. This is an incredibly important part of the economy, but also of our communities and our identity as the United Kingdom, and we will not compromise on that. We are a sovereign nation, and these are our waters.

We have plans for a resurgence of these industries, and he has my assurances that the Prime Minister will not compromise.

Lee Anderson (Ashfield) (Con): Exactly a year ago today, I was banging on doors in Ashfield telling people we were going to get Brexit done, and we are getting Brexit done, but there has been some speculation over the past few days regarding Brexit negotiations, which has led to a number of Ashfield residents contacting me with their concerns. Could my right hon. Friend please assure the residents of Ashfield and Eastwood that we will regain control over our borders, laws and fisheries, and our economic and political independence will be restored?

Penny Mordaunt: I hope that if the EU negotiating team have not heard the resolve of Members on these Benches this afternoon, they will have heard the resolve of my hon. Friend's constituents. It is absolutely right that this has been confirmed not just in a referendum but in a general election, giving a very clear mandate about what the British people expect us to deliver on. As we enter the final stages of these negotiations, I hope that is well understood by the other negotiating team, and the sooner they come to terms with that and the Prime Minister's resolve, the sooner we will be able to get a deal.

Alec Shelbrooke (Elmet and Rothwell) (Con): Can I first congratulate my right hon. Friend on the work she has done in getting the country ready for the new regulations that are coming at the end of this month? I must admit that it seems a bit like the millennium bug, when everybody thought it was going to be a disaster, but we did the prep work and got there in the end. Could I ask her what plans she has in place for other things that may happen between now and 31 December that businesses will need to be ready for and what action plan she has, because the work she has done so far has been outstanding and I would not want it to stumble at the last hurdle?

Penny Mordaunt: I thank my right hon. Friend for his very kind words. It would be remiss of me not to mention, in his absence today, the Chancellor of the Duchy of Lancaster, who has done an incredible job, in addition to his work on the covid pandemic, with chairing XO—the EU Exit Operations Committee—every single day, I think. Since I have been in this post, I have been the default chair, but I have only chaired it on a few occasions. He has done that, he has done a huge amount of work in building rapport with his oppo on the Joint Committee on the withdrawal agreement, and I think he deserves huge credit for the immense efforts that he has taken both on the transition and on ensuring that the withdrawal agreement Joint Committee and its specialised committees are churning through the work that they need to do not just for UK citizens, but for citizens in the rest of the EU. So I shall take my right hon. Friend's praise and pass it on to the Chancellor of the Duchy of Lancaster.

As I said, there will be very few things that are outstanding that businesses will need to be apprised of that are contingent on the final negotiations. We have put together comprehensive information for all Members in this House, and they will find that in their inboxes. We will also conduct webinars with their caseworkers if there is a demand for that. We have a programme already set up to do that. I would also put on record the incredible work of the border delivery group and civil servants in all Departments, who have not just ensured that we are ready for the transition and whatever comes to pass, but have been working to secure these negotiations. I thank all Members for putting on record in the Chamber today our resolve and our will to get a deal, but not a deal at any price.

Madam Deputy Speaker (Dame Rosie Winterton): We will now have a three-minute suspension to allow for the safe exit and entry of hon. and right hon. Members.

4.49 pm

Sitting suspended.

Hong Kong: Sentencing of Pro-democracy Activists

4.52 pm

Alyn Smith (Stirling) (SNP) (*Urgent Question*): To ask the Secretary of State for Foreign, Commonwealth and Development Affairs if he will make a statement on the sentencing of the Hong Kong pro-democracy activists Joshua Wong, Agnes Chow and Ivan Lam.

The Minister for Asia (Nigel Adams): We are deeply concerned by recent developments in Hong Kong. As the Foreign Secretary made clear in the most recent six-monthly report on Hong Kong, this has been and continues to be the most concerning period in Hong Kong's post-handover history. The apparent focus of the Hong Kong authorities now seems to be on retribution against political opposition and the silencing of dissent. In the light of our concerns, we have taken decisive action in relation to the erosions of rights, freedoms and autonomy in Hong Kong, specifically in response to the national security law. This has included a new immigration path for British nationals overseas, suspending our extradition treaty with Hong Kong and extending our arms embargo on mainland China to Hong Kong.

We have made clear our concerns about a number of ongoing cases, and that includes the sentencing of the pro-democracy activists Joshua Wong, Agnes Chow and Ivan Lam on 2 December and the charges laid against the major media proprietor Jimmy Lai on the same day. We understand that the three sentenced on 2 December pleaded guilty to inciting people to take part in an unauthorised rally last year. They were not charged under the national security law. As the Foreign Secretary made clear in his statement of 2 December, prosecution decisions must be fair and impartial, and the rights and freedoms guaranteed to the people of Hong Kong under the joint declaration must be upheld. Hong Kong's prosperity and way of life rely on respect for fundamental freedoms, an independent judiciary and the rule of law.

British judges have played an important role in supporting the independence of Hong Kong's judiciary for many years. That independence is a critical factor underpinning Hong Kong's success. We want it to, and hope that it will, continue; however, the national security law that was imposed on Hong Kong in July poses real questions for the rule of law in Hong Kong, and the protection of fundamental rights and freedoms promised by China in the joint declaration. It is therefore right that the UK Supreme Court continues to assess the situation in Hong Kong, and the position of British judges, in discussion with the Government.

We have raised our concerns about these and other cases with senior members of the Hong Kong Government and the Beijing authorities, and we will continue to do so. We urge the Hong Kong and Beijing authorities to bring an end to their apparent campaign to stifle legitimate opposition, and to reconsider their current course. The Government will continue to work with international partners to hold China to account, as we did recently at the UN Third Committee on 6 October, where 39 countries expressed deep concern at the situation in Hong Kong, Xinjiang and Tibet. The UK Government will continue to stand up for the people of Hong Kong and our historic responsibility.

Alyn Smith: I thank the Minister for his answer, and I find nothing to disagree with, but, as in previous discussions on Hong Kong across the House, we want more, and we want to see more action. The fact is that this is getting worse, not better, despite all the warm words that we have heard across the Chamber and, indeed, internationally. Joshua Wong was sentenced to 13 and a half months' imprisonment, Agnes Chow to 10 months', and Ivan Lam to seven months', for offences that are at best trumped-up charges. That is a direct breach of the Hong Kong Basic Law, and of the Sino-British agreement, which guarantees one country, two systems.

These are not just breaches of human rights somewhere in the world of which we know nothing; they are direct breaches of the Sino-British agreement and direct infringements of personal rights, which the UK is guarantor of until 2047. We need far more action than we have seen. I do feel for our Minister. I have much respect for him. He did not make these decisions and he is not responsible for the internal workings of Hong Kong. We need to be realistic about what is achievable and what is not. For me, it is international action, concerted with our allies in the EU and internationally, that will force Beijing to change tack.

We have a number of ideas on what we can do now, here. We can push forward with Magnitsky sanctions. We have called for progress often enough; let us see some action on that now. We can do an audit of UK companies to check their involvement in slave labour with Chinese companies, because there is no question but that there are UK companies that are profiting directly from gross human rights infringements. We can take action on HSBC and other banks that are colluding with Beijing in order to enforce the national security law. We can also enforce further action in the fight against organised crime and fraud, which has been grievously weakened by events in Hong Kong.

We can also audit and shine a light upon the role of Confucius Institutes across our academic community within these islands, because there is no question but that they are involved in activities that go well beyond what their expected remit should be. On immigration, there is one point specifically that I would be grateful for an assurance from the Minister on. Joshua Wong, under current UK asylum legislation, would be barred from applying for asylum in the UK by this sentence, which we do not respect. Can the Minister assure me—perhaps this is a question for his colleagues as well—that the UK will look at reforming the asylum process to ensure that Hongkongers will have access to this country, and not be barred by trumped-up charges?

So international co-operation will lead on this. The UK has not been idle, but a lot more needs to be done because we are bound to the people of Hong Kong and they will not be forgotten by this House.

Nigel Adams: I thank the hon. Gentleman for bringing this question to the House. I know that it is a subject that we discuss on a regular basis, but it is only right that we do so, given our history with Hong Kong. He mentioned the case of Joshua Wong and the inability to claim asylum. There will, of course, have to be criminality checks for anyone who comes and claims asylum, but it would be perverse to turn away people from the UK because they have participated in democratic protests, like Mr Wong.

The hon. Gentleman talked about international co-ordination, and it is absolutely the case that we are working with international partners. We are focused on adding our voice to the widespread international concern to protect Hong Kong's rights and freedom. We do not rule out any diplomatic options, and we will keep the position under review. He referenced sanctions; of course, we have had this discussion before. We are actively considering, and will continue to consider, designations under our global human rights sanctions regulations, but I am sure that he will totally understand that it would not be appropriate to speculate on who may be designated under the sanctions regime in future.

The hon. Gentleman also mentioned HSBC. We do not comment on issues related to individual private companies. Businesses will make their own judgment calls, and they will be judged on those calls, but we made an historic commitment to protect the autonomy, rights and freedoms of the people of Hong Kong, and so has China.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): I congratulate the right hon.—or, rather, the hon.—Member for Stirling (Alyn Smith) on bringing forward this question. [*Interruption.*] Who knows? I shall certainly, on the basis of this, be promoting him. I agree with pretty much everything he said about the Magnitsky sanctions, and the bad behaviour regarding these trumped-up charges, which are based on an old colonial piece of legislation that should have been done away with years ago and that has been condemned by the UN.

I draw the Minister's attention back to HSBC, which the hon. Gentleman touched on. I had the privilege of listening to one of the legislators from the Democratic party of Hong Kong who has fled Hong Kong, Ted Hui. He made it very clear that he came to the UK, having gone to Denmark first, because he was worried about the charges that would be levelled against him. In the meantime, HSBC and two other banks, obviously prompted by the Hong Kong Government and China, have frozen his accounts for no reason whatsoever. I ask my hon. Friend the Minister and the Government to condemn this action. This is not a bank started in China and based in China that has nothing to do with the UK; it is a bank that benefits from its location here in London, and that is highly thought of in the trading community. It has behaved in a disreputable and appalling way in freezing the accounts of an individual fleeing for justice. Surely this is an outrage that the Government can now say should stop.

Nigel Adams: I thank my right hon. Friend for his continued commitment to this issue. He speaks very powerfully, obviously, but as I have just set out, and as the Foreign Secretary has made clear, businesses, including HSBC in Hong Kong, will make their own judgment calls. People will also make up their mind about those judgment calls. We have made an historic commitment to the people of Hong Kong to protect their autonomy and freedom, and, more importantly, so has China. To reiterate the point, we will hold China to its responsibilities.

Lisa Nandy (Wigan) (Lab): The arrest and sentencing of Joshua Wong, Agnes Chow and Ivan Lam sets a troubling precedent, and it is important that we send a united message in our opposition to attempts to erode the

rights and freedoms of the people of Hong Kong. The Government have recognised that there have been two breaches of the joint declaration, and a series of troubling incidents, including the charges against Jimmy Lai; the freezing of the assets of a former Opposition politician and democracy campaigner by a British bank; and this morning's arrest of students on charges relating to peaceful protest. Despite the steps that the Government have taken so far, which the Minister outlined, and broad international condemnation, the Hong Kong Executive and the Chinese Government have not changed course.

The Government are in danger of trying to pursue two competing and confused strategies. We would like to know to what extent the Minister still believes that constructive engagement is possible. Does he share the view of the United States that Hong Kong is no longer an autonomous region, and if he does not, what is his plan to persuade Beijing to change course? If he believes that diplomacy is still fruitful, will he tell us what conversations the Government have had with the incoming Biden Administration about the development of a co-ordinated response? Will the Foreign Secretary consider convening a dialogue among our Five Eyes partners—including the new US Administration—in the new year, so that we can agree a broader, co-ordinated response? If he does not believe that that is possible, has he explored legal avenues through which the Chinese Government can be held to account? What progress has he made on sanctions, which we have debated in this House over and over again?

The Minister mentioned the role of British judges in Hong Kong. A decision to withdraw British judges would be hugely significant; it would suggest that the UK cannot continue to grant legitimacy to what is in essence no longer considered an autonomous system. I hope the Minister can see why such a step would make sense only in that context; otherwise, we risk doing further harm to the people of Hong Kong by removing an important safeguard in an independent judicial system. That is why we must hear today a clear view from the Government, and a strategy to match. Otherwise, the measures that the Government have taken so far on British national overseas passport holders, and the contemplation of the removal of British judges, coupled with an incredibly weak stance on the role of British businesses in the region, will be seen by Beijing not as a firm stance but as a retreat, which will send a message to the Chinese Government that they can continue on that path. That would be an utter failure of our obligations to the people of Hong Kong. We need to hear a clear view and a clear strategy from the Government today.

Nigel Adams: I thank the hon. Lady for her questions. She mentioned Jimmy Lai; we are of course deeply concerned about the Hong Kong authorities' apparent focus on pursuing legal cases against well-known pro-democracy figures like Jimmy Lai. It is crucial that the new national security law is not misused to silence critics or to stifle opposition. The freedom of the press is explicitly guaranteed in the Sino-British joint declaration and the Basic Law and is supposedly protected under article 4 of the national security law. There are indeed deeply worrying ongoing arrests of students, which are being used as a pretext to silence opposition. We always raise our concerns directly with Hong Kong and with the Chinese authorities; we urge them to uphold their international obligations.

[*Nigel Adams*]

The hon. Lady mentioned the incoming Biden Administration; the Foreign Secretary will of course be having conversations with his counterpart, and our ambassador in Washington is already engaged in conversations to set that up.

The hon. Lady also mentioned the role that British judges have played in supporting the independence of Hong Kong's judiciary for many years; we very much hope that that continues, although the national security law poses real questions for the rule of law in Hong Kong and the protection of the fundamental rights and freedoms promised in the joint declaration. As the Foreign Secretary discussed with the Foreign Affairs Committee on 6 October, appointments to the Hong Kong court are made independently, and we need to be mindful of that.

Mr Tobias Ellwood (Bournemouth East) (Con): I, too, have concerns about HSBC and, indeed, Standard Chartered, both of which signed a petition supporting the draconian, authoritarian laws that have been introduced in Hong Kong.

On a wider note, I commend the Government on taking an ever-more robust stance on China. Its conduct over covid-19, with Beijing having tried to suppress the news of the outbreak; the militarisation of the South China sea; its debt-trap diplomacy through its one belt, one road, initiative; and now, of course, its actions in Hong Kong all indicate how China is pursuing a competing geopolitical agenda. Will my hon. Friend confirm that the forthcoming integrated review will address the growing long-term threat that China poses, and will he say how we can work with our allies, not least the United States?

Nigel Adams: Absolutely. I thank my right hon. Friend for the leadership he has shown in this policy area. We can demonstrate that we are taking both practical and diplomatic actions with regard to China. I thank my right hon. Friend for his remarks about the more robust approach we are taking. I can confirm that the integrated review will very much reflect the broader strategy globally—the Indo-Pacific tilt, as it has been termed.

Layla Moran (Oxford West and Abingdon) (LD) [V]: First, may I thank the Minister and his officials for meeting me regarding the plight of young Hongkongers who are not BNO passport holders? Many of those young people have bravely demonstrated, and fear for their and their families' futures. In answer to such questions in this House and elsewhere, the Minister has mentioned the youth mobility scheme. As he will be aware, there are only up to 800 places on that scheme, which is open for 48 hours in February, and they will be chosen by lottery—at random—by UK Visas and Immigration. Does he agree that leaving such matters to chance is not desirable? Will he work with me and others to implement a better scheme, ideally extending BNO passport status to all Hongkongers, regardless of age?

Nigel Adams: I thank the hon. Lady for visiting the Foreign, Commonwealth and Development Office last week to discuss this issue. That offer has been made available to other parties and is very much available to the hon. Member for Stirling (Alyn Smith). I would have been meeting the Opposition spokesman on Asia

this afternoon had it not been for this urgent question, but I am sure we will be able to get that re-diarised.

We have made a very compassionate and generous offer in terms of BNOs, which has been broadly welcomed. The existing youth mobility scheme is open to people in Hong Kong aged between 18 and 30. There are currently 1,000 places available each year. Dependents of relevant BNO passport holders are allowed to come here, and youngsters aged between 18 and 30 will be eligible to apply for those 1,000 places. Individuals from Hong Kong will also be able to apply to come to the UK under the terms of the UK's new points-based system.

Bob Seely (Isle of Wight) (Con) [V]: First, does the Minister at least recognise that it is probably only a matter of time before we pull UK judges from Hong Kong courts? Secondly, will he at least condemn the actions of HSBC? Frankly, its directors should hang their heads in shame. HSBC is freezing the accounts of Hong Kong citizens fearing oppression, and this afternoon it has started freezing the accounts of churches in Hong Kong. Thirdly, he said that the new national security law should not be used to oppress people. Maybe I misheard him, but is it not patently obvious that that is what it is now being used for?

Nigel Adams: There were quite a few questions there. Perhaps my hon. Friend would like to apply for a Westminster Hall debate or some such; given his expertise in this area, that is probably not a bad idea. As I said, British judges have played an important role in supporting the independence of Hong Kong's judiciary for many years, and we want that to continue. If there were no independent judiciary in Hong Kong, that would naturally play into China's hands.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) [V]: May I remind the Minister that we in this House have a sacred duty? I was a member of one of the many all-party delegations that went to Hong Kong to persuade residents that they should trust China to keep its obligations on one nation, two systems. We have that obligation. The fact is that this quelling of democracy in Hong Kong is only the beginning. President Xi is an enemy of democracy worldwide who believes in world power and global economic and political domination. He has to be stopped in Hong Kong, because if not, he will not be stopped elsewhere in the world.

Nigel Adams: I hear exactly what the hon. Gentleman says. I am not entirely sure what the question was, but the UK Government are fulfilling our moral and political obligation to ensure that China respects its obligations under the joint declaration. I urge him to look at the action that we have taken on the new immigration path for BNOs. We consistently raise our concerns, such as the ones mentioned by the hon. Gentleman, with the Hong Kong and Chinese authorities; the permanent under-secretary at the Foreign, Commonwealth and Development Office did so with the Chinese ambassador on 30 November.

Stephen Crabb (Preseli Pembrokeshire) (Con): It is very clear that nothing that has been said in this place, by this Government or by any Government in the international community about the crisis in Hong Kong has had any effect whatever on the actions or intentions

of the Chinese Government. Piece by piece, we are seeing the stripping away of the freedoms and liberties of the people of Hong Kong. Does the Minister recognise that there is a moment here when the international community needs to do more? It is not about turning up the rhetoric and getting more bellicose in our statements. It is about practical action that shows the Chinese Government that we are serious, and makes them feel some of the pain that the people of Hong Kong are feeling right now.

Nigel Adams: My right hon. Friend makes a very important point. In terms of international action, that is exactly why we and 38 other countries at the UN General Assembly in New York joined in our statement, which expressed deep concern at the situation in Hong Kong, Tibet and Xinjiang. The United Kingdom will continue to bring together international partners to stand up for the people of Hong Kong. It is absolutely imperative that we speak up and call out the violation of their freedoms, and that we hold China to account for its international obligations.

Richard Graham (Gloucester) (Con): This House watches with sadness any reduction of the freedom of expression—guaranteed under the joint declaration—in Hong Kong, although, as the Minister confirmed, these sentences were not under the new security law. Does my hon. Friend agree that Hong Kong's importance as a centre of international business hinges on its independent rule of common law, in which UK and other Commonwealth judges play a key role; that, without that, the system of one country, two systems, which Deng Xiaoping and Margaret Thatcher pledged would endure for 50 years, would be sadly weakened; and that we should not lightly make things worse for the people of Hong Kong?

Nigel Adams: My hon. Friend is absolutely right to raise this point. I agree that the assault on Hong Kong's autonomy, rights and freedoms tarnishes China's international reputation. The prosperity of Hong Kong and its way of life relies on respect for those fundamental freedoms, an independent judiciary and the rule of law. We have been vocal and practical in standing up for the people of Hong Kong, and will continue to do so.

Afzal Khan (Manchester, Gorton) (Lab) [V]: China's human rights track record is extremely distressing. From the gross human rights violations against the Uyghurs to the senseless arrest of peaceful protesters in Hong Kong, is it not high time that the Government followed in the footsteps of Canada and the USA and applied Magnitsky sanctions as a matter of urgency against perpetrators of human rights abuses in mainland China and Hong Kong? Just today, eight students were arrested for protesting peacefully on a university campus. What reassurance can the Minister provide that the Government will be doing everything they can to prevent further arrests of young activists in Hong Kong?

Nigel Adams: The hon. Gentleman is right. We are deeply concerned about the situation this morning with the students in Hong Kong. The FCDO was carefully considering further designations under our global human rights regime, which we introduced in July. We will gather and keep under close review all the evidence and the potential listings.

Jacob Young (Redcar) (Con): Many of my constituents in Redcar and Cleveland have contacted me in support of the people of Hong Kong. In this country we have historic ties and responsibilities to the people of Hong Kong, so can my hon. Friend assure me that we will never look the other way while China undermines the joint declaration it agreed to?

Nigel Adams: My hon. Friend is absolutely right. We made a historic commitment to the people of Hong Kong to protect their autonomy, rights and freedoms. We have highlighted China's breaches of the joint declaration three times since 1997, the first being in 2016, the second in June of this year when China introduced the national security law, and the third, most recently, in November, with the imposition of rules to disqualify legislators in Hong Kong. We will continue to hold China to the obligations it freely assumed under international law.

Martin Docherty-Hughes (West Dunbartonshire) (SNP) [V]: I thank my hon. Friend the Member for Stirling (Alyn Smith) for gaining this urgent question.

HSBC stands accused, yet again, of colluding in the implementation of the national security law in Hong Kong. Do the Minister and their Government agree with this point, and if so, what are they going to do about it?

Nigel Adams: As I said, the Foreign Secretary has made it very clear that businesses will make their own legitimate calls. We do not comment on issues relating to individual companies. However, the world will see that these companies will be making their own calls in this regard. We have made a historic commitment to the people of Hong Kong to protect their autonomy and freedom—and it is worth pointing out, yet again, that so has China.

Dr Matthew Offord (Hendon) (Con) [V]: The people of Hong Kong were supposed to be protected by the Sino-British joint declaration, which consists of eight tenets, including a specific commitment to rights and freedoms such as those of the person, free speech, freedom of the press, and freedom of assembly and association. This declaration was subsequently registered with the UN as a legally binding international treaty that remains in force today. The Minister said that the issue of China's abuse has been raised three times at the UN. Is it not now time to build a consensus among the 38 nations to ensure that sanctions are imposed on China that have a dramatic effect on the country and make it take notice? The only way for Hong Kong to survive is for the one country, two systems framework to succeed.

Nigel Adams: We are building, and have built, that international coalition with 38 other countries, and that is why the statement has been made at the UN. My hon. Friend refers to sanctions. I know that right hon. and hon. Members here today are very keen to know which sanctions this Government are considering under our regulations, but I am afraid that I am going to have to repeat that it is not appropriate to speculate. *[Interruption.]* I am grateful to the hon. Member for Rhondda (Chris Bryant) for almost repeating my line. But this is an absolutely serious point: whoever is designated under the sanctions regime, it is not right to speculate on it, as to do so would reduce the impact of these designations. *[Interruption.]*

Madam Deputy Speaker (Dame Rosie Winterton): Order. Not too many conversations across the Chamber, please. We need to move on fairly promptly to the next piece of business, because a lot of speakers wish to contribute to that, so before we go to Sarah Champion, I make a brief plea for concise questions and answers.

Sarah Champion (Rotherham) (Lab) [V]: Pro-democracy campaigner and owner of *Apple Daily* newspaper, Jimmy Lai, is a British citizen, so can the Minister confirm that he is receiving consular assistance? Does he believe that denying a 73-year-old man bail is proportionate or fair for allegedly breaking the terms of a lease? What conversations is he having with Carrie Lam about the use of the law in this manner?

Nigel Adams: We regularly raise our concerns directly with the Hong Kong authorities in this regard. We are very concerned about the arrest of Jimmy Lai and others. Normally, we do not provide consular assistance to dual nationals in the country of their other nationality. China does not recognise dual nationality. It is therefore impossible to be granted permission to provide consular assistance.

Wendy Chamberlain (North East Fife) (LD): Joshua Wong has been imprisoned for over a year for participating in an unauthorised protest. Under the Government's current immigration rules, that would bar him from being able to claim asylum. Will the Minister commit to following the Canadian Government and ensuring that such charges are not a barrier to vulnerable activists being able to claim asylum in the UK?

Nigel Adams: The hon. Lady makes a very good point, one I think I answered earlier in response to the hon. Member for Stirling (Alyn Smith), who asked this urgent question. It would seem rather perverse if somebody involved in pro-democracy demonstrations were unable to claim asylum.

Alec Shelbrooke (Elmet and Rothwell) (Con): China passed domestic law unilaterally to break the joint declaration. Does my hon. Friend agree with me that the unilateral passing of domestic laws can never be an excuse to break international laws and agreements? *[Laughter.]*

Nigel Adams: I see what my right hon. Friend did there. All I would say is that we continue to raise our concerns with regard to Hong Kong and the way the joint declaration is effectively being abandoned. We consistently raise our concerns with the Hong Kong authorities, not least by bringing in the Chinese ambassador to be called by the permanent under-secretary.

Jim Shannon (Strangford) (DUP): Will the Minister outline how he is offering support to the peaceful pro-democracy stand against what many claim is Beijing aggression? Does he believe we are fulfilling our moral and political obligation to do our utmost to ensure that China respects its obligations under the Sino-British joint declaration? Respectfully, I believe we can and must do more, and that a reaction to this sentencing will be telling by itself.

Nigel Adams: Again, the hon. Gentleman is no stranger to championing this cause. I do think we are fulfilling our moral and political obligation to ensure that China

respects its obligations under the joint declaration. As he will be aware, this is in line with our new immigration path. We have suspended our extradition treaty with Hong Kong and extended our arms embargo on mainland China to Hong Kong.

Tom Randall (Gedling) (Con): In light of the long-standing close relations between this country and Hong Kong, will my hon. Friend assure me that he remains committed to welcoming the holders of British national overseas passports to our shores if China continues these assaults on Hong Kong's freedom?

Nigel Adams: Very much so. My hon. Friend is correct. We will continue to welcome people from Hong Kong. In fact, the route will open on 31 January 2021 for BNOs. It is a new immigration route and a major change to the UK immigration system. It will afford all those with BNO status, and their immediate family dependants, the right to live, work or study in the UK, and give them a path to full citizenship.

Chris Bryant (Rhondda) (Lab): This is so frustrating. We gather every fortnight and we all say all the same things from all the Back Benches, and the Minister says all the same things from the Front Bench about how he cannot speculate and how it would be terrible to actually do anything. The truth of the matter is that we are allowing the Chinese Government endlessly to ratchet up the repression against the people of Hong Kong. Now, we even have British-based banks co-operating in that. For the avoidance of doubt, can I make it clear to the Minister that I do not want him to speculate about using the Magnitsky sanctions, I want him to use them? Secondly, surely to God the least we can do as a British Government is bring in the chairman and chief executive of HSBC and say, "You must not co-operate with oppression in China."

Nigel Adams: The hon. Gentleman will understand that it is important that sanctions are developed responsibly and on the basis of evidence. We are, as I have said numerous times, carefully considering further designations. I will not use the word he refers to. It is not appropriate to second-guess who may be designated in the future, because, as I have said many times, it could reduce the impact of designations.

Felicity Buchan (Kensington) (Con): I am concerned that young Hong Kong demonstrators do not have BNO passports. Can my hon. Friend confirm that they will be eligible to apply for asylum in the UK, and that we will look on those claims favourably?

Nigel Adams: My hon. Friend is right to raise that. People are entitled to apply for asylum—that is, if they are outside their country and they fear that they could be in danger if they return.

Deidre Brock (Edinburgh North and Leith) (SNP) [V]: Countries such as Australia and New Zealand, for example, have largely clear and relatively consistent strategies on China. The UK's position can at best be described as reactive and pretty thin. When can the Minister provide further detail of the actual strategy that the FCDO is adopting to press the Chinese state to grow within the international rules-based order and with respect for human rights?

Nigel Adams: I thank the hon. Lady for her point, but, as I have said previously in this session, our strategy is demonstrated by our action. We have taken both practical and diplomatic action with regards to Hong Kong; we also take international action and bring together our international partners, including Australia and New Zealand, to whom she refers. As I said to my right hon. Friend the Member for Bournemouth East (Mr Ellwood), who is no longer in his place, when the integrated review is published it will very much reflect the broader strategy globally.

Rob Butler (Aylesbury) (Con): The legally binding joint declaration was signed by China as well as the UK and makes it clear that Hong Kong will have a high degree of autonomy. Does my hon. Friend agree that China must respect that, and will he assure the House that the UK will redouble its efforts with international partners to ensure that China does not just hear words of condemnation, but feels appropriate acts that demonstrate our disdain for these despicable attacks on democracy?

Nigel Adams: My hon. Friend is absolutely right to raise that. We consistently raise our concerns with the Chinese authorities, and the Hong Kong authorities as well. As I referred to earlier, we have raised our concerns at the UN, where 38 countries joined our statement on 6 October expressing our deep concern about Hong Kong, and we will continue to bring together international partners in that regard to stand up for all Hongkongers.

Sarah Owen (Luton North) (Lab) [V]: What support is the UK Foreign Office offering to BNO passport holders who have been arrested by Chinese state authorities, and how are consular officials providing advice to BNO passport holders being held in Chinese prisons?

Nigel Adams: As I said in a previous answer, China does not recognise dual citizenship. Therefore, gaining access to provide consular assistance to BNOs is nigh-on impossible.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): I thank my hon. Friend for all he has said so far today. Does he join me in welcoming the fact that already this year 216,000 BNO passports have been issued to Hong Kong residents, more than in any other year from 1997 to this point?

Nigel Adams: It is absolutely right that my hon. Friend raises that. From July 2020, BNO citizens and their dependants have been eligible to be granted six months' leave outside the rules at the border to the UK. From 15 July to 14 October 2020, that number was over 2,115. My understanding is that it is now up towards 3,500, but obviously the data is not necessarily a reliable proxy for the number that may apply for the visa when it opens in January.

Bob Blackman (Harrow East) (Con) [V]: My hon. Friend will know that sanctions and other actions are effective only if large groups of countries join in with them, so what steps is he taking to mobilise the broadest and biggest coalition of international support to demonstrate freedom for Hong Kong and ensure that China understands that the actions it is taking are totally unacceptable?

Nigel Adams: There is no greater sign of international co-operation than when we managed to get 38 other countries to join us for a statement at the UN General Assembly, to express our deep concern about the situation in Hong Kong. We will continue to work on international partnerships in that regard.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Our hearts go out to those who have been imprisoned in pursuit of their human rights, but they deserve more than that. They deserve to be remembered in our trade and in our purchases. Will the Minister support the human rights amendment to the Trade Bill, which is currently in the other place, and will he say how he will prevent companies that facilitate human rights abuses from being integrated into our supply chains?

Nigel Adams: We have made it clear that companies should absolutely do their due diligence in terms of their supply chains. I do not think that the amendment to the Bill in the other place is the correct vehicle for such a provision. That is very much a technical Bill, and without its passing in good order we will not be able to take action on things such as the dumping of Chinese steel. The Bill is not the right vehicle, but other potential vehicles may be suitable.

Katherine Fletcher (South Ribble) (Con): I am deeply concerned by these sentences, as are the people of South Ribble, who share my concerns about the trend of Hong Kong authorities targeting pro-democracy activists. Will the Minister join me in urging the Hong Kong and Beijing authorities to stop this insidious campaign to stifle political opposition?

Nigel Adams: My hon. Friend could not be more correct in what she has said, and we are deeply concerned about the ongoing arrests, even as late as today. They are being used as a pretext to silence opposition, which is outrageous, and as I have said, we continue to raise our concerns directly with the authorities in China and Hong Kong. As they will have heard today, we as a Parliament are on the same page, and we are urging China to uphold the rights and freedoms that are protected in the joint declaration to which it is a signatory.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the Minister for answering the urgent question. We will now have a three-minute suspension for the safe exit and entry of right hon. and hon. Members.

5.37 pm

Sitting suspended.

Virtual participation in proceedings concluded (Order, 2 September.)

UNITED KINGDOM INTERNAL MARKET BILL: PROGRAMME (NO. 3)

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

That the Order of 14 September 2020 (United Kingdom Internal Market Bill (Programme)) be varied as follows:

(1) Paragraph (8) of the Order shall be omitted.

(2) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion at 9.00pm at this day's sitting.—(*Maggie Throup.*)

Question agreed to.

United Kingdom Internal Market Bill

[Relevant documents: Eighth Report of the Joint Committee on Human Rights, Session 2019-21, Legislative Scrutiny: The United Kingdom Internal Market Bill, HC 901/HL 154; Oral evidence taken before the Northern Ireland Affairs Committee on 16 September 2020, on Brexit and the Northern Ireland Protocol, HC 76.]

Consideration of Lords amendments

Madam Deputy Speaker (Dame Rosie Winterton): I must draw the House's attention to the fact that financial privilege is engaged by Lords amendments 48, 49 and 50. If any Lords amendment engaging financial privilege is agreed to, I will cause the customary entry waiving Commons financial privilege to be entered in the *Journal*.

Having given careful consideration to Lords amendment 50, which refers to state aid and the Office for the Internal Market, Mr Speaker is satisfied that it would impose a charge on the public revenue that is not authorised by the money resolution passed by this House on 14 September. In accordance with paragraph (3) of Standing Order No. 78, the amendment is therefore deemed to be disagreed to and is not available for debate.

After Clause 1

COMMON FRAMEWORKS PROCESS

5.43 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): I beg to move, That this House disagrees with Lords amendment 1.

Madam Deputy Speaker: With this it will be convenient to discuss the following:

Lords amendments 2 to 7.

Lords amendments 8 to 19, and Government motions to disagree.

Lords amendments 20 to 29.

Lords amendments 30 to 34, and Government motions to disagree.

Lords amendments 35 to 41.

Lords amendment 42, and Government motion to disagree.

Lords amendment 43, Government motion to disagree, and Government amendments (a) and (b) to the words so restored to the Bill.

Lords amendments 44 to 57, and Government motions to disagree.

Lords amendments 58 to 60.

Lords amendment 61, and Government motion to disagree.

Paul Scully: This Bill has generated a lot of debate in both Houses, and rightly so. It is a Bill that is vital in providing certainty for businesses and for protecting the Union. It is a Bill that allows the continuing smooth functioning of our UK internal market at the end of the transition period. Our approach will give businesses regulatory clarity and certainty and ensure that the cost of doing business in the UK stays as low as possible, and it will do so without damaging and costly regulatory barriers emerging between the nations of the United Kingdom.

In the other place, the Government and peers had good discussions and debates on the principle behind the Bill, and they have come to very reasonable proposals in some areas. It is right that both Houses work constructively to scrutinise and improve legislation, and the Government are therefore accepting a number of Lords amendments. That is why the Government are disappointed that in some cases amendments put forward by the other place would do the opposite and generate more ambiguity and uncertainty. Other amendments put forward go further, in hampering the Government's ability to protect the Union and our internal market, to level up the country and to take advantage of the opportunities afforded by the end of the transition period. That is why today the Government are disagreeing with a series of amendments, to which I will now turn.

Regarding Lords amendments 1, 19 and 34, the other place and Her Majesty's Opposition in this House have been clear about their strong support for common frameworks. I am pleased to hear that, because the UK Government are strongly committed to them as well. Joint work with the devolved Administrations to develop common frameworks is progressing well, and the first three frameworks are currently undergoing parliamentary scrutiny. The common frameworks programme represents successful joint working, ensuring that our shared objectives of making coherent policy, upholding high standards and supporting the distinct needs of each part of the UK can advance as one. They are evidence of our mutual respect for devolution.

I am pleased that work is well under way on the 33 frameworks that we expect to conclude jointly with the devolved Administrations. Thirty of those will be provisionally agreed by the end of 2020 and will then be scrutinised by Parliament and the devolved legislatures. A small number are likely to clear scrutiny by the end of the transition period, at which point they will become full frameworks.

Alan Brown (Kilmarnock and Loudoun) (SNP): It is good that the Minister recognises the importance of common frameworks. All four nations of the United Kingdom have agreed a common framework on an emissions trading system, so why is the Treasury now considering imposing a carbon emissions tax instead, against the wishes of the devolved Administrations? Surely that does not respect common frameworks.

Paul Scully: Discussions on that are ongoing and it is right that we have them. On the common frameworks, the devolved Administrations and representatives of England in the UK Parliament have made their views well known.

Jim Shannon (Strangford) (DUP): We have a strong agrifood sector in Northern Ireland. There needs to be an understanding between the Northern Ireland Assembly and this place, to ensure that our agrifood sector can continue to expand and sell its products around the world. Will the Minister reassure us that that will happen and that nothing will hinder it?

Paul Scully: The whole purpose of this is that we can get the internal market right. We do not want to hamper any business, wherever it is in the UK, in being able to trade overseas with the opportunities afforded by global Britain at the end of the transition phase and beyond.

I want to make progress because I want to get across some detail and allow other Members to have their say. The common framework programme was never designed to be an all-encompassing solution to the maintenance of the internal market. This Bill will instead provide the additional legislative protection to internal UK trade, which is required for business certainty. As an aside, I note that half of the active frameworks have little or no interactions with this Bill, as they do not pertain to the internal market. That has sometimes been forgotten in recent debates.

The flexibility that underpins the framework programme is key to its success. It was set up in 2017 with an objective to manage regulatory coherence in specific devolved policy areas of returning EU law. While the frameworks are envisaged in very high-level terms in schedule 3 to the European Union (Withdrawal) Act 2018, they are taken forward by voluntary agreement, which is the reason why neither the UK Government nor the devolved Administrations have so far felt the need to codify the common frameworks process in legislation. I thank the noble and learned Lord Hope for his considered contributions to the debate and for his thoughtful amendments to the Bill. However, while the Government have carefully considered the arguments made in both Houses about putting common frameworks on the face of the Bill, we feel that that may not sit well with the flexible and voluntary nature of the common frameworks programme.

In addition to their voluntary nature, we must also bear in mind that the current frameworks are jointly owned by the devolved Administrations. Any proposal to legislate them into this Bill would need to take into account their involvement in the programme overall. I am therefore concerned that the Lords amendments would automatically disapply mutual recognition and non-discrimination principles. This would create a very broad exclusions regime and uncertainty for businesses and consumers over the terms of trade within which they are operating. That is clearly not in keeping with the aim of this Bill, which is to provide maximum certainty and a stable trading environment.

Joanna Cherry (Edinburgh South West) (SNP): I will just take the Minister back to his statement that the common frameworks were never supposed to be all-encompassing in relation to the internal market, because I am looking at the Joint Ministerial Committee communiqué from 16 October 2017, which says in its first principle that the common frameworks were to be “established where they are necessary in order to...enable the functioning of the UK internal market”

The Government have gone back on that, have they not?

Paul Scully: The hon. and learned Lady will note that the document states “where...necessary”. As I said earlier, many of the common frameworks do not relate to the internal market. That was my point exactly.

It is a core point that none of us should wish to see internal barriers to trade erected inside our country to the detriment of jobs and growth. We have been clear in the other place about how we see the common frameworks programme and the market access principles interreacting with this point at the heart of the argument. While common frameworks are jointly owned, the UK’s full internal market regime can only be owned by the UK Government and overseen by the UK Parliament.

The Minister for the Constitution and Devolution, my hon. Friend the Member for Norwich North (Chloe Smith), looks forward to completing the delivery of the common frameworks programme, discussing further with our partners in the devolved Administrations and the devolved legislatures how we can capitalise on working ahead through common frameworks and put these areas of co-operation on a sustainable footing for the longer term to the benefit of citizens and businesses. We welcome the support of right hon. and hon. Members in achieving that, but we have been clear that amendments 1, 19 and 34 are not necessary and have considerable drawbacks. I therefore call on the House to disagree with them.

To speak to Lords amendments 8 to 13, 15, 16 to 18, 30 to 33 and 56, the Government have taken positive steps to reach a compromise position that balances concern about delegated powers with the ability of the Government to act to protect our internal market. The Government have already made significant steps. We have removed the power, which is no longer considered essential, for the operation of flexibility in the internal market system. We have made further changes on transparency and accountability, such as a review mechanism on the use of such powers. In the other place, we tabled amendments to require consultation with the devolved Administrations before the use of key powers, reflecting our previous commitments. However, once consultation is undertaken, the right place for final decisions should be back in Parliament where parliamentarians from all parts of the UK can debate and vote on the proposed use of the powers. The Government are therefore disappointed by the decision in the other place.

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind): My understanding is that the Welsh Senedd will vote tomorrow to decline to approve the legislative consent motion for the Bill. Does that not indicate the problem with the British Government’s approach to consent? Consent means nothing without the power of veto.

Paul Scully: If the Welsh Assembly decides that way, that will be regrettable—[*Interruption.*] The Welsh Senedd. It will be regrettable, because it is important that we continue to work together and allow continuity of trade and business between Wales, Welsh businesses and, indeed, the other nations of the UK. That is what Welsh businesses have been asking us for as we have been talking to them. They want certainty, and this Bill will give them certainty.

The Government are disappointed that the other place did not take up our reasonable offer and removed key provisions needed to ensure the operation of the internal market.

Sammy Wilson (East Antrim) (DUP): Does the Minister not accept that for places such as Northern Ireland, Wales and Scotland, common standards that allow free trade between those parts of the United Kingdom and their main market, which is probably in England, are an advantage to everyone? The provisions in the Bill should not scare or frighten anybody.

Paul Scully: The right hon. Gentleman puts it correctly. When I have spoken to businesses in Scotland, Wales and Northern Ireland, they have agreed with businesses in England. The main market for so many of these

[Paul Scully]

businesses is within the United Kingdom. We talk about global Britain, but we have to make sure that we have our internal market right. The opportunities for business, including those in Northern Ireland, are absolutely at the heart of this Bill, and I appreciate his intervention.

Removing the powers that I have outlined would make it difficult for the Government to respond to businesses and the wider stakeholder feedback and act rapidly to respond to changes in the UK internal market due to the shifting economic landscape. The other place also added in conflicting, inconsistent amendments accepting our consultation offer, but also adding consent mechanisms.

Moreover, the other place's three amendments 12, 13 and 56 introduce a new system for excluding requirements from market access principles, based on a long list of legitimate aims. This new clause would render the protections in part 1 almost meaningless. The regulator or legislator could justify a very wide variety of discriminatory measures using the justifications in the new clause. It would result in uncertainty as to what is in scope and leave little protection from regulatory barriers for businesses operating across the whole of the UK. However, the door remains open to the other place to reconsider, and we have kept our offer on the table.

I will turn now to Lords amendments 48 and 49. Clauses 48 and 49 support the Government's determination to deliver the commitments on which we were elected—levelling up and delivering prosperity for the whole United Kingdom and strengthening the ties that bind our Union together. They provide for a unified power that operates consistently UK-wide.

Alan Brown: Will the Minister give way?

Paul Scully: I will just make progress for a minute.

The power will allow for strategic investment throughout the UK, underpinning the United Kingdom Government's determination to see all parts of the UK flourish. It will make sure that we can deliver UK-wide replacements for EU funds, including meeting our manifesto commitment to replace EU structural funds, and allowing the UK Government to invest directly to support communities and businesses across all four parts of the UK.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Can the Minister explain how this can be strategic investment if the Senedd and the Scottish Parliament have no say in arranging it?

Paul Scully: As we said in the last debate in this place, this is complementary to existing spending powers in Wales and Scotland. We will always look to work for the good of the people there, which will reflect—undoubtedly, I am sure, on so many occasions, if not all occasions—the mood and direction from their elected politicians in the Senedd.

We need to make sure that we can deliver the UK-wide replacements for EU funds, including meeting our manifesto commitment to replace EU structural funds and deliver the UK shared prosperity fund, which will allow the UK Government to invest directly to support communities and businesses across all four parts of the UK. Previously in many of these areas, the EU mandated how our money

had to be spent, with little say from elected representatives in the United Kingdom. The UK Government intend to take a much more collaborative approach in delivering any funding that replaces EU programmes.

The UK Government remain committed to working collaboratively with key partners, including devolved Administrations, in the provision of financial assistance under this power. Let me be clear that this power is in addition to the devolved Administrations' existing powers. It will allow the United Kingdom Government to complement and strengthen the support given to citizens, businesses and communities in Scotland, Northern Ireland and Wales. It does not take away responsibilities from the devolved Administrations.

Chris Elmore (Ogmore) (Lab): The frustration at this utter confusion is that this actually circumvents the devolution settlement. Devolution has been in place for some 20 years, and it is Ministers in Wales who have been working with the European Union on how European funding is allocated within projects in Wales. This new system removes the decision making from Welsh Ministers and circumvents the devolution that has existed for more than 20 years. Can the Minister not understand the frustration on the Opposition Benches and the bewilderment of Welsh, Scottish and Northern Ireland Ministers about why they are just not being consulted on priority projects in Wales and any of the other nations of the UK?

Paul Scully: I can understand the frustration if that is the wilful misinterpretation of what is actually happening. The EU mandates so much of this spending before it gets to the Welsh Senedd, the Scottish Parliament and the Northern Ireland Assembly and, indeed, here in England, from where we are speaking, but we will work collaboratively to ensure that so many of those concerns are met.

We are disappointed as a Government that the other place has decided to take out the power and hamper the Government's ability to level up the country and drive investments into all parts of the UK. These Lords amendments also alter the financial arrangements made in this House, and I therefore call on this House to disagree with them.

Turning to Lords amendment 51, I emphasise the importance of the UK continuing to take a clear and consistent approach to subsidy control as we move away from EU state aid rules. The Government have always been clear in our view that the regulation of state aid and the EU's approach to subsidy control is a reserved matter. This reservation does not change the devolved Administrations' position in practice. The devolved Administrations have never previously been able to set their own subsidy control rules, as this was covered by the EU state aid framework, but they will continue to make their own spending decisions on subsidies, as they do currently. The effect of the amendment would be to create unacceptable uncertainty regarding the extent to which subsidy control is a reserved or devolved competence. This would potentially give rise to inconsistency if there were different regimes to regulate subsidies across the UK. Ultimately, that could undermine fair and open competition across our internal market, inevitably discouraging investment in the UK, bringing additional costs to supply chains and consumers.

This reservation will enable the UK to design a bespoke subsidy control regime that meets the needs of the UK economy. The Government have been clear that any future domestic regime will operate in a way that works best for all UK businesses, workers and consumers. In the coming months, we intend to publish a consultation on whether we should go further than our World Trade Organisation and international commitments, including whether further legislation is necessary. The House should therefore disagree to this amendment.

6 pm

Turning to Lords amendments 57 and 61, the Government again made reasonable and important changes to make it clear in statute that the Office for the Internal Market will work for the benefit of consumers in the interests of all parts of the United Kingdom, as well as for all four Administrations on an equal basis. I will not discuss amendment 50 in detail because it would involve, as we have heard, a charge of public funds and has not been selected.

The Government also agreed to an enhanced role for the devolved Administrations in OIM appointments, requiring Ministers to seek consent with all Administrations within a one-month timeframe. However, Lords amendments 57 and 61 go beyond this, also requiring that the devolved Administrations directly appoint members to the board of the Competition and Markets Authority. I wish to emphasise strongly that changing the wider CMA governance structures would be wholly inappropriate. The CMA board ensures that the organisation operates effectively and fulfils its statutory duties, which have fallen entirely within reserved competence. It would create a deeply unhelpful precedent, therefore, to have devolved Administrations' appointees on the CMA board. In contrast, the OIM panel will undertake the work of the OIM, and, in that context, the Government amendments have been brought forward to ensure a strengthened voice for the devolved Administrations. I therefore call on the House to disagree with these amendments.

Finally, I turn to Lords amendments 14, 42 to 47 and 52 to 55. The clauses in this part of the Bill have rightly been subject to much debate and scrutiny. The debates on Second Reading, in Committee and on Report in this House were almost exclusively on these clauses. The House endorsed the clauses by a significant majority after the Government brought forward amendments to address the concerns raised by Members of the House. I urge Members to do so again.

Sir Robert Neill (Bromley and Chislehurst) (Con): The Minister will appreciate, that I, having had some hand in the amendments, I have an interest in this matter. He will have seen that a statement has been put out by the Government—following the meeting of the Joint Committee earlier today—in which they undertake that they would, in effect, remove clause 44 and deactivate clauses 45 and 47, which were the subject of some concern in this place. Will he confirm that that is the case? Will he also confirm that were there to be any like clauses included in the taxation (post-transition period) Bill, which may come before us, they should, at the very least, be subject to the same parliamentary lock as was inserted in this Bill, if they were to be required at all?

Paul Scully: I thank my hon. Friend for his contributions not just here and now, but in the earlier stages of this Bill, which allowed for that important lock. The taxation

Bill and this Bill work in lockstep as well, and I can confirm his interpretation. I will come on to that in a second regarding the statement earlier today.

After the transition period ends, Northern Ireland will and must remain fully integrated with the UK's internal market. There should be nothing controversial about that. The protocol expressly recognises that Northern Ireland will remain part of the UK's customs territory and qualifying Northern Ireland goods will enjoy unfettered access to the rest of the UK market. We will never accept additional burdens or barriers on goods moving from Birmingham to London, and neither should we accept those on goods moving from Belfast to Liverpool. Moreover, clause 46 would codify in legislation the existing practice where state aid is notified to the European Commission by the Foreign Secretary via the UK mission in Brussels.

Ian Paisley (North Antrim) (DUP): I thank the Minister for the commitment he has made about goods travelling from GB to Northern Ireland. Can he tell us whether the same assurance will be in place for all goods moving from Northern Ireland to GB?

Paul Scully: I can indeed.

Part 5 of the Bill contains vital provisions to ensure that this will always be the case, whatever the outcome of our negotiations within the EU. Since these clauses were originally introduced, the UK and EU have worked constructively together through the withdrawal agreement Joint Committee discussions, which continue to progress, and final decisions are expected in the coming days. I can confirm today that if the solutions being considered in those discussions are agreed, the UK Government will be prepared to remove clause 44, concerning export declarations, from the Bill. The UK Government would also be prepared to deactivate clauses 45 and 47, concerning state aid, such that they could be used only when consistent with the United Kingdom's rights and obligations under international law.

Stephen Farry (North Down) (Alliance): I wonder whether the Minister could reflect on two points. First, I am relatively new to this place, but my understanding is that there has not been a bigger vote in the other place against a proposal from this House for many decades, if not centuries. Secondly, does he recognise that the majority of people and businesses in Northern Ireland want to see the solutions he set out work through the Joint Committee and not through any breach of international law? It is important that there should be a solid legal framework to enable businesses in Northern Ireland to conduct their affairs.

Paul Scully: Indeed, we all want this to be dealt with through the Joint Committee. That is why the discussions are continuing, and that is why, in these crucial hours of negotiations between the UK and the EU, we wish them well in that regard.

Sir Robert Neill: I will not trespass on the Minister's time again, but will he confirm that the deactivation of clause 47 would remove one of the areas—the notwithstanding clauses—that caused most concern, particularly to legal commentators? Does he agree that that is a significant gesture of good faith on the part of Her Majesty's Government's and that it will hopefully remove some of the real concerns that have, for legitimate

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reasons, been expressed in other places? Does he agree that this demonstrates that we want to find a constructive way forward?

Paul Scully: My hon. Friend is right again. I know the debate that has surrounded the notwithstanding clauses, and it is important that we work in collaboration and partnership as we do these difficult negotiations, but, ultimately, that is where we want to solve these problems, rather than having to legislate for them in the first place. As I say, we will deactivate them when we get to the point that that is consistent with the United Kingdom's rights and obligations under international law. While we are hopeful of success, it is only prudent that until such time as the discussions have successfully concluded, we retain these clauses in their current form as a fall-back option.

As has been said many times, the Government are fully committed to implementing the withdrawal agreement and the Northern Ireland protocol, and we have already taken many practical steps to do this, but these clauses will ensure that, irrespective of the outcome of our negotiations with the EU on implementation of the protocol, we will always protect Northern Ireland's place in the United Kingdom. They will ensure that businesses based in Northern Ireland have unfettered access to the rest of the United Kingdom and that there is no legal confusion or ambiguity in UK law about the interpretation of the state aid elements of the Northern Ireland protocol.

Sammy Wilson: I thank the Minister for giving way again. I just want to get some clarification. Article 16 of the Northern Ireland protocol makes it quite clear that where the protocol does serious economic, societal or environmental damage to Northern Ireland, the Government have the right to act unilaterally. If this clause is to be removed and set aside, how will the Government be able to take unilateral action if changes in the protocol or demands from the EU do the kind of damage that is outlined in article 16?

Paul Scully: As I have said before in regard to these clauses, the changes that we set out in a statement earlier today work on the assumption that we have had success in the discussions and that we can solve this elsewhere. We hope that the notwithstanding clauses will never have to be used, and we understand the concerns that have been raised. Making regulations of this nature would not be done lightly. That is why, before this clause is commenced, this House, as we have discussed, will be asked specifically to approve a motion to that effect, and the other place will hold a take note debate. Any regulations made under this clause would be subject to the affirmative or made affirmative procedure, meaning that they will be subject to debates requiring a vote in both Houses.

Moreover, as the Prime Minister has made clear, in addition to taking these steps in domestic law, if we had to make it clear that we believed the EU was engaged in a material breach of its duties of good faith as required and provided for under the withdrawal agreement and the Vienna convention on the law of treaties, we would seek an arbitration panel and consider safeguards under article 16 of the protocol in parallel. We must ensure

that, in any scenario, we are upholding the economic integrity of the United Kingdom, maintaining the Belfast or Good Friday agreement and the gains of the peace process and protecting the delicate balance between communities in Northern Ireland.

These notwithstanding clauses are a limited and reasonable step that create a safety net to enable those aims to be met. They ensure that the UK Government can always act as necessary to protect and maintain our UK internal market and Northern Ireland's integral place in it. That is entirely in keeping with what the Government have constantly said, including in public commitments from the Prime Minister, our manifesto commitments and our commitments to the people of Northern Ireland. That is why the Government cannot agree with the Lords amendments, which would remove what was part 5, and why I urge hon. Members to disagree with the Lords amendments and restore the critical provisions in full.

Ian Paisley: I thank the Minister for allowing me to intervene in this way. Does he welcome the comments made by the Irish Foreign Minister Mr Coveney who said that, essentially, all the commentary of the past three years on erecting borders on the island of Ireland was basically a game of bluff by the Irish Republic? Does he welcome the fact that it has now conceded that point?

Paul Scully: I have not heard those words, so I will not comment on them. There has been a lot of commentary, but what is important is the reality. Northern Irish businesses want the certainty offered by this Bill and the unfettered access to the GB market.

I emphasise that the Government has been reasonable, and will continue to be reasonable, in discussions on this Bill. We have made many positive changes to the Bill and they are on the table, but the Government need to balance this with the need to deliver a Bill that provides the certainty that businesses want and need to invest and create jobs, to maintain high standards and choice for consumers while keeping prices down, to ensure that the Government can continue to level up the whole of the United Kingdom and strengthen our precious Union, and, ultimately, to preserve the UK internal market that has been an engine of growth and prosperity for centuries.

Madam Deputy Speaker (Dame Rosie Winterton): Colleagues will see that there are a large number of right hon. and hon. Members who want to contribute to this debate. If we have any chance of getting them in, I will have to start with an immediate five-minute limit on Back-Bench speeches, but that may well have to go down.

Edward Miliband (Doncaster North) (Lab): It is a pleasure to be opposite the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Sutton and Cheam (Paul Scully). This big Bill began its life with the Prime Minister, then the Secretary of State and now it is a pleasure to be opposite him. I must say that I have enormous respect for him, but I did feel that I was living in a parallel universe when I heard him this afternoon. This Bill has been absolutely savaged in the other place. It has been absolutely savaged not just on international law, but on devolution as well, not just by Opposition parties, not just by

Cross-Benchers, not simply by the former Lord Chief Justice or the Archbishop of Canterbury, but by the heart of the Conservative party—by Lord Howard, Lord Hague, Lord Clarke, Lord Cormack, Lord Lamont, and Lord Barwell, the former chief of staff to the right hon. Member for Maidenhead (Mrs May). The right hon. Member for Gainsborough (Sir Edward Leigh) laughs from a sedentary position. He may not consider him exactly Conservative, but he is a Conservative peer. Believe it or not, Madam Deputy Speaker, even the Duke of Wellington spoke out against this Bill. I gather that he has recently left the Conservative party—and who can blame him?—but nevertheless, he said this:

“In a single piece of proposed legislation, the Government have managed to antagonise almost everyone, including a multitude of counterparties and international public opinion.”—[*Official Report, House of Lords*, 18 October 2020; Vol. 806, c. 1342.]

The Duke of Wellington is right, and given his family history around our relationship with Europe, he is in a position to know. That is why we saw the largest defeat in a generation on this Bill, including 44 Conservative peers, seven former Conservative Cabinet Ministers and many other former Ministers.

I make that point because I think we heard the beginnings of the grinding wheels of the climbdown in what the Minister was saying. After three months of posturing, undermining our reputation in the world, today, an hour before the debate begins, we perhaps see some preparations for the brakes being applied before we go over the cliff. I am not going to give the Government any credit for that, and I do not take their word for it either. The one thing that this whole sorry saga has shown the world beyond any doubt is that this Government's word is not their bond—they cannot be trusted, because they are willing to rip up international agreements they made less than a year ago.

6.15 pm

Sir Bernard Jenkin (Harwich and North Essex) (Con): I was going to congratulate the right hon. Gentleman on endorsing the hereditary principle, which I did not know he was such a big supporter of. The real question I want to ask him is, what should a state do if it finds that its obligations under one treaty conflict with those under another treaty or its own constitutional law?

Edward Miliband: As the hon. and learned Member for Edinburgh South West (Joanna Cherry) says, do not sign it, but I make another point. This is an agreement that the Government signed, and as the right hon. Member for East Antrim (Sammy Wilson) exposed, under article 16 of the protocol, there is not only a Joint Committee set up but a capacity for unilateral action in the case of social and economic disruption. He asked whether the protection will still be in place for unilateral action if these clauses go away—I can answer him, since the Minister did not: yes, they will still be in place, because they were in place all along. This has all been a completely unnecessary charade.

It is not just on international law that this Bill was savaged; it was savaged on devolution as well. This is very important, because it goes to the heart of the way we are governed as a country and the heart of our future as a country. Like the Government, the Opposition believe in our United Kingdom, but many people—including Conservatives—feel that this Bill deeply undermines devolution. Let us just listen to Lord Dunlop. For the

benefit of the House, Lord Dunlop is the Government's devolution guru—he is the guy advising the Government on devolution. He describes the Bill as

“an unnecessarily heavy-handed approach to balancing the demands of free trade within the UK with respect for the roles and responsibilities of devolved institutions.”—[*Official Report, House of Lords*, 19 October 2020; Vol. 806, c. 1336.]

He also says that the Government should

“think long and hard before overturning...on the back of Conservative votes alone, any sensible changes”—[*Official Report, House of Lords*, 2 November 2020; Vol. 807, c. 585.]

made to the Bill on devolution. So on devolution and international law, the Bill has been savaged.

Something has changed in Government on the Bill during the last three months. The truth is that the top brass of Government are running a million miles from the Bill, not just on international law but on devolution as well. We learned a few days ago from the very reliable Paul Waugh that the Chancellor of the Duchy of Lancaster has some thoughts on the Bill. He wrote:

“Even some Whitehall officials were baffled why the bill was drafted in the first place.”

He went on:

“Sources tell me that Gove has been looking at ways to either amend the devolution section of the bill, or ditch it altogether. If the whole bill is quietly left”—

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): It is untrue.

Edward Miliband: The hon. Gentleman says that that is completely untrue. I hope it is true, in the following sense: unless we remove the provisions in the Bill on lawbreaking and amend the provisions on devolution, we are massively undermining the Union, because as I will explain, we are departing from the principles of shared governance that we have developed over 20 years.

It is not surprising that the Government top brass are running from this Bill. Has it succeeded in improving our international standing? No—it has been calamitous, embarrassing and toxic for our international reputation. President-elect Biden, among others, is deeply concerned about the Bill. Has it succeeded in upholding and strengthening the United Kingdom, which I know the hon. Member for West Aberdeenshire and Kincardine (Andrew Bowie) supports? No, it has not—it has given a stick with which those who want to undermine the United Kingdom can beat the Government.

Has the Bill succeeded in getting the Brexit deal that the Government told us it would hasten? Remember what they said—that it would show we were standing up to the EU, show that we meant business and face them down. This is a very important day to be talking about this issue. Where is the deal then, less than a month before the end of the transition period? Where is the deal? As a country, we desperately need a deal for business, workers and our economy. It is 12 weeks since this piece of legislation had its Second Reading and still no deal has been struck. And on this of all days the Government choose to bring this Bill back to the House. Our message to the Government is simple: deliver the deal that they said was oven-ready so that business can plan, even in these short weeks. Deliver what was promised.

Let me turn to the detail of the Lords amendments from the Opposition point of view. I start by going back to the issue of the rule of law. As I said, Members across all parties in the other place worked together to

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defeat the Government on part 5 of the Bill. I cannot do any better than Lord Howard—I have never said that before—who said:

“I do not want”

the UK

“to be an independent sovereign state that chooses as one of the first assertions of that sovereignty to break its word, to break the law and to renege on a treaty that it signed barely a year ago.”—[*Official Report, House of Lords*, 19 October 2020; Vol. 806, c. 1295.]

That is not some remoaner, as I think the saying goes—it is not some person who voted remain; it is Lord Howard, a Brexiteer and the former leader of the Conservative party.

The House could instead listen to Lord Cormack, who said

“this is shameful; there is no other word for it. I am deeply ashamed that a Conservative Government should have embarked on this course.”—[*Official Report, House of Lords*, 19 October 2020; Vol. 806, c. 1301.]

I am proud to be defending the rule of law.

Sir William Cash (Stone) (Con): Would the right hon. Gentleman be kind enough to give way on that point?

Edward Miliband: It is always a pleasure to give way to the hon. Gentleman, so I shall.

Sir William Cash: Perhaps the right hon. Gentleman recalls the fact that section 38 of the European Union (Withdrawal Agreement) Act 2020 was passed not only by the House of Commons—by 120 votes—but by the House of Lords itself. That contained the same principle regarding the notwithstanding arrangements specifically in relation to section 7A of the European Union (Withdrawal) Act 2018.

Edward Miliband: I think the hon. Gentleman and I have had this exchange before. The fact is that the reason this Bill has caused such concern—among five former Prime Ministers and all the people in the House of Lords I have mentioned—is that it will rip up a treaty that we signed. That message has been sent loud and clear around the world. As I said, there is already provision in article 16 of the protocol for unilateral action in the event of

“serious economic, societal or environmental difficulties”.

The provisions are not only wrong, then, but unnecessary.

I wish to deal with the “insurance policy” argument that has been put forward—the Minister used the term “safety net”. This legislation is not a safety net or an insurance policy; it is a trapdoor for us, and I will tell him why. Let us say that the worst happens and we fail to get a deal, and we then trigger these provisions. What then? We set off an escalating dispute with the EU, and we do not know where that dispute ends; we further alienate President-elect Biden and scupper any chances of a US trade deal; and we destabilise the politics of Northern Ireland. This is no insurance policy; it is a guarantee of the destabilisation of our country piled on to no deal—in other words, the very last thing the country needs. That is why we will vote to uphold the Lords amendments that keep part 5 out of the Bill.

Sir Edward Leigh (Gainsborough) (Con): Of course we all want agreement and we all want a trade deal, but what happens if relations break down? Will the right hon. Gentleman confirm that, first and foremost, the Labour party is a Unionist party that believes 100% in the economic integrity of the United Kingdom and will not act as a poodle for nationalists? Can he give me an absolute guarantee that if relations break down and we reject this Bill, we will not be in a very difficult place in terms of the economic integrity of the United Kingdom?

Edward Miliband: The right hon. Gentleman and I agree absolutely about the United Kingdom, and I am now going to come on to why I have such fear about this Bill. I fear that it is ignorant and blundering on the most important question about the way in which we share power across the United Kingdom. My fear about that and about the Bill is that it has given those who want to undermine the United Kingdom a further weapon with which to do so. That is why I want to turn to the devolution aspects of the Bill.

I particularly want to put on record my thanks to Lord Hope, former Lord President of the Court of Session and Lord Justice General, for his work on the Bill. The common frameworks are a complex issue, but it is worth spending some time explaining them. The common frameworks process—the Government deserve some credit for this—was established in 2017 to enable us to agree high standards across the United Kingdom and manage any divergence in those standards. The problem with the Bill is that there is no mention of common frameworks. Instead, it provides a blunderbuss principle that the lowest standard in one jurisdiction is the standard for all, with no voice for the devolved nations.

Take the issue of single-use plastics, which is a very concrete example. The Welsh Government want to legislate to ban the use of single-use plastics, but the problem is that the Bill as it stands enables the UK Parliament to simply come along, without discussion and without a voice for the Welsh Government, and legislate to stop them doing that. In a written answer earlier this month, they said very clearly that they believe that they will not be able to make that legislation stick. The Bill in its current form allows the UK Government simply to undercut the powers of the devolved Administrations in key devolved areas, including the use of plastics, other environmental standards, animal welfare and other consumer standards. That is very serious, because the common frameworks are a way in which we can both secure high standards—this is the intention of Lord Hope—and manage divergence when it occurs across the United Kingdom.

Jonathan Edwards: The right hon. Gentleman is making a very valid point. Does he agree that the problem with the Bill is that it enables the British Government, through its control of the UK Parliament, to become like a boa constrictor around the devolved Parliaments, restricting their ability to act in the policy fields for which they have responsibility?

Edward Miliband: However we describe it, I do not believe that the Bill properly respects the principles of devolution. These are principles that we have developed in a very British way, in a sense, over the past 20 years or so. The principles of devolution are, I think, principles

that it is crucial that we uphold. I ask the Minister to think again. He should think again, and should agree to Lord Hope's amendments, which put the common frameworks into the Bill. It makes no sense that the Governments of the four nations have spent three years working on the common frameworks only for them to make no appearance in the Bill.

Then we have a related issue, which is that in the absence of legislation for the common frameworks—the Minister mentioned this—amendment 12 seeks a wider set of exclusions for market access principles. The reason for that is very simple. In the absence of common frameworks, the market access principles apply with very narrow exclusions—on human, animal and plant health, I think—so if the Government are not willing to agree on the common frameworks, another way forward would be to have broader exclusions that allowed the devolved nations to uphold their powers. This is very important. It is about whether powers that have been devolved over 20 years are effective or ineffective, and whether this Parliament can simply override them without a voice for the devolved nations. These are deeply serious issues, and I think that their importance is recognised by Conservatives such as Lord Dunlop.

Let us be absolutely clear what will happen if the old version of the Bill is restored and passed into law—this is a sort of prediction, but I am afraid that this is what will happen: this is a recipe for a constitutional punch-up within a very short period of the Bill's becoming law. Frankly, if that does not happen naturally, it will be provoked by those who wish to have the punch-up. The Government will find themselves accused, rightly, of undermining the devolution settlement, and it would be a disaster for those who believe in the United Kingdom—and I think that includes the Government. The most generous interpretation is that the Government have been cavalier and have blundered into this. *[Interruption.]* Yes, that may be too generous. I hope that they will put it right.

6.30 pm

It is also in the spirit of shared governance that we have concerns about the provisions on spending and state aid, which relate to Lord Thomas's amendments 48 and 49. A key pillar of devolution in the last 20 years has been the right of devolved areas to set their own priorities. The Bill as it was when it went to the Lords gave incredibly wide—huge—powers to Ministers. Let me read out the list for the House: economic development; sports and cultural activities; projects and events infrastructure; education and training infrastructure; and capital investment in water, electricity, gas, telecommunications, sewerage, railways, roads, transport, health, prisons, courts and housing. It gave incredibly wide and overriding powers in devolved areas. Yes, the Government say that this is about the shared prosperity fund, but there have been no details about how these powers are going to be exercised.

There has been no consultation. The consultation apparently ended—I do not know—12 months ago or so. We do not know what this shared prosperity fund is going to look like. There has not been proper consultation with the devolved nations on it. There is a really important point here for the House. "Take back control" was an effective slogan, I think we can agree, though I did not support the cause, but I think voters throughout the United Kingdom—in England, Scotland, Wales and

Northern Ireland—will worry that taking back control is starting to look like taking back control to the Westminster Parliament. That is an issue not just in Scotland, Wales and Northern Ireland, but in England as well. How these funds work and whether it all gets decided from the centre is a really key point.

Alan Brown: On that point, the national infrastructure strategy has just been published, and under the heading "changing how decisions are taken", it says:

"Increasing the UK government's ability to invest directly in Scotland, Wales and Northern Ireland through the UK Internal Market Bill".

Does that not just smack of, "We'll spend the money and we'll make the decisions, and it won't be collaborative at all."?

Edward Miliband: I think there is a very legitimate anxiety, which I hope the Minister will reflect on. Again, it was expressed in the Lords. Yes, the Government were defeated in the Lords—all Governments get defeated in the Lords at some point—but we are talking about unprecedented margins, because of the depth and breadth of concern among their lordships about the Bill, including on devolution. In a sense, because the Bill went through so quickly here, there was less time for us to discuss the devolution issues, and the focus was more on international law, but there is deep concern about this.

It is the same on state aid. We support a UK-wide state aid regime, but once again there was no mechanism in the Bill to engage with the devolved nations on setting out this regime. Again, the best that can be said is that maybe the Government have blundered in; the worst would be that they simply do not believe in giving power away when it comes to it in practice; they believe in holding it here. We cannot overestimate the seriousness of this collection of devolution issues. I believe deeply in the United Kingdom; the way we uphold it is by upholding the settlements of the last 20 years, and recognising that commitment to shared governance, but that is not what this Bill does.

Ian Paisley: I make this point very genuinely. Fidelity to devolution is now being expressed from the Dispatch Box, but Members from Northern Ireland and the Northern Ireland Assembly ask: where that was six, eight or 12 months ago? The Labour party was prepared to ride roughshod over the views of the people of Northern Ireland on the issue of abortion, and to impose laws on Northern Ireland that are there forever, even though the Northern Ireland Assembly has a completely different view from this House on those matters. This fidelity to devolution rings very hollow tonight in many houses in Northern Ireland.

Edward Miliband: The hon. Gentleman and I have known each other a long time, and if one looks at the record of Labour Members on the devolution settlement, and at everything that has happened over the past 20 years, I think we have absolutely shown fidelity to that devolution settlement in what we have done. *[Interruption.]* I will conclude because lots of Members wish to speak.

This is not just a technical discussion about the Lords amendments; it is about a much deeper set of issues to do with what kind of country we want to be. We must

[Edward Miliband]

be a country that is confident of our place in the world, and in working with others on the basis of shared democratic principles. We must be a country that stands up for the rule of law, and that recognises that we will be better governed if we share and devolve power, and do not hoard it at Westminster. The Bill achieves none of those things. Indeed, it undermines them. I am afraid that is a mark of cavalier government—cavalier with our international standing, cavalier with the law, and cavalier with the United Kingdom. Labour Members will fight for the values that our country needs, and I hope that as the Bill proceeds back—and, I suspect, forth—from the other place, the Government will listen and work with us in the national interest.

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

Sir William Cash: When I read the account of proceedings in the House of Lords, I found that the Lords were very strong on assertion, but empty when it came to the question of argument. I found that rather disturbing, because, after all, they have potential power under the Parliament Acts. I also appreciate that, towards the end of the proceedings, in reference to the powers in part 5 of the Bill, and the clauses under discussion regarding “notwithstanding”, Lord Judge said:

“‘We may need these powers at some stage’. Maybe we will; I hope not.”

He then said that it would be

“open to the Government to come back to us, to Parliament, to put before us emergency legislation.”—[*Official Report, House of Lords*, 20 October 2020; Vol. 806, c. 1431.]

The circumstances that we face could not be more important and relevant, and my view is that what he said effectively conceded the principle.

Sir Bernard Jenkin: I was going to make exactly that point. Lord Judge, very respected as he is, basically conceded the principle that we might need notwithstanding provisions to overturn the provisions in the withdrawal agreement. We are not talking about the principle anymore; we are just talking about when it would be appropriate to introduce the provisions. They might as well be introduced now with the parliamentary safeguard that the Government have conceded.

Sir William Cash: More or less the same took place in my exchanges with my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), who said very much the same. There is a threshold beyond which it would be necessary for us to take such action. Without going into the detail, I just wanted to put those two things on the record.

The issue is, and basically always has been, about parliamentary sovereignty. In the UK context, this is an internal law of fundamental importance, as expressed in article 46 of the Vienna Convention. It is by virtue of parliamentary sovereignty that we have taken the line that we have. I certainly have taken that line on many occasions, including in my proposal for section 38 of the European Union (Withdrawal Agreement) Act 2020, which I referred to earlier, and which has the whole concept of “notwithstanding” built into it. Section 7A of that

Act also deals with direct effect. Given that the Act was passed with a large majority in the House of Commons, and then passed again in the House of Lords without any dissent of any description, I find it quite extraordinary that this has been turned into a matter of such fundamental anxiety, without any supporting argument that I have ever seen.

When I read the debates, I found there was a great deal of posturing going on. I understand the emotional concern of some people who are quite incapable of accepting that we have lawfully left the European Union; that a series of enactments were passed by both Houses; and that, on top of that, we had a general election—not to mention that under the Salisbury-Addison convention, it would be inconceivable, in the context of a general election manifesto, for the Lords to take a stand against these clauses if the House of Commons passed them again tonight, and perhaps again on another occasion.

Why do I say all this about constitutional and international law? I will deal with that very briefly. First, in my judgment, the European Union has breached article 184 of the withdrawal agreement, which is about negotiating in good faith. It has manifestly multiplied that fault over the past few days by refusing to accept the manner in which the negotiations have been conducted so far. There is also the question of its demand to retain power over crucial aspects of our sovereignty—both economic and relating to our national interest—as a precondition to concessions on trade.

The EU has also, in my judgment, breached article 184 on the basis of the recognition, as it puts it, of our internal market. I believe in the basic principle that one party to a treaty cannot obtain from the other the execution of its obligations if it does not respect its own commitments. If the EU continues to act as it has done in the negotiations, particularly over the past few days, the United Kingdom would be entitled to terminate the withdrawal agreement on the basis of the EU’s breach of article 184.

Lastly, as I said in Committee and on Report, there is a long list of occasions when Conservatives, Labour and Lib Dems, as part of the coalition, have agreed to override treaties. There are not just one or two quite explicit examples, but hosts of them. In infinite Finance Bills and Independence Acts, and in relation to prisoner voting and various other things, there have been quite clear and deliberate overrides of treaties. The EU, as well as the EU member states, frequently violates international law; the Western Sahara case, the defiance of security council rulings, and breaking the Lisbon treaty are a few examples.

Indeed, in conclusion, the EU grants supremacy to its own constitutional principles when they are in conflict with international law. In the Kadi case, the European Court stated:

“The obligations imposed by an international agreement cannot have the effect of prejudicing the constitutional principles of the...Treaty”.

So there it is. I say again that I strongly support the Government’s position, and reject the amendments by the House of Lords.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): In. Out. Reinstate? As the right hon. Member for Doncaster North (Edward Miliband) has pointed out, the Prime Minister and the Secretary of

State have dropped this, and it is left to the Minister to hold Dominic Cummings's baby, and to front this up in Parliament. I almost feel sorry for him, but then I remember that both the Treasury solicitor and the Advocate General for Scotland have already resigned over this, because it is such a terrible move by the Government.

The House of Lords, as we have heard, has rightly carved up this disastrous, petty, grubby, law-breaking, power-grabbing Tory Bill—and after the announcement made just an hour before we came in here tonight, we can add “shambolic” to that as well. We welcome the Lords’ removing a number of threats to devolution from the Bill. We already know that the Tories hate devolution, as the Prime Minister has made clear.

Clause 42 authorises the UK Government to spend on devolved areas. The UK Government intend to use clause 42 for the purpose of a shared prosperity fund. However, as we have heard, we have yet to see details of that. I personally have been asking about it since 2017, yet we have heard nothing on it. As we have heard, we have also yet to see any sign of the long-promised consultation. It has been repeated over and over that there will be a consultation, but we have not seen it. Lord Thomas confirmed in the other place:

“It is therefore plain that the purpose of Clause 42 is to cut across the powers of the devolved Governments to provide financial assistance in areas such as economic development and commercial activities”.—[*Official Report, House of Lords*, 25 November 2020; Vol. 808, c. 276.]

That takes away a power from the Scottish Parliament. Baroness Finlay said that

“Clause 42 would enable the Government to work around, rather than work with, the devolved Governments”.—[*Official Report, House of Lords*, 25 November 2020; Vol. 808, c. 280.]

6.45 pm

Andrew Bowie: The hon. Gentleman may disagree with the right of the UK Government to intervene financially on all the areas that have been specified, but he cannot say that this amounts to us taking away a power from the Scottish Parliament, because that is fundamentally untrue, and he is in fact misleading the House when he does so. [HON. MEMBERS: “Withdraw.”]

Madam Deputy Speaker (Dame Eleanor Laing): Order. The hon. Gentleman is not misleading the House.

Hon. Members: Withdraw.

Drew Hendry: Thank you, Madam Deputy Speaker. I could have come back with a different response, but I appreciate you intervening.

The hon. Gentleman tries to say that this is not a power grab—not taking back powers from the Scottish Parliament. What I am quoting is not SNP folks saying this, and not even the Scottish Government—it is other people, as we have heard from around the different parties, including his own, right across the nations of the UK, and across the world. What he says really does not hold any water.

On clause 49, the Lords amendment removes the UK’s Government’s attempt to re-reserve state aid. Lord Thomas noted that

“unashamedly, the Government want to use this legislation to alter the devolution settlements...They are trying to make state aid a reserved matter by the device of expanding or extending the competition policy reservation.”—[*Official Report, House of Lords*, 25 November 2020; Vol. 808, c. 317.]

Lord German confirmed:

“Blunting and reducing the power of the devolved authorities is deemed to be a price worth paying so that the UK Government alone can determine the route they wish to follow in directing the new regime. Yet we do not know what this regime will look like.”—[*Official Report, House of Lords*, 25 November 2020; Vol. 808, c. 319.]

Leading for the Government in the Lords, Lord Callanan confessed that

“Clause 44 reserves to the UK Parliament the exclusive ability to legislate for a UK-wide subsidy control regime.”—[*Official Report, House of Lords*, 25 November 2020; Vol. 808, c. 325.]

I can tell the House that the SNP will not accept this brazen power grab. State aid must remain a devolved competence.

Lords Amendment 11 means that devolved Governments must either give their consent to regulations within a month, or the Government could continue but would have to explain to Parliament why they were proceeding without agreement. Lord Bruce noted that it

“takes the need for consultation but adds to it by saying that there must be a requirement to secure consent.”

That is absolutely what is required. He went on to say:

“That draws on the common frameworks principles, which suggest that every sinew should be bent to secure consent.”—[*Official Report, House of Lords*, 23 November 2020; Vol. 808, c. 50.]

I stress: not consultation but consent.

On Lords amendment 57, Lord Thomas noted that

“the composition of the CMA should now reflect its different position and role under this Bill...it is critical that it commands the confidence of all the people of all the nations of the United Kingdom and therefore that it has representations from them.”—[*Official Report, House of Lords*, 23 November 2020; Vol. 808, c. 103.]

Lords amendment 1 seeks to protect the role of the common frameworks from the Bill. When moving his amendment on Report, Lord Hope summarised:

“Not only does the Bill ignore the common frameworks process but it destroys one of the key elements in that process that brought the devolved Administrations into it in the first place: it destroys policy divergence. It destroys those Administrations’ ability through that process to serve the interests of their own people, and to innovate.”—[*Official Report, House of Lords*, 18 November 2020; Vol. 807, c. 1432.]

Baroness Finlay warned that the Bill

“is not based on warm support for devolution but rather on hot resentment of the fact that the devolved Governments and legislatures can innovate at speed and take their populations with them.”—[*Official Report, House of Lords*, 18 November 2020; Vol. 807, c. 1434.]

That is something that this Government cannot do.

Lords amendment 8 removes sweeping Henry VIII powers that allow the Minister to alter the definition of key requirements for the Bill and in each case rewrite those principles substantially in secondary legislation. In the Lords proceedings, the Government accepted the argument and removed the Henry VIII powers from clause 3, but refused to remove them from clause 6. Under clause 6, the Secretary of State can act without the need to introduce new primary legislation or to obtain the consent of the devolved Governments, taking power away from them. As I have said before, the UK Government’s offer to consult is meaningless. “Consult” is not the same as consent, which is what is required.

David Linden (Glasgow East) (SNP): The truth is that the Bill is an absolute abomination and drives a Trojan horse through the devolution settlement, but my hon.

[David Linden]

Friend is right to put his finger on that very issue. Brexit was supposed to be about Parliament taking back control. How does he reconcile the idea that Parliament is taking back control with granting these sweeping Henry VIII powers to the United Kingdom Government?

Drew Hendry: Indeed, it is the UK Government who are seeking to take back control from Scotland, and from Wales, with the Bill, which is a clear and utter power grab.

Jonathan Edwards: I am extremely grateful to the hon. Member for his forensic analysis of the British Government's tactics in relation to the Bill. Essentially, the British Government are hollowing out devolution as the middle ground in the constitutional debate in Wales and Scotland. For the people of Wales and Scotland, the choice becomes independence or direct Westminster rule.

Drew Hendry: The hon. Member is absolutely right. It is no surprise that in Scotland we have now had 15 opinion polls in a row that show that a majority of people support independence. That has not happened overnight; that has happened because they have been watching what has been happening here, and have seen the contempt with which Scotland and Wales's Parliaments have been treated. The result is the growing demand for us to protect our Parliament in that way.

When it comes to devolution, the Tories used to wear a mask to hide their contempt, but the Bill and recent comments from the Prime Minister and the Leader of the House have ripped it away once and for all. The Prime Minister recently told his MPs that devolution was a disaster and Tony Blair's biggest mistake—the latest in a long line of statements that he has made to show his distaste. We all remember him saying that

“a pound spent in Croydon is far more of value to the country...than a pound spent in Strathclyde.”

The Leader of the House has called devolution a failure and is arrogantly dismissing it, while the Scottish social attitudes survey shows that only 7% of the Scottish people do not support devolution. As I have said, the Bill is an orchestrated attempt by this Tory Government to re-centralise powers.

Andrew Bowie: I thank the hon. Member for giving way to me for a second time. I simply cannot sit here and listen to him describe this party and this Government's position on devolution in the way that he is. Under the Calman commission and the Scotland Act 2016, we have devolved more powers to Scotland than any Government in the history of devolution. We have created police and crime commissioners across England and Wales. We have devolved power to our greater cities and regions across England and Wales. Next year we will publish our devolution White Paper. To stand there and say that the Government do not respect or believe in devolution is simply baloney.

Drew Hendry: This is the man who said:

“The UK Government is back in Scotland. Get used to it.”

We have seen the Tories for an awful long time. In Scotland, we have not voted Tory since 1959, I think. [Interruption.] Sorry, 1951. That is how long the Scottish people have seen what the Tories are at. We do not want

a Tory Government making decisions for people in Scotland. That is why the vast majority of Scottish people voted, with a settled will, to have their own Parliament, and all polls and the social attitudes survey show that, more and more, they support not only devolution but independence.

The Government want to drive a wrecking ball through the devolved settlements. That is reflected by the fact that this Bill, as we have heard, has been ripped apart in the House of Lords. On the shared prosperity fund, it said:

“The Government should explain why such a broad power for the UK Government to spend money in devolved territories has been included in this Bill.”

It also said that the delegated powers in the Bill are “extraordinary” and “unprecedented”,

“and many of them are constitutionally unacceptable.”

Of course, we know from experience what happens when UK Ministers have control of spending. The former Tory Prime Minister John Major took much-needed cash from the highlands and redirected it to Tory marginal seats that were under pressure in the south-east of England. Decades on, nothing has changed. As we know from the pork barrel scandal whereby the Secretary of State for Housing, Communities and Local Government directed funding to 61 towns that were key to the Tories gaining or retaining seats in the general election, priorities for Scotland will mean little or nothing to the Tories—probably the latter—unless they see some political advantage. Their naked intention to break devolution and break the law has been condemned across the world and even from their own Benches.

This Bill is not worthy of this or any other Parliament. Outside of Tory Government circles, it has been rightly and absolutely panned. Catherine Barnard, professor of European law at Cambridge University, said:

“This is a remarkable piece of legislation and it expressly contravenes our international legal obligations to a point that the legislation itself says this is the intention”.

Imagine that. Steve Peers, a professor at the University of Essex, said:

“It is an obvious breach of international law.”

David Anderson, QC, tweeted:

“The Ministerial Code still mandates compliance with international law, despite a change to its wording, as the Court of Appeal confirmed in 2018”.

Simon Davis, president of the Law Society of England and Wales, said:

“The rule of law is not negotiable.”

Perhaps most tellingly, George Peretz, QC, tweeted:

“But it is hard to think of a better argument for Scottish independence than a UK government that is prepared to use Westminster's unconstrained sovereignty to override a binding treaty commitment it entered into less than 12 months ago.”

Former Tory Prime Ministers, including a Member still sitting in this House, have savaged this shoddy piece of legislation. From their own Benches, the Government have been told that

“a willingness to break international law sits ill for a country that has always prided itself on upholding the rule of law.”

They have also been told by their own Members that it is an act of bad faith and that the rule of law is not negotiable.

The Bill has also been condemned in the United States. This is a Government who are really good at negotiating no deals, and it looks like they are about to negotiate another one with the US. Nancy Pelosi, the Speaker of the US House of Representatives, said:

“The U.K. must respect the Northern Ireland Protocol as signed with the EU to ensure the free flow of goods across the border.

If the U.K. violates that international treaty and Brexit undermines the Good Friday accord, there will be absolutely no chance of a U.S.-U.K. trade agreement passing the Congress.”

We have also heard comments from the Taoiseach and others across the European Union. In America, Antony Blinken, the chief foreign policy adviser to Joe Biden, said that Joe Biden

“is committed to preserving the hard-earned peace & stability in Northern Ireland. As the UK and EU work out their relationship, any arrangements must protect the Good Friday Agreement and prevent the return of a hard border.”

Sammy Wilson: I am glad that the hon. Member is so supportive of the Belfast agreement, but would he accept that the Belfast agreement was all about ensuring that Northern Ireland stays within the United Kingdom as long as the people of Northern Ireland wish that to be the case, and a border between Northern Ireland and the rest of the United Kingdom, as is in this protocol, certainly does not protect the Belfast agreement and therefore does not even meet the criteria he has set himself?

7 pm

Drew Hendry: Indeed, it should be the right of people living in any country to determine their own future, and he is right: if the people of Northern Ireland choose a different path, they should be respected, as should be the case for those in Wales and Scotland as well.

I will start to wind up my comments now, Madam Deputy Speaker. I could go on for much more time, but I know that you have packed Benches of Members waiting to come in. I was just about to talk about Joe Biden. He said:

“We can’t allow the Good Friday Agreement that brought peace to Northern Ireland to become a casualty of Brexit. Any trade deal between the U.S. and U.K. must be contingent upon respect for the Agreement and preventing the return of a hard border. Period.”

That is what he said.

This Bill continues to facilitate a race to the bottom on standards, threatens our quality food and drink, opens the door to genetically modified beef and chlorinated chicken, among other products, and opens the door to privatisation of our water and our NHS. As I have pointed out, the House of Lords has rightly carved up this disastrous, petty, grubby, law-breaking, power-grabbing, messy Tory Bill. Its amendments must be respected and agreed. The Scottish Government have always engaged willingly to take forward the common frameworks progress this devolution-wrecking—

Andrew Bowie: Rubbish.

Drew Hendry: The hon. Member says “Rubbish”, but he knows that is not the case. We understand that the Tories have a very casual relationship with the truth, but we expect them to at least have a one-night stand with it.

This Bill confirms the contempt that the Prime Minister and his Government have for devolution. People in Scotland see this clearly. As I have said, 15 polls in a row are showing that independence is the only way to save our Parliament’s powers and the voice of the Scottish people, and as the Defence Secretary confirmed earlier, we can have that discussion in the referendum that is coming.

Madam Deputy Speaker (Dame Eleanor Laing): There is a five-minute limit on speeches.

Dr Liam Fox (North Somerset) (Con): When I voted to leave the European Union, it was not primarily over concerns with immigration or concerns about how we would divvy up the money that came back from the contributions we would not be making to the European Union; it was entirely as a constitutional lever. I believe in the principle that the people who live under the law should have the right to choose the people who make the law. Incidentally, that also shapes my views on how the House of Lords should be reformed. However, that principle could not survive as soon as we had the direct application of EU law and the use of the ECJ. Therefore, for me that meant that there was only one choice, which was to leave the EU. I explained that to an American audience by saying that, if in the United States there was a court in Ottawa or Mexico City that could override the US Supreme Court and there was nothing legislators could do in the US, how would they like it? They said, “Absolutely, we would never ever accept it.” That, for me, is the key principle.

When I first heard of this internal market Bill, I was at the World Trade Organisation in Geneva and, frankly, I was shocked to hear that the Government were intending to break international law. That was until I came back and looked at the provisions themselves, and found out that nothing whatsoever was actually being broken in this Bill. In fact, nothing was actually being done in this Bill, other than setting out a set of contingency measures, which is of course a well-accepted legal principle.

Sir Edward Leigh: Will my right hon. Friend give way?

Dr Fox: I will give way once—to my right hon. Friend.

Sir Edward Leigh: There has been virtually no discussion during this entire debate about the fact that this is a safety net, which we hope will never be used. If we are on the high wire—and when we are dealing with the EU, we are on the high wire—we may not want to use a safety net, but it does no harm to have one.

Dr Fox: I entirely agree. I have used the analogy myself that this is a lifeboat that we hope we never have to launch. We hope the ship will never go down because we will reach a trade agreement, and we should reach a trade agreement because, as I said earlier in the House, there has never been a trade agreement that has begun with the two parties in complete identity of trade law, of tariffs and of regulation. It should be, if it was only about trade, an easy agreement to reach, but it is not just about trade. The main stumbling blocks are constitutional—the very constitutional issues that made me want to vote to leave the European Union in the first place.

[Dr Fox]

There are those who have said that this Bill is outrageous and that it sets new precedents, but in fact it says only that, under certain circumstances, domestic law might have to be used to overrule treaty law. Is it revolutionary? Is it unprecedented? Well, on 12 February 2016, the German federal constitutional court said:

“Treaty overrides by national statutory law are permissible under”

the German constitution. It added:

“Under the system of the Basic Law, international treaties have the same rank as statutory federal law. Therefore, they can be superseded by later federal statutes that contradict them.”

That is merely the power that the United Kingdom Government are seeking to use as a contingency power, should they need it, yet nobody screams about the German Parliament being able to exercise an identical power.

In the short time that I have, I want to make a couple of comments about the value of free trade in the internal market to the Union itself. The 1707 articles of Union between England and Scotland, and those between Great Britain and Ireland in 1800, abolished all customs duties between the different parts of the United Kingdom. Free trade across the whole of the United Kingdom was not only integral to the development of the whole of the United Kingdom from the industrial revolution on, but it was particularly important to Scotland and Ireland, whose citizens could freely trade with the much bigger English market—something that exists today. That point was made very well by the right hon. Member for East Antrim (Sammy Wilson) earlier in this debate.

It is easy, given how successful it has been, to forget how important that single market is, and how easily it could be damaged and what the implications would be if it were interfered with or restricted. Of course, that is why the hon. Member for Glasgow North (Patrick Grady)—I am sorry that he has left his place—was unwilling to engage in debate with me last week when I asked what estimates had been made by the Scottish nationalists of the break-up of the UK internal market in terms of the Scottish economy. He said, “We will come and make those arguments in due course,” because they do not want to hear those arguments aired in front of the Scottish people at the present time.

The devolved legislatures were created after the UK joined the European Community and then the European Union. Because the single market rules apply to regional Governments and legislatures as well as central Governments of member states, there was no pressing need during our membership of the European Union for specific UK-based rules maintaining the UK internal market against fragmentation. Brexit changes all that, and that is why I believe that we should reject the Lords amendments tonight.

However, in supporting the Government, I just ask this one question: when did the Government’s legal advisers advise Ministers that the withdrawal Act indeed, by direct application, threatened the internal market of the United Kingdom? It was not something that I heard discussed at the time, but I would like to know the answer to that question, as would many of us who are supporting the Government tonight and who believe that what we are seeing is proportionate contingency

planning, fulfilling the duty of the maintenance of the UK internal market, the key part of the United Kingdom itself.

Hilary Benn (Leeds Central) (Lab): Who would have thought that we would be here on 7 December—there are 24 days to go—with the Government wanting to put these international law-breaking clauses back into the Bill and the Brexit negotiations still going? I have always thought that there will be an agreement, but I must confess that in the last few days I have felt a bit gloomy. I do not know whether the announcement in the last 20 minutes that the Prime Minister and Ursula von der Leyen are going to meet later this week to pore over the areas of disagreement should raise our hopes or not. What do they say? It’s the hope that kills you.

Anyway, the truth about this Bill is out. The offending clauses are nothing more and nothing less than a piece of negotiating leverage, which we now know will be dropped the moment a satisfactory resolution is found to the questions that the Joint Committee is properly considering. That was confirmed in the Prime Minister’s statement this afternoon.

The Prime Minister’s dilemma with this Bill and, indeed, with the talks is best explained in this way. Four and a bit years ago, he famously decided to publish the second of two articles that he had written about Brexit. One of them was for leaving the EU, and the other was against. When he made that decision, he climbed on the back of what I would describe as the Brexit tiger. It has taken him on quite a journey—it has taken him through the door of 10 Downing Street, which I am sure was his hope, but there is just one problem: it is not entirely clear he knows how to get off the tiger in order to secure a deal. He is the prisoner of the fateful decision that he made.

It is not that he was not aware of the consequences, because thanks to Tim Shipman, we now know what he wrote in the other article, which was not published. He said:

“Almost everyone expects there to be some sort of economic shock as a result of a Brexit. How big would it be?”

Well, we know the answer, because the Government have done their own economic assessment, and we saw what the Office for Budget Responsibility reported a couple of weeks ago: the economy is hit either way, but it is much worse if no agreement is reached.

The question now for the House and for the negotiators is, how do we get out of this? It is clearly not by the clauses that the Government are seeking to put back in the Bill. One of the reasons why the Government are having so much trouble with the level playing field negotiations is the existence of those clauses. Let us think about this for a moment. Why do Ministers think that the EU negotiators are so keen to tie down commitments that both sides will be asked to give in the negotiations? It is for the very simple reason, as my right hon. Friend the Member for Doncaster North (Edward Miliband) made clear in another brilliant speech, that we have shown that we are not to be trusted to keep our word. If a country is in the process of negotiating a new international treaty, it does not do wonders for its credibility if it is busy preparing to tear up part of the previous treaty that it negotiated with the same partners and signed just over a year ago.

The other issue is sovereignty, about which we have heard an enormous amount today. If sovereignty is absolute, and if we were to take it to its logical and absurd conclusion, for example, why should we be negotiating on fish at all? Would not giving any of “our fish”, as some people describe it, be a betrayal? If sovereignty is absolute, what are we doing in the World Trade Organisation? As the right hon. Member for North Somerset (Dr Fox) knows only too well, the WTO has a dispute resolution body that gives other countries, if they win a case against the UK, the ability to impose countervailing measures upon us, including tariffs. How could that be acceptable to a sovereign country that claims complete sovereign control? The truth, of course, is that sovereignty is not absolute. It is what we choose to do with it that matters, and we cannot avoid that choice. We cannot avoid that choice in these negotiations, because the only way out of this mess, in the interests of the country, is for both sets of negotiators to grasp the heavy responsibility that they have at this moment to make the choices that will secure the deal that the country desperately needs.

In conclusion, since German car makers, as was once rather fancifully suggested, are not going to turn up late in the day to rescue the negotiations, a bit like Blücher at Waterloo, we have to save ourselves. That is what we have to do at this point. Whatever the bluster, I simply say to those on the Front Bench that the country will not forgive this Government if they impose no deal upon us.

Sir Bernard Jenkin: It is always an enormous pleasure to follow the right hon. Member for Leeds Central (Hilary Benn). For decades, the EU was a train that we had to stay on, and now Brexit is a tiger that we have to get off. There is not time to re-engage in the old arguments about sovereignty, but it was very telling that he thought the importance of sovereignty was what a country chooses to do with it, not what it is imposed with. There is no international organisation of which we are a member in the world that is like the EU, which imposes its will on us through our own laws and courts; every other international body—such as the WTO, to which the right hon. Gentleman referred—is a voluntary association governed by international law, which is a completely different matter.

7.15 pm

The other place has excelled itself in revising the Bill. Is it a revising Chamber, or has it become an opposition Chamber? Much attention has been concentrated on part 5 of the Bill, but I wish to talk briefly about the devolution aspects. I say to the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) that there is only one party in this Parliament that wants to take a wrecking ball to the devolution settlement, and it is the SNP. Every other party wants devolution to work. The other difference between the hon. Gentleman and me is that I opposed devolution in the 1997 referendum, but since then I have been a supporter of devolution because I accept the results of referendums. The hon. Gentleman accepts neither the referendum on Brexit nor the 2014 independence referendum. That is the difference between him and me: I am a democrat and he is something else. It is time that we called a spade a spade.

I have some sympathy for those who believe that the Bill is somewhat unfinished as we vote on it and send it back to the other place. We want better devolution arrangements.

When I presided over the Public Administration and Constitutional Affairs Committee, which I no longer chair, we produced several reports on how to ensure a more stable and productive devolution settlement, which is not represented by what the House of Lords has sent us in this Bill. For example, the Lords have taken out clause 8(7) and thereby removed the Government's power to make regulations, but the new subsection (7) requires the Government to consult the devolved Governments about the regulations under “Subsection Removed”—as it says—and the Lords have obliged the Government to obtain consent from the devolved Governments for such regulations. There has to be some understanding that consultation is good, but the veto of one part of the United Kingdom over another part of the United Kingdom makes the settlement unworkable. Of course, that is what the SNP wants—it does not want a workable settlement.

I am struck by Lords amendment 60, which I think contains the seeds of a better method of operation. It talks about appointment to the Office for the Internal Market panel and suggests:

“Sub-paragraph (2C) applies if consent to an appointment is not given by any of those authorities within the period of one month beginning with the day on which it is sought from that authority.”

It also says that the Secretary of State may in the end make that appointment, but has to give reasons as to why they do not accept the views of the devolved authorities. We need new methods of consulting with each other and they need to be inter-parliamentary methods as much as intergovernmental methods. Those inter-parliamentary methods should scrutinise the decisions that are being made on behalf of the whole of the United Kingdom that affect the devolved Governments and Parliaments. That is where the development needs to be, with rather less hysteria and hyperbole. For the official Opposition to protest that we should uphold the principles of devolution and say, “I love the United Kingdom,” and then whip up the fury about this Bill is just to feed the nationalist beast. It is about time they stopped doing it.

Sammy Wilson: As the hon. Member for Harwich and North Essex (Sir Bernard Jenkin) pointed out, one of the most important principles of the United Kingdom is to have a common market and trade between the different parts—that is where the prosperity that attracts people to be part of the United Kingdom comes from. My view, which I have expressed in the House many times, is that the withdrawal agreement undermines the United Kingdom's economic integrity as well as of course undermining its constitutional integrity, because as a result of the withdrawal agreement part of the United Kingdom will now have its laws made in Brussels and not in London or, indeed, in Belfast. That is why I believe this internal market Bill is so important. First, it ensures that standards within the UK internal market are maintained and that each part of the United Kingdom, for maybe very selfish, very parochial and even very temporary reasons, may want to make differences in its laws, regulations and standards, and, in doing so, damage not only the internal market but their own markets as well.

When it comes to the controversial clauses, I believe that the Lords have done a great disservice to Northern Ireland. I believe, as someone has already pointed out, that they are strong on assertions but very poor on

[Sammy Wilson]

arguments. The withdrawal agreement, while it promises unfettered access, while it promises that Northern Ireland will remain part of the UK customs territory, while it promises that the integrity of the United Kingdom will be maintained, in reality means that we will finish up with a plethora of trade barriers. We will finish up with laws that are different from the laws in the rest of the United Kingdom. We will finish up with Northern Ireland being part of the EU single market, rather than the UK internal market.

Paul Girvan (South Antrim) (DUP): Does the withdrawal Act that has been put forward or the Northern Ireland protocol included in this Bill not send the message to those who are from the Unionist community, “Your views do not matter, but appease those who are nationalist and republican, and who are only interested in their links with the Irish Republic. Europe has done us a disservice in not giving us free access to both the Republic of Ireland and the UK, and forget about the links we have with the United Kingdom”? That seems to be the message they are sending.

Sammy Wilson: Any agreement that means laws can no longer be made in the United Kingdom, and puts economic barriers between ourselves and our main market, is bound to be a change in the position of Northern Ireland that is totally contrary to the Good Friday agreement, which requires consent.

Some have argued that the Bill puts a safety net in place and that some of the aspects—only some of the aspects; I have to make that very clear—of the withdrawal agreement which could damage the Northern Ireland economy can be countered through the measures in the Bill. That, by the way, is totally in line with the withdrawal agreement itself, which allows the UK Government to act unilaterally where there is economic or societal damage done by the withdrawal agreement. The right hon. Member for Doncaster North (Edward Miliband) said, “Well, there you are. You’ve got your assurance in the withdrawal agreement.” But all the withdrawal agreement states is that the Government will have the right to act unilaterally. They must have the means to act unilaterally. The provision in this Bill gives them the means to act unilaterally. Ministers, notwithstanding what is in the agreement, can make new regulations and new laws that protect the Northern Ireland economy and the Northern Ireland market. That is why it is so essential to have these provisions.

What disappoints me is that we now have the Prime Minister today saying, “By the way, once we have a negotiated settlement and the work of the Joint Committee, then we can withdraw this.” That fails to recognise the nature of what we have entered into. The safety net is there not just for a one-off event, but because we will be continually walking the withdrawal agreement tightrope. Northern Ireland is still going to be subject to the rules of the internal market. Indeed, the withdrawal agreement makes it quite clear that the work of the Joint Committee will go on and on. At any stage, EU officials could demand that checks be placed in Northern Ireland and that UK officials would have to adhere to that. If those demands become unreasonable, we will then need a safety net. If we need a safety net, we do not need it

until these negotiations are over. We need it while any part of the withdrawal agreement and the Northern Ireland protocol is in place.

I would therefore like an assurance from the Minister that if the Government intend to withdraw the safety net—if negotiations turn out fine this week—what protection will there be for Northern Ireland from the depredations of the withdrawal agreement in the future? That is important. I believe that this Bill is essential. The Government owe it to Northern Ireland, having signed a disastrous agreement this time last year. If the integrity of the UK is to be maintained, the provisions in this Bill and, indeed, other provisions will be necessary.

Sir Robert Neill: It is a pleasure to follow the right hon. Member for East Antrim (Sammy Wilson), although I fear that I cannot agree with him on one point. I understand the point of view of those who voted against the withdrawal agreement that they can attack what they regard as its inadequacy. I voted for the withdrawal agreement, as did pretty much everyone else on the Government Benches, and I take the view that one should not deviate or depart from it, save under the most exceptional and pressing circumstances. At the end of the day, despite a great deal of debate, that is pretty much where we have ended up. I would not be comfortable about doing so were it ever necessary. I would not find it attractive. Sometimes, though, events occur in the nature of international negotiations that may render it necessary.

The Government having reflected, as I am glad they did in the Bill’s passage through this House and added the parliamentary lock to clause 56, there is a proportionate means of dealing with such an unwelcome eventuality should it arise. It is not something that we should look to. It is not something that we should desire and it is not something that we should make easy either. It is something that should be done only if a high bar of evidence is met and if this sovereign Parliament—to use a phrase that has been much used—is itself satisfied of that. That is reasonable. It is also not inconsistent with the international law approach under article 46 of the Vienna convention where it is possible, in limited but urgent circumstances, to deviate from an international rule of law if it is necessary to maintain the fundamental internal rule of law of the state. This is not something that has been dreamed up without sound legal foundation, which is why, while I am normally most reluctant to disagree respectfully with two former Lord Chief Justices, Lord Judge and Lord Thomas of Cwmgiedd, both of whom I regard as friends and admire greatly, I do take the view that they take a more restrictive approach than is necessary in this case.

To take a contingent power is not of itself a breach of international law, or of itself a breach of good faith. If that were used disproportionately, or without the sort of checks and balances and proper lock that we have now adopted, I can see that that would be the case. I do not believe that the taking of the power, which has not yet been brought into force and would not be without certain hurdles having been met, itself offends against the principle of the rule of law with every respect. Indeed, I hope that, in that respect, we have managed at all times to adhere to the rule of law. That is why, I am pleased to say, the Government intend to reinstate the parliamentary lock, which was removed by their Lordships as well as those clauses that they found offensive. That was perhaps surprising. I say charitably to my hon.

Friend the Member for Harwich and North Essex (Sir Bernard Jenkin) that it was perhaps seen as consequential and inevitable if we removed the commencement part of part 5, to be kind.

The reality is that, because the Government have committed to, and reaffirmed today that they are committed to, restoring the parliamentary lock and gone further and indicated that, in subsequent related pieces of legislation, they will adopt the same approach, that does show an internal consistency, a logic, in what is being done. The situation makes me, as somebody who was a lawyer before I came here, and will, I suspect, still regard myself after I have left here, not happy but satisfied that the proper tests have been met in these exceptional circumstances. That is why I am content to support the Government in these motions to disagree tonight, but with the very profound hope that this is never necessary, that we never come anywhere near this, and that the Prime Minister is able to achieve a deal. If he does come up with a deal, he will have my wholehearted support, and the support of many others with a like view, because that is by far the best outcome for the whole country, for the Union and for business.

At the end of the day, I do not think that the clauses that the Lords sought to remove actually offend against propriety and, for that reason, I am prepared to support the Government tonight. They have shown willingness to be pragmatic, to make compromises and to listen. That should be something that one should applaud. I hope therefore that we will be able to return the Bill to their lordships so they can perhaps reflect that it is not necessary for them to insist upon their amendments.

7.30 pm

Alison McGovern (Wirral South) (Lab): It is a pleasure to follow the hon. Member for Bromley and Chislehurst (Sir Robert Neill). I feel that if anybody has a chance in this place of persuading the vast ranks of angry Lords in the other place that my right hon. Friend the Member for Doncaster North (Edward Miliband) described earlier, it is him. Unfortunately, even he does not have much of a chance given the levels of consternation down the corridor at the clauses in particular that we have been discussing.

Unfortunately, to add insult to injury, this afternoon—while we have been debating—the Prime Minister has given the game away, because he has said that if the negotiations that we are all very concerned about are completed in a positive way, these clauses will not even be needed. I am worried about that because, as any parent knows, when it becomes clear that it is just a negotiation tactic and you do not really mean it, you have already lost. More seriously, I listened to the right hon. Member for East Antrim (Sammy Wilson) describe the situation—he and I do not agree on much politically, I would think—and he said that, if these clauses are really needed, they are needed. If they are just able to be removed, depending on the negotiations, they are not really needed, and that is at the heart of the problem.

Their lordships have explained why the rule of law matters for its own sake. I am no great legislative or legal theorist, but I know why the rule of law matters for all our sakes. It is because of the terrible economic impact of the current situation that we all face. Unfortunately, the Chancellor, when he gave his statement last week, did not make much of it, but the OBR

described it in all its horrendous glory—that on top of the gruesome impact of the pandemic on jobs and the economy of this country, the situation that we are facing next year with Brexit could be horrendous.

This matters, because this Bill describes exactly how economies function by common rules, by frameworks applying consistently to markets over space and time. They do that because there are institutions that police those rules, and therefore the institutions that we create matter, and the trust in those institutions matters. They matter not just for their own sake, but for the markets that they underpin, the jobs of the people who work in them and the fate of the people who are part of them. Every step that we take either builds those institutions or knocks them down. Every action creates trust or undermines that trust. Because trade is a repeated exercise, as others have mentioned, all of this debate makes it harder for us to agree new institutions, new frameworks and new rules in the future. That is how our reputation as an international party is won or lost. I know this: when we engage in this kind of madness, there is always a price, and not just some kind of theoretical, legalistic nicety of a price. There is a price in jobs for my constituents and there is a price at the shops every time my constituents do their shopping. So we can have no more of this.

Finally, on devolution, we have heard about the deep consternation among those in the devolved institutions about the clauses in the Bill that relate to them. It is about time we realised the connection between unpredictable and unreliable action from the UK Government, and the deep dissatisfaction in the constituent parts of the United Kingdom. I speak not only having heard those from Scotland, Wales and Northern Ireland; I speak from Merseyside, where European structural funds made a profound difference to our economy. Why? Because the investment was predictable; it was possible to understand why that investment was being made; and it was possible to understand what would happen to that investment for the future. The European Union was a reliable investment partner. If the UK Government choose never to be reliable, the people in this country will pay the price.

Madam Deputy Speaker (Dame Eleanor Laing): After the next speaker, the time limit will be reduced to four minutes. With five minutes, I call Andrew Bowie.

Andrew Bowie: It is a pleasure to speak in this debate and to follow the hon. Member for Wirral South (Alison McGovern).

There is a distinct sense of déjà vu today. The House of Commons is debating Brexit legislation, and the Prime Minister is locked in talks with the President of the European Commission regarding our exit from and future relationship with the European Union, so hon. Members will forgive me if I break out into a cold sweat when the Division bell rings later today. It will bring back some rather tense memories for me in this place.

I will focus my remarks today on the devolution aspects of the Bill, but I want first to say a bit about the common frameworks. We know that there is still work to do regarding common frameworks. The Government and the devolved Administrations have already agreed the principles that will guide the development of common frameworks. Indeed, Lords amendments 1, 19 and 34 address the issues. However, I do not agree with

[Andrew Bowie]

those amendments, as they would have the effect of undermining the UK Government's ability to set new rules and divergence through modifying appropriate exemptions to market access rules, and the power to ensure unfettered access for Northern Irish goods into Great Britain. That is why I will be opposing those amendments this evening.

Let me turn to devolution. It was a real pleasure to listen to the right hon. Member for Doncaster North (Edward Miliband). I believe him when he says that he is a passionate advocate for our United Kingdom. I remember him campaigning in the referendum in 2014. I disagree with him, however, because this is a very good Bill for the Union of the United Kingdom of Great Britain and Northern Ireland. I know that because the SNP is so vehemently opposed to it. If this was not a good Bill for our United Kingdom, they would of course be supporting it. This Bill is good for business, good for jobs and good for people, and it will bind the United Kingdom closer together. This Bill will deliver a significant increase in decision-making powers to the devolved Administrations. There will be no power grab, as we have heard time and again.

Joanna Cherry: The hon. Gentleman has repeatedly said that there is no power grab, but Lord Hope of Craighead, who is very widely respected in Scotland and across these isles, said in the Lords that when the SNP described the Bill as a power grab, he initially thought it was “hyperbole”, but

“having read the Bill and...report of the Constitution Committee,” — [Official Report, House of Lords, 19 October 2020; Vol. 806, c. 1361.]

he could very well see why the expression “power grab” is being used. Who is right: Lord Hope or the hon. Gentleman?

Andrew Bowie: There is disagreement about this Bill, of that there is no doubt. But we have debated this matter time and again in this place and in other places, and every time that it has been put to the Scottish National party, the Scottish Government or anybody else who opposes the Bill that the term “power grab” is false, they cannot in any way describe one power that is being taken away from the Scottish Parliament.

Joanna Cherry rose—

Andrew Bowie: I will give way because I like and respect the hon. and learned Lady.

Joanna Cherry: It is not as simple as listing a power. [Interruption.] No, it is the whole scheme. This is not my view. It is the view of Professor Michael Keating, a very well respected constitutional expert across these islands. It is about the cross-cutting powers that give not just this House, but this Government, the last say across a whole range of devolved fields that Donald Dewar devolved to Edinburgh.

Andrew Bowie: The hon. and learned Lady knows full well that this place will not have the last say over vast swathes of devolved powers. No powers are being taken back to this place. In fact, we are giving more than 70 powers to the Scottish Parliament and the Scottish Government as a result of our leaving the European

Union. Professor Keating, who I know very well, as he was a professor of politics of mine at the University of Aberdeen, knows that it will not be the first time I have disagreed with him on such a point.

Sir Bernard Jenkin: Will my hon. Friend give way?

Andrew Bowie: I will not, because I know there are far more people who want to speak.

It is not just me who says it is not a power grab. Former SNP deputy leader Jim Sillars said:

“Nicola Sturgeon has been dancing up and down on the ball saying, you know you're stealing powers from us. The irony is that if she gets these powers, she wants to hand them all back to Brussels. That's a massive contradiction in her policy position.”

The hon. and learned Member for Edinburgh South West (Joanna Cherry) cannot shake her head and disagree with that, because that is a fact.

Joanna Cherry: Will the hon. Gentleman give way?

Andrew Bowie: I am afraid I cannot, because we have not got very much time.

This Bill will amount to more money being spent in Scotland. That is a fact. As a result of the Bill, no powers are being taken away and the Barnett consequential will not be affected. Jobs will be safeguarded as a result of the Bill. It does amuse me to hear Members of the Scottish National party defending and supporting amendments being put in the other place. I wish the Scottish National party would one day come in here and stand up for democracy and the democratically elected Chamber of this United Kingdom. When will the Scottish National party defend the democratic will of the British people?

I seriously urge SNP Members to reconsider their support for the Lords amendments and to stand up for the Bill because it is good for Scotland. But I know they will not. Frankly, the Scottish National party and the Scottish Government do not care that the Bill protects jobs and is good for business and for the country because it binds the United Kingdom closer together. That is why they do not like the Bill: it binds the United Kingdom closer together. That is the truth of it. They do not want the internal market to succeed. They do not want it protected. They do not want the United Kingdom to succeed, and they will sacrifice Scotland's prosperity, Scottish jobs and anything else, as long as they achieve their aim of undermining the United Kingdom and achieving separation.

As if to make my point, on BBC Radio Scotland's “Good Morning Scotland” today we heard from Mike Russell, the Minister for constitutional affairs in the Scottish Government. Like the hon. and learned Member for Edinburgh South West—I congratulate her on her election, by the way—he is a member of the national executive committee of the Scottish National party. He said that the Scottish National party will not vote for a Brexit deal even if one is achieved. The SNP would vote against the deal. It has not even seen a deal, but it would rather say no, because it thinks that will further the cause for separation. SNP Members want the United Kingdom to fail, and that is why they are against the Bill this evening, and that is why they will vote against the Brexit deal if we get one in the coming days.

We want to level up the United Kingdom and, as my hon. Friend the Minister has set out, that is why we are disappointed that their lordships have in amendments 48 and 49 attempted to remove the power of the UK Government to intervene to provide financial assistance across the United Kingdom. It is a fact that former EU assistance powers now rest with the UK Government. It is right that through the UK prosperity fund, and with consultation with the devolved Administrations, we have the same powers now that the European Union had previously.

I have great respect for my hon. Friends and, indeed, some Members across the aisle for supporting the Lords amendments tonight. I disagree with them, but they have principled objections to the Bill, as do many of their lordships. Although I respect the hon. and learned Member for Edinburgh South West personally, I am afraid I do not respect the position of the Scottish National party, which, as ever, is opportunist, divisive and seeks only to further the aim of breaking up our country, with everything that that means. I will back the Government today because this Bill binds our country closer together and is good for trade, good for jobs, good for people, good for Scotland and good for our entire United Kingdom.

Sarah Olney (Richmond Park) (LD): This was a controversial piece of legislation on Second Reading, so it is no surprise to find that our noble Friends in the other place have made historically substantial amendments to it. It is probably a sign of the remarkable times we are living in that the Government should attempt not only to table legislation that effectively breaks the law, but to do so in such a way as to destabilise a critical bilateral negotiation, the outcome of which will have a major impact on the life of every single UK citizen.

According to announcements made while we have been here in the Chamber, the Government have so far been unable to conclude our negotiations with the European Union over a future trading relationship. To proceed with this legislation when these critical discussions are at such a crucial stage ought to be unthinkable, were it not for the fact that the Government have routinely ridden roughshod over every convention, broken faith with every promise and undermined every pillar of our society when they threatened to stand in the way of Brexit.

I feel somewhat relieved therefore that their lordships have inserted some normality into proceedings by taking as their first principle that legislation and legislators should not break the law. The Liberal Democrats wholly endorse their amendment that removes the whole of part 5 from the Bill, and we oppose the Government's motion to reject the amendment.

Since 2016, the Conservative Government have repeatedly ducked the difficult choices required following their decision to implement the referendum outcome in the most damaging way possible. Many of us thought that these choices would finally have to be confronted once Brexit stopped being a right-wing dream and became a reality, but it comes as no surprise that the Government will break the law and destroy our international reputation in order to delay unpleasant reality for a little while longer.

We do not know what unintentional consequences will be unleashed by reinserting this clause into our national legislation, but if we as a nation break treaties,

act in bad faith and undermine our international relationships, we should expect there to be a price to pay. This is a recklessly foolish action at a time when we urgently need to build and strengthen our links with other countries, not just because we need new trade deals, but because we urgently need co-ordinated global action to defeat coronavirus and fight against climate change.

7.45 pm

It is not as if the Bill, in undermining our international standing, compensates by strengthening our internal Union; quite the reverse. I welcome their lordships' amendments that assert the primacy of the common frameworks process over the provisions in the Bill, and I oppose the Government's motion to reject them. The common frameworks approach was developed to enable the four nations of the United Kingdom to agree together how these powers should be exercised in the UK. Considerable work has already been undertaken to develop these frameworks and, more importantly, this work has provided a forum for all the devolved nations to discuss their future operations on an equal footing. Who can be in any doubt that this Government resent power being wielded in the UK by any group other than themselves, or that the Bill deliberately seeks to give the UK Government the power to overrule any other authority?

My particular concern is that the common frameworks process can act, much as the European Union does, to encourage all participants to raise mutual standards—economic, environmental and agricultural—rather than undercutting to compete, and that the unamended Bill enables the standards in one country to apply in all, permitting a race to the bottom that will disadvantage local economies.

Passing the Bill without these Lords amendments will send a clear message to voters in Scotland, Wales and Northern Ireland that the UK Government regard them with contempt. This message will only provide a boost to nationalists who wish to break up the United Kingdom, making each constituent nation still poorer and less powerful than we are already being rendered by our departure from the European Union.

To conclude, I welcome the Lords amendments to the Bill, as they seem to recognise the great diplomatic and constitutional danger that this legislation represented in its original form, and the Liberal Democrats will oppose Government attempts to overturn them.

Mr David Jones (Clwyd West) (Con): I will, if I may, focus on the amendments that seek to remove the entirety of part 5 of the Bill, which is its most controversial part because of the remark by my right hon. Friend the Secretary of State for Northern Ireland that it would breach international law. That remark proved as incendiary in the other place as it did in Brussels, and I can well understand the consternation that greeted it at the other end of the corridor. However, we must remember that the purpose of the Bill, as the right hon. Member for East Antrim (Sammy Wilson) pointed out, is straightforwardly to ensure that trade can flow freely within the internal market of the United Kingdom.

The internal market is specifically preserved and protected by the Act of Union 1800. Equal access to the internal market is therefore a constitutional right of the people of Northern Ireland, as, in due course, will be parity of treatment in the future trade relationship with the European

[Mr David Jones]

Union. Pursuant to the Belfast-Good Friday agreement, that right should not be disturbed without the consent of the people of Northern Ireland. However, considerable difficulties arise under the terms of the withdrawal agreement and the Northern Ireland protocol. It became increasingly clear during the negotiations with the European Union that the EU was intent on using the provisions of the withdrawal agreement as leverage in the negotiations on the future relationship. Those provisions could disrupt UK state aid policy and cause considerable friction in trade between Northern Ireland and Great Britain.

Part 5 of the Bill, and the forthcoming Taxation (Post-Transition Period) Bill, therefore seek quite properly to neutralise that potentially detrimental effect. However, it must be remembered, as my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) pointed out, that the powers in part 5 do not come into effect until such time as the Secretary of State makes a commencement order, and that can happen only with the approval of this House.

The Government have a positive duty to safeguard the integrity of the UK's internal market, and to take whatever action is lawful in order to do that. The Bill gives the Government the power to take necessary action to neutralise the abusive implementation by the European Union of the provisions of the withdrawal agreement, including the Northern Ireland protocol. Furthermore, the same provisions safeguard against the potential breach of the Belfast-Good Friday agreement by ensuring that the constitutional rights set out in article 6 of the Act of Union are not infringed.

There can be no doubt as to the constitutional propriety of Parliament enacting these provisions. Parliament is sovereign; that is the fundamental principle of the constitution of this country. Moreover, and importantly, it is a principle that is specifically reasserted in section 38 of the European Union (Withdrawal Agreement) Act 2020, the statute that brought the withdrawal agreement into domestic law, notwithstanding the direct effect provisions of the withdrawal agreement.

It is to be hoped that a free trade agreement will shortly be concluded. If it is, there will be no need to trigger the powers in part 5 of the Bill, but as my hon. Friend the Minister pointed out, this Bill acts as a safety net. It is therefore clearly in the national interest that these provisions be reinstated in the Bill, and I urge hon. Members to vote accordingly this evening.

Mr Tobias Ellwood (Bournemouth East) (Con): My 10-year-old son asked me what we were debating this evening. I confessed it was Brexit, to which he replied, "Not again! Haven't you been doing that for a while?". I tried to come up with an analogy to explain why we are still doing this, and I compared it with the Apollo programme, which had a commitment, an obvious mission—to land a man on the moon—a clear tactical goal with a strategic objective. Our 2016 referendum could not have been more different. Think back to the question that we were asked: "Should the UK remain a member of the European Union or leave the European Union?". In the case of the moon landing, the difference between success and failure was clear to absolutely everybody, but what "leave" meant was never formally articulated or agreed.

The world watched with trepidation as Apollo 11 completed its mission, targeting not just the moon, but a specific place on its surface. Years later, a global audience would witness another journey into the unknown. This time, it was Brexit that was given the green light to launch—but without our formally agreeing a specific destination. There was a vast spectrum to land in, and four years later, we continue to dissect the issue in detail. Now, with talks going down to the wire, we have to think the previously unthinkable and prepare for the possibility of no deal. To be clear, I absolutely respect the result of the referendum; I care, though, about where this project lands, and that is what we are discussing today.

If we step back from the details of the battle, we begin to appreciate the impact a no-deal Brexit will have on global Britain. The world order that we helped to create after 1945 and globalised after the fall of the Soviet Union is in decline. Threats are diversifying and becoming more complex at the very time that we are witnessing a decline in western resolve—in what we believe in, stand for, and are willing to defend. As the UK assumes the G7 presidency and hosts COP26, we will have the chance to stand tall with a new White House Administration, invigorated, and the chance to repair our frail world order and contest the rise of authoritarian state and non-state actors, which for too long have been given free rein to pursue their own agendas.

Yet here we are, seemingly willing to retreat from the world stage, potentially distancing ourselves from the continent and, indeed, the US by entertaining the prospect of no deal only a week after we cut our overseas aid budget. Our soft power, arguably the most influential in the world, has already been bruised by the UK's willingness, however good our intentions, to flout international law by breaching the withdrawal agreement. Indeed, we are here today to put back the offending part 5, which was removed by the Lords because of the wider implication that the UK was willing to breach international law.

I am pleased that the Government intend to remove clauses 44, 45 and 47 in the event that a trade deal is confirmed, but it would be an abject failure of statecraft to leave the EU with no deal. If more time is required, so be it. We will live with the consequences for years—indeed, decades. We must summon the political courage to get this right. The west is about to regroup. Our voice, our experience and our leadership are needed on the global stage.

Claire Hanna (Belfast South) (SDLP): It is a pleasure to follow that thoughtful speech from the right hon. Member for Bournemouth East (Mr Ellwood). I have a daughter who is younger than the Brexit negotiations, and I think she would probably concur with his son.

I have been around enough tortuous, protracted negotiations in Northern Ireland to know that when a U-turn is being executed, it is polite to let it be done, so I welcome the apparent acknowledgement that the clauses relating to the breach of the protocol will be removed, but it is fair to point out just how damaging their inclusion was in the first place. That proposal to breach international law has proven to be, as many of us said when we discussed this in September, cack-handed and a massive own goal. Threatening the operation of the protocol again through the Taxation (Post-transition Period) Bill would be equally wrong-headed, reckless

and counterproductive, and I hope that that will be affirmed before legislation is taken forward. The Joint Committee is, as we all know, the place to resolve issues relating to the protocol. Far from showing that the UK is serious about a deal, as the Government tried to do with this Bill, they have shown that it is untrustworthy. That undermined the very UK negotiators who were trying, through the Joint Committee, to get resolution on some of these issues.

It is fair to say that nobody loves the protocol. It is not beloved in Northern Ireland, but it is a response to the challenges presented by Brexit—challenges that we and others have sounded the alarm on for years before and since 2016. It is a response to decisions made on the Government Benches. The irony is that that is the threat to the Union. I see that my colleagues from Northern Ireland are no longer here, but it is worth saying that those of us in the centre and nationalists in Northern Ireland were minding our own business in 2016 when this was thrust upon us. In fact, it is Brexit, laying out the imbalances in the United Kingdom, that is the threat to the Union. Those of us who got into politics not to bang on about constitutional change but to improve people's lives can get on with doing that while others appear to make our case for us.

Neither the EU nor the UK is happy about what the protocol means, so we have to think about how it feels to those of us in Northern Ireland, but it is a necessary protection from Brexit. Businesses do not want it to be repudiated and trashed. They want it to be implemented. Moves such as those we have seen leave Northern Ireland more exposed. They leave us looking vulnerable to those who want to invest and are trying to develop their businesses. The point of the protocol was to take Northern Ireland and its complexities and fragilities off the table and try to manage those, rather than undermine them. It remains a fact—one that is always worth repeating—that if people really want to minimise the friction between Britain and Northern Ireland, the way to do that is a closer EU-UK relationship, but somehow that argument never gets made.

I turn to the amendments. We welcome the clear message that the Lords sought to send about good faith, the rule of law and devolution, including the need to enhance the duty to consult and co-operate with devolved Administrations. I will not repeat the points that I made when we discussed this legislation in September, but it is important to say that devolution—local decisions in local hands—is a fundamental part of the Good Friday agreement. The proposals in the Bill offend devolution, which is supported by people in Wales, Scotland and Northern Ireland. We agree with the Lords' attempt to offer us protection against that direct overrule and trespass on that settlement.

All that is left to say is that it is time to get this done. I regret that in the biggest economic contraction in living memory, no deal is still somehow on the table, and I urge those who have this decision before them to make it and get this sorted.

Katherine Fletcher (South Ribble) (Con): The hon. Member for Belfast South (Claire Hanna) is a big act to follow. I rise to talk about the Lords amendments to part 5 of the Bill. Without this part of the Bill standing as it was originally intended, the United Kingdom risks being divided. We could get into a position where goods

and services from Northern Ireland are treated differently from those in the rest of our Great Britain. That cannot happen. As Conservatives, we have a manifesto commitment, barely a year old, to give Northern Ireland unfettered access to Great Britain's markets. Article 6 of the Northern Ireland protocol also states that. The Good Friday agreement states that Northern Ireland's constitutional status cannot be changed without the consent of both communities. Even the Acts of Union 1800 stated it.

As an MP in the north-west of England, I know that the people of Northern Ireland are closely entwined with us, both geographically and culturally. It is a short ferry ride or a quick hop on a plane, and barely a street, let alone a community, does not have someone with an Irish accent. They are not separate; they are part of a wonderful whole, and for artificial lines to be drawn across our shared sea is unconscionable. For a business in Northern Ireland to have customs checks for its products, or to be treated differently, is not something I would propose, consider, or support.

8 pm

We need a safety net. For example, the best cake makers in Northern Ireland must be able to source Welsh ingredients, ship them across the Irish sea from an English port, and return their delicious wares to the tables of Glasgow and London, without reams of paperwork, extra charges, or big delays. The measures in the Bill ensure that it will be illegal to introduce new checks on goods and services that have been brought about by rules created outside our proud Union, and rightly so. We are not being obdurate; we have agreed some checks that are reasonable and deliver on our commitment to ensure that phytosanitary checks are put in place. We have built centres by ports, as we should, to ensure that crop and animal disease cannot spread.

The Bill eliminates the possibility of external rules and controls being used to damage UK business. There is a risk that article 10 of the Northern Ireland protocol, agreed with the EU, could be used to take a nit-picky view to the approach of state aid. For example, should one of Lancashire's fine manufacturing businesses need a bit of financial help to restructure and then sell its big shiny products or machines to a firm in Northern Ireland, without those changes, or an agreement that makes the provision defunct, it would be possible for the EU to claim that that breaks the rules. Nonsense! That would be overreach on a grand scale, and the Bill, unamended, prevents such problems before they manifest.

Finally, the Bill ensures that the Parliament of the United Kingdom has a vote, as it should. Before any powers in the Bill can come into force, they must be agreed in this House by a vote on behalf of all the people of these lands. An agreement with our friends, should we not need these provisions, would be wonderful—we will have an agreement and they can be removed. Altogether, that is enough for me to support the Bill, and I will be voting for it tonight.

Bambos Charalambous (Enfield, Southgate) (Lab): It is a pleasure to follow the hon. Member for South Ribble (Katherine Fletcher).

Noble peers in the other place have given the Government a chance to reconsider the irreparable damage that passing the Bill will do to Britain's international reputation

[*Bambos Charalambous*]

by undermining the rule of law. We must be clear that using the powers in the Bill will break international law, and attempts to justify that by saying that it will be done only in a limited and specific way are laughable. When it comes to deciding what the impact of the Bill will be, I prefer to listen to two Lord Justices and five former Prime Ministers regarding the rule of law.

The Bill will also affect Britain's ability to influence matters globally. As the former Conservative party leader Lord Howard asked: how can the UK reproach Russia, China and Iran for their conduct, when it is prepared to break international laws? That runs contrary to the principle of good faith set out in the Vienna convention on the law of treaties, which governs so many international treaties and allows nations to enter agreements with free consent and good faith.

Why should anyone trust negotiations by a nation that gives itself permission to go back on its word? I think we found the answer to that today, when the Prime Minister decided that he would remove the offending clauses if a deal is done. Such a stance is hampering negotiations by fostering mistrust in other nations. Is that not a further erosion of Britain's place in the world? The rule of law, keeping one's word and the sanctity of treaties were once bywords for Britain's respectability, yet we now see a Government who are trashing Britain's reputation. The Lords recognised that, which is why they voted to remove part 5 of the Bill.

Measures in part 5, which peers rightly voted to exclude, give Ministers the power by secondary legislation to disapply powers to Northern Ireland, in clear breach of the Northern Ireland protocol. In doing so, Ministers will, without any scrutiny, be able to subvert the rule of law and break international law. The measures in the Bill are also contrary to the dispute resolution articles in the withdrawal agreement.

Government Members have in recent weeks been complaining about the lack of scrutiny and opportunity to challenge the Government's restrictions imposed on England due to covid-19, yet they seem blithely willing to surrender power to the Executive and have Ministers make decisions away from Parliament. This is not so much taking back control as relinquishing all power. What is worse is that the measures will be put beyond any meaningful judicial review.

The United Kingdom Internal Market Bill is a bad Bill, which the noble Lords in the other place have tried to salvage. There can be no rational dispute with the logic that they have applied in trying to get part 5 removed. The Bill disregards the rule of law, trashes Britain's international reputation and gives power to the Executive, away from parliamentary, public and judicial scrutiny. The Lords amendments go some way to fixing this mess, but if the Government seek to disagree with them I will vote against.

Liz Saville Roberts: It is an honour to follow the hon. Member for Enfield, Southgate (*Bambos Charalambous*). I have spoken on numerous occasions about the invidious creeping damage that the Bill will do to devolution; therefore the decision to press ahead without changing course, while unsurprising, does nothing but drive home the disregard that the Government have for Wales and its people.

First, the Bill attacks the devolution settlement by hollowing out and reserving the Senedd's powers—powers for which the people of Wales have voted not once but twice. This is not merely an abstract argument about constitutional arrangements; the Bill paves the way for the deregulation of goods and services. That means that in the coming years we can expect a weakening of devolved standards in Wales, with bad consequences—from substandard beef finding its way into the diets of people in Wales to landlords providing inadequately regulated services in the private rented sector.

Turning to the Lords amendments, I support the exemptions from market access principles for existing regulatory divergence, as agreed under the common frameworks approach, as they safeguard existing Welsh standards and policy divergence, such as the minimum unit pricing for alcohol. However, the amendments do not offer protection to future legislation, and offer no protection, therefore, to future divergence.

The Lords' removal of clauses relating to additional financial powers is also welcome. These measures are completely disproportionate to the aims of the Bill and act as a cover for further centralisation of power by the UK Government. The removed clauses would reserve state subsidy powers to this place, while undermining a future Welsh Government's ability to manage and invest in the economy, cutting across devolved areas such as health, education and housing.

Lord Thomas said it well when he said that clause 42 is unnecessary and

“will enable the UK Government to spend funds in ways that the UK/English Government think best, but which the people of Wales, for example, may have rejected. That is not democracy. In effect, it would give legislative underpinning to the now discredited principle that the Government in Westminster know best”.—[*Official Report, House of Lords*, 2 November 2020; Vol. 807, c. 574.]

The Senedd's Finance Committee has noted that the constitutional and financial implications of the Bill passing unamended would undermine devolution and set in motion the means for the UK Government to reduce the Welsh block grant in future. We should be alert to that. In addition to the Finance Committee, two other Committees of the Senedd have called on the Senedd to withhold its consent to the Bill. Consultation without consent is a deceit. Consultation without the power of veto is worthless.

The removal of clauses in part 5 related to the Northern Ireland protocol is welcome. Plaid Cymru, of course, unequivocally supports upholding our international commitments in the EU withdrawal agreement. The Government's disregard for the rule of law internationally, coupled with their bulldozing of the UK devolution settlement, exemplifies their totalising approach to governance, with power and control at the heart of their *modus operandi*. When the Prime Minister described devolution as a disaster he insulted our young democracy as a disaster. The Bill is entirely consistent with the contempt in which the Government hold Wales. If the Government can talk up sovereignty and taking back control, then Wales can seek our sovereignty, our control and our independence.

Gary Sambrook (Birmingham, Northfield) (Con): I rise tonight to support the Government in their approach to handling the United Kingdom Internal Market Bill, which is incredibly important for this United Kingdom. I shall also speak in favour of disagreeing with the Lords amendments.

There are a couple of reasons behind that for me. The first is the issue of high standards. In this place, we constantly hear lots of myths about what we will be doing with our high standards post Brexit as if the European Union was, of course, some sort of beacon for food and animal welfare standards. We see a live issue with fur in the EU. Back in 2002 we outlawed the production of fur across the United Kingdom, but because of single market restrictions we cannot ban the import of fur across the country. The same applies to things such as live animal exports or the sale of whalemeat. When we leave the single market at the end of the transition period and have our own single market across the United Kingdom, we will be able to ban those things, increasing animal welfare protection to a much higher level than in the EU. We need only look at the last couple of months in Denmark, where we saw millions of mink being culled because of intensive farming that has meant that they have been infected with coronavirus. Such standards, which we would not accept in our own country, are things that we will be able to outlaw after the end of the transition period.

Where the single market has held back the United Kingdom's high standards, the UK will be able to become a world leader when the transition period is over. Earlier, my right hon. Friend the Member for North Somerset (Dr Fox) said that for him the reason Brexit was so important was the constitutional settlement. For me, it is about clauses 48 and 49, which will enable this country to fulfil our manifesto commitment about levelling up. I look at communities across my constituency—I have mentioned MG Rover several times in this place, including on Second Reading—and the opportunities that have been lost there for many years. We can spend this money in the United Kingdom to offer jobs, opportunities, skills and training in communities that have felt left behind for far too long. When we look at places such as GKN Aerospace in my constituency, which unfortunately is closing, we need to look at ways in which we can upskill and retrain people who have worked for 20 or 30 years in the same factory unit, giving them the opportunity to move on and work in new jobs and new industries.

My hon. Friend the Member for Stone (Sir William Cash) set out earlier why it is important that we have this safety net, because the EU has acted in bad faith over the last days, weeks and months. It is important that this Union, through its internal market, continues to provide the economic and social benefits that it does. Seeing the democracy dodging from some of the separatists on the other side of the House, for whom 2,000 people in an opinion poll are more important than 3.6 million people in the 2014 independence referendum and millions of people across this country who voted for our manifesto last year are less important than a couple of hundred unelected peers down the corridor, I think it is very important that we get this Bill through.

Bill Esterson (Sefton Central) (Lab): What are we being asked to do by the Government this evening? We are being asked to break international law, albeit in a "limited and specific" way. It is still breaking international law. It tears up a deal that was negotiated by this Prime Minister, put to the people of this country by this Prime Minister and voted on by every single Member of the governing party earlier this year. It is not just about breaking international law; it is a breach of trust with

the same partners with whom we are now 24 days away from ending a transition period and with whom we desperately need to conclude a deal. Did not those Government Members who are sitting laughing at the prospect of no deal and its effect on the jobs and prosperity of their constituents anticipate the European Union's reaction to the Government's proposal to breach international law? Did they not know that one of the key elements of negotiation is to understand what the negotiating partner will ask for? Is it any surprise that they have asked for level playing field protections, given the breach of faith and the breaking of international law?

8.15 pm

Matt Rodda (Reading East) (Lab): My hon. Friend is making an excellent speech. Does he agree that many people around the country will find it absolutely staggering that the Government can make an agreement one year and go back on it the next?

Bill Esterson: That is exactly right, and it was the right hon. and learned Member for Torridge and West Devon (Mr Cox) who pointed out to Government Members that they all voted for the withdrawal agreement that they now want to abandon. Most people believed the Prime Minister's guarantee—that he had an oven-ready deal for them—when they voted for him in last year's general election. This is not about ignorance or dishonesty, as the right hon. Member for Braintree (James Cleverly) would have us believe; it is about the shameful abandonment of the trust of the people of this country. If no deal is the consequence, people will remember the promise made by Conservative Members when they were elected last year on the back of the Prime Minister's promise.

They must move on from this. They have 24 days left and the clock is ticking. No deal will be disastrous. It will be disastrous for those workers in the car industry, whom the hon. Member for Birmingham, Northfield (Gary Sambrook) mentioned. It will be disastrous for livelihoods and for national security as well. It will be disastrous for security in Northern Ireland if the Good Friday agreement is upended, and it will be disastrous for the prospects of future trade agreements. In the United States, President-elect Biden has already made clear what it would mean to him if the Good Friday agreement is threatened by this Bill.

As for our reputation and authority on the world stage, prior to this debate we had an urgent question on Hong Kong. My hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) mentioned those countries mentioned by Lord Howard. We will be in no position to lecture anyone on the world stage if we go ahead and break international law. Our credibility will be shot. How will investors be able to trust that their investment will be safe in this country if we are prepared to tear these things up so readily? Who will trust our word? Who will believe anything we say? Who overseas will believe in this country?

Our people deserve better than this. For the sake of the jobs and livelihoods of the people I represent and the people that those on the Government Benches represent, I say to the Government: do not allow no deal to happen. If they fail, the British people will remember who was responsible and they will blame the Prime Minister. They will hold him responsible and they will hold Conservative Members responsible, too.

Marco Longhi (Dudley North) (Con): The withdrawal agreement, as agreed by the UK and the EU, contains a statement, under section 38 of the European Union (Withdrawal Agreement) Act 2020, that preserves parliamentary sovereignty. To be clear, section 38 states:

“It is recognised that the Parliament of the United Kingdom is sovereign”,

despite sections 1, 5 and 6. This means two things in my opinion: that this Parliament is quite within its rights to propose its own laws, as the United Kingdom Internal Market Bill does; and that, as a consequence, any such proposal that detracts from sovereign control is contrary to section 38 of the European Union (Withdrawal Agreement) Act itself.

The United Kingdom Internal Market Bill ensures that, if a trade agreement is not possible, sovereignty is preserved, given that the withdrawal agreement does itself detract from parliamentary sovereignty, such as by giving the ECJ binding powers of interpretation. Unfortunately, Lords amendments 48, 49 and 51 are but examples of how sovereignty is diminished, as the EU would control how taxpayers' moneys are spent in the UK. We know that this is a stumbling block for the EU negotiations, and clearly it is the preference of some Members here and in the other place for the EU to retain control.

Much has been reported about control of our fisheries. Control over our territorial waters is important for our fishermen, even though many detractors of this argument seek to ridicule the amount it contributes to GDP. Yes, the contribution to GDP is in fact small, but that is because our fishing industry has been decimated since we relinquished control of fishing rights to the EU. Aside from the GDP argument, those who use it miss the point completely. It is about who exerts control over our waters, and a sovereign nation must have that control. This is what my constituents of Dudley North and the rest of the country voted for.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): To present this appalling Bill to the House once was outrageous, showing contempt for our European friends and neighbours, trampling all over international law and riding roughshod over devolution. To push it through for a second time, deliberately putting back in place all the same flaws as before, is therefore simply shameless, but that is exactly what the Government are attempting to do today by way of these motions to disagree. The Government simply are not listening to some of the most serious, widespread and weighty criticism that any Government Bill has received in recent times, and they certainly are not listening to the devolved Governments and Parliaments. Every single one of the reasons for rejecting this Bill previously remain equally valid now as reasons for opposing these Government motions.

Like others, I will focus on the amendments that relate to international law and to devolution. On the former, the House of Lords did what had to be done by taking out the clear breach of international law and the attack on the rule of law that part 5 represented. It bears repeating again that the Government are expressly asking us to pass legislation in breach of an agreement they signed just months ago with a counterpart they are still negotiating with. That is simply astonishing, and

we cannot let it be spoken about as if this is no big deal or in any way normal. Proceeding in this way represents a

“very real and direct threat to the rule of law, which includes the country's obligations under public international law.”

These are not my words, but those of the Law Society and the Bar Council. When these provisions were first introduced, it seemed simply a totally cack-handed and counterproductive negotiating tactic, but, embarrassingly, here they are still pursuing this reckless possibility and offering up the removal of these clauses as part of negotiations on the future relationship changes nothing. It simply confirms that the Government are happy to threaten to go back on their word as a means of trying to get their own way. What an astonishing way for any Government to behave.

On devolution, all the House of Lords did was to water down the clear, obvious and extensive power grab on devolution. It did this through some modest obligations around consultation and giving the common frameworks process priority over ministerial diktat. It ditched the reservations of state aid and powers to bypass devolved Governments and devolved public spending. It provided greater scope for divergence on environmental, social and other grounds. None of that should be controversial, but, again, shamefully, the Government are seeking to restore the power grab to its fullest extent. Doing so undermines the possibility of policy divergence and the opportunities for the devolved Governments to deliver policies that protect and advance the interests of their citizens, and it restores the grim prospect of a race to the bottom. These Government motions are anti-devolution and they are anti-democratic. Again, they should be rejected.

In conclusion, let us be clear about what these proceedings tell us about the UK Government and the UK constitution. They tell us that Governments can, and that this one will, rip up international agreements signed just months ago. They tell us that power devolved is exactly as was promised: power retained, with the devolved settlement to be amended or deleted at the will of the UK Government. Finally, with the UK out of the EU, the human rights regime under review, judicial oversight under attack, the second Chamber in reality toothless, this Chamber a rubber stamp for the Government, and devolution undermined, we say that the checks and balances on the UK Government have never, ever been weaker. In short, the Bill shows us that the UK's political system and constitution are not fit for purpose, and that the sooner we are out of it, the better.

Fleur Anderson (Putney) (Lab): It is a pleasure to follow the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald).

We are in the middle of a public health emergency and an economic crisis, yet as always the Government are doing their assignment the night before it is due, or maybe later. Now is the time for competence and consensus, so the country can move on and recover. Instead, the Government have introduced legislation that knowingly and openly breaks international law, and will frustrate the process of getting a deal further still. It is unnecessary, it undermines the rule of law, it undermines devolution, it is internationally damaging to our reputation and it threatens to undermine the Good Friday agreement.

I have had 80 constituents write to me ahead of the debate expressing their disgust at what this deal is attempting to do and urging me to support the amendments made in the other place. They are representative of constituents across Putney, across London and across the country. It is not just my local constituents who were left bemused by the first publication of the Bill. President-elect Joe Biden made it crystal clear that the Good Friday peace agreement in Northern Ireland cannot become a casualty of Brexit. He has made it clear that a future trade deal hinges on that. The Bill will end up undermining trust in us as a country.

I therefore urge colleagues to accept Lords amendments to part 5 of the Bill. For those of us who still believe in the rule of law, the amendments are crucial. As the motion from the convenor of the Cross-Bench peers, Lord Judge, stated:

“Part 5 of the bill...would undermine the rule of law and damage the reputation of the United Kingdom.”

He said that by supporting it, Parliament, which is responsible for making the laws and expects people to obey the laws it makes, would be knowingly granting power to the Executive to break the law.

The strength of feeling on this from the learned and noble peers in the other place cannot be ignored. In Committee, Members in the other place voted by 433 to 165 to remove clause 42. That vote was the largest in terms of turnout since remote voting was introduced in the other place and the third largest since the House was reformed in 1999. How can we ignore the disappointment and anger in the other place? How can the Government expect the public to follow lockdown restrictions or China to respect the Sino-British joint declaration when they grant themselves a mandate to break the law? States and citizens alike are going to rightly think that it is one rule for them and another for us.

This is about Britain's reputation, not Brexit. Do we want to be a trustworthy nation that stands by its commitments? Do we want to be able to strike good trade deals with other countries? As we deal with the economic damage inflicted by the pandemic, we need to be winning international friends and not alienating them. Brexit has actually done enough damage already. In my own constituency, businesses have already had to close and jobs have already been lost. Let us not compound that by not accepting the Lords amendments this evening. I welcome the Lords amendments and I urge colleagues, for Britain's sake, to support the Lords amendments to part 5 of the Bill.

David Simmonds (Ruislip, Northwood and Pinner) (Con): I rise to speak in support of the Government and against the Lords amendments. I do so as somebody who campaigned and voted in the referendum for the United Kingdom to remain in the European Union. I believe passionately that a close, positive relationship with our friends and allies is very important to us and very important to them for the future.

However, it seems to me that, in addressing these issues tonight, we need to be enormously pragmatic. Those of us on the Government Benches, when we fought an election and accepted that our plan was to acknowledge the decision of the British people and to put it into effect, accepted the responsibility to make the decisions that would enable that to happen. Taking the stand that the Government are on this matter this evening is, in my view, a crucial step on that journey.

8.30 pm

It is overwhelmingly in the mutual interest of all parties involved for us to reach a deal, and my constituents, who marginally voted to remain in the European Union, have the expectation that I will call for that in this House. It is possible that the leaders of the two parties have already reached such a deal in the negotiations that are taking place today. With such fundamentally different views of the facts on the two sides of this debate, it seems to me that, in the spirit of accepting that responsibility, we need to say, “We have made this decision, we have set this course, we will support our Government and we will achieve the outcome that we need to achieve.”

On so many issues, we have heard concerns passionately raised and articulated—concerns about the impact on refugees and migrants, something in which I have a personal interest; concerns about the impact on business; and concerns about the impact on people's ability to access medicines and healthcare. I have listened carefully, because my constituents are asking those questions as well, to the responses that I have heard from Ministers with responsibility for each of those areas of Government activity, and I am assured that we have measures in place that are sufficient to meet this test: “Are we taking these steps in good faith as a country, in a negotiation that is being conducted in good faith, with all the perils and risks that negotiation inevitably and always involves, but in pursuit of a desirable outcome that both sides, in good faith, wish to achieve?”

It therefore seems to me that it serves no purpose for us to engage, as I accept Parliament previously did when there was a Government without a majority, in so much hand-to-hand fighting and negotiation, point by point, on so many of these issues. Let us draw a line under this matter. Let us make the decision.

I was struck by what my hon. Friend the Member for South Ribble (Katherine Fletcher) said about the practicalities of this. The United Kingdom needs to be ready for whatever the outcome of these negotiations is. We hope for, we expect and we are working towards achieving a deal that is in the mutual interest of all concerned. In the event that that breaks down—as many have commented, that would involve breaches of good faith and potentially of the law on both sides—we need to be ready to ensure, in exactly the way that our friends and allies in the European Union are, that we have the arrangements and powers in place to deal with whatever consequences might come our way. That is why I believe that the Government are taking the right course and I intend to support these measures and vote against the Lords amendments this evening.

Stephen Farry: I want to focus largely on the Lords amendments to part 5 of the Bill and to speak in support of them. I am conscious that we may well be part of a charade this evening, in the light of discussions that are happening elsewhere, but it is surely self-evident that no deal with the European Union can be concluded, let alone ratified, if the offending clauses remain part of the Bill. If we end up with a no-deal situation—I very much hope that we do not—the UK will face huge economic damage and will be forced back to the negotiating table. I think most people privately would recognise that that is the reality. Once again, these issues will have to be addressed and overcome.

[Stephen Farry]

Since this House last debated the Bill, we have had the very welcome election of Joe Biden as President of the United States. It is clear that there is no prospect whatsoever of a trade deal with the United States if there is any threat to the Good Friday agreement, in particular from this Bill or, indeed, the subsequent taxation Bill that may well follow. Obviously, that is of fundamental importance to the UK going forward. I think that the Biden Administration will be very much open to a deal with the United Kingdom, but that will not come at the price of undermining the Good Friday agreement, which Americans of both parties are extremely proud of in terms of their role in and contribution to. The internal market Bill is not helping those negotiations at all. At best it is a distraction from them, and certainly not a source of leverage, but at worst it gives the indication that the UK cannot be trusted with regard to agreements. In particular, if there is a sudden deadlock around issues of governance, the European Union will be very reluctant to give too much in that respect, given the very sad precedent that has been set. Again, the UK is shooting itself in the foot in terms of crucial negotiations.

I want to stress that the majority of the people of Northern Ireland, the majority of Members of the Northern Ireland Assembly and the majority of businesses in Northern Ireland do not want the UK breaking, or threatening to break, international law on their behalf. The outcomes from this Bill are of course very seductive, but they represent a false solution. The only way to address these issues is via the withdrawal agreement and the Joint Committee on the Withdrawal Agreement. To achieve these flexibilities and derogations, we must again look to that word “trust”, which is again being undermined by these actions. That will make it more difficult to reach a conclusion through the Joint Committee processes.

Breaking international law may give some short-term relief to businesses, but it actually ends up hurting them because it puts them in the situation of not having a secure legal environment in which to do business going forward. That is of fundamental importance to businesses. It also potentially risks the return of a border on the island of Ireland. I know that some people want to dismiss that, but the difficulty comes from the fact that if there is not a guaranteed alternative system via the protocol, the pressure from the EU to protect the integrity of its customs union and single market falls back on the island of Ireland. That is one of the key concerns in terms of how the Good Friday agreement may well be breached through this Bill.

Some people seem to think that everything can stay the same as regards how things operate across these islands. The difficulty is that this reflects the choices made by the UK and its Government around Brexit and the nature of Brexit. Northern Ireland is a different place, and because of those choices special arrangements have to be put in place. The backstop was a better alternative, but the protocol is where we have landed, warts and all in terms of the negative consequences from that.

Alan Brown: Yet again we have been reliant on the Lords to try to remedy matters in this Bill, which from the outset has shown a complete disregard both for the rule of law and for devolution. The fact that the Government

are going to overrule the Lords amendments tonight prompts the question: what is the point of the Lords even when it is doing good work?

In this Chamber, right from the outset of the debates on the internal market Bill, we have been treated to Back-Bench Tories standing up and telling us that they are proud Unionists. However, saying that they are proud Unionists wedded to the idea of the United Kingdom and the Union jack while supporting a Bill that rides roughshod over devolution shows that they do not really care about the Union, and they do not care about Scotland, or understand Scotland. That goes for the Prime Minister, in particular. We know that the Lords has Unionists, and the Lords has told the Government that this Bill puts the Union at risk. Are the Government and their sycophants wilfully stupid or just naturally stupid, because they are certainly not listening?

I want to focus on Lords amendments 48 and 49, which aim to delete the clauses with the same numbers. This is the real power grab about spending in Scotland. Lord Hope summarised the debate:

“It is difficult to avoid the conclusion that this Government regard devolution as an inconvenience”.—[*Official Report, House of Lords*, 18 November 2020; Vol. 807, c. 1468.]

As a matter of balance, I will quote Lord Forsyth, who reckoned:

“The...Act of Union...has brought about more than 300 years of prosperity.”—[*Official Report, House of Lords*, 19 October 2020; Vol. 806, c. 1323.]

If the Union has been so successful and brought so much prosperity, why are this Government having to embark on a levelling-up agenda? Why do Scotland and other regions around the UK have to rely on EU structural funds to plug the gaps from Westminster over the years? Incidentally, the EU has never imposed a single project on Scotland against its will, whereas this Bill allows the Government to create projects and spend money against Scotland’s will. Where is the shared prosperity fund anyway? Sadly, it is missing in action.

If the Union was so successful, why are this Government legislating for support for cultural activities, projects and events that Ministers consider benefit the UK and devolved nations? The same goes for sport, education and training activities. What kind of education projects do they want to impose in Scotland? Why do they think that that should be in the Bill in the first place? It is clear that they want to subject us to a Union jack fest, but I can tell the Minister that that will not go down well in Scotland either; actually, it will help our cause.

We have also been told that infrastructure spending will mean additional money coming to Scotland, yet when we look at the spending review we can see that we have just suffered a 5% cut to our capital budget. It is quite clear that that the Government will top-slice the Scottish budget, take some money off and then recirculate it in Scotland with a Union jack. It is so transparent, and the fact that the national infrastructure policy says that the Bill allows the Government to spend directly in the devolved nations tells us that it has been planned all along.

The consequential clause 49 remains a complete affront. Basically, the UK Government can interfere and spend money in Scotland on projects that might not be wanted by the Scottish Government, and clause 49 then allows them to impose repayment conditions on the taxpayers

in Scotland. That is ridiculous—it is a con. Any Scottish Tory who argues that this is not a power grab and who thinks that these conditions are acceptable must be completely devoid of self-respect.

Lord Dunlop, a former Scotland Office Minister, said:

“I hope the Government will think long and hard before overturning in the Commons, on the back of Conservative votes alone, any sensible changes”—[*Official Report, House of Lords*, 2 November 2020; Vol. 807, c. 585.]

There is no long and hard thinking being done on the Government Benches, but there is by the people of Scotland. Those who voted no in 2014 are changing their minds rapidly, because they know the contempt with which this Government treat Scotland.

Ruth Jones (Newport West) (Lab): It is a pleasure to follow the hon. Member for Kilmarnock and Loudoun (Alan Brown). I am pleased to speak in support of the Lords amendments and thankful to Members in the other place for trying to restore a shred of decency to this legislation. Sadly, the Government seem determined to destroy the rule of law, Britain’s international reputation and the devolution settlement that holds the UK together.

The provisions that were removed in the other place would

“enable ministers to derogate from the United Kingdom’s obligations under international law in broad and comprehensive terms and prohibit public bodies from compliance with such obligations”—

not my words, but those of the Law Society of England and Wales. Such a legislative statement would be unprecedented, cutting across the precedent that political and judicial bodies uphold the rule of law.

Turning to devolution, I am deeply troubled to hear that if the Government vote to reintroduce the parts of the Bill that the other place so sensibly removed, the Welsh Government’s proposed ban on single-use plastics would be prevented. That would be another ground-breaking step by the Welsh Government stopped by this Government’s complete disregard for the devolution settlement. If it is plastics first, what next? This legislation will prevent the Welsh Government from standing up for Wales’s interests, legislating to ban chlorinated chicken or hormone-injected beef, or setting higher standards on house building or the environment. By proposing mutual recognition without legally underpinning minimum standards, the UK Government are proposing that the lowest standards chosen by one Parliament must automatically become the minimum standards across all nations.

There are also significant concerns about the financial aspects of the Bill. By legislating to allow the UK Government to spend in devolved areas, the Bill undermines the devolved Governments’ ability to outline their own spending priorities. Of course none of the devolved Governments would be opposed to having more money to spend on their citizens, but this Government have had numerous opportunities to increase the amount received by each Government or reform the Barnett formula, yet they have chosen not to.

This is not kindness, but a cage. The Welsh Government have said that they are open to negotiating common frameworks, but they must be worked out in common and must contain mutually agreed minimum standards. A UK single market is vital to the continued internal

trade of these islands, but if this is how the UK Government go about ensuring it, they will soon be the Government of England only.

The Welsh Government have called the Bill

“an attack on democracy and an affront to the people of Wales, Scotland and Northern Ireland, who have voted in favour of devolution on numerous occasions.”

I implore the UK Government to act as a Government for the whole United Kingdom, not just for themselves.

Joanna Cherry: I want to concentrate my remarks on the Lords amendments in relation to devolution, but first I will say something about the reports that the Government may yet agree to the removal of part 5 of the Bill. That is all very well and good, but the problem is that the damage is done. It is now known across Europe and internationally that this British Government are prepared to break their word on an international treaty in order to get their own way. Of course, we knew that this Government were prepared to break their word in Scotland already—and, for that matter, so did the Irish—but now everyone knows it across Europe and the world, including the new American Administration.

8.45 pm

Let me turn to devolution. I welcome the removal by their lordships of a number of threats to devolution on the face of the Bill. Scotland did not vote for Brexit, but we did vote for devolution, by 74% in the 1997 devolution referendum. This House should not use something that voters in Scotland did not vote for—Brexit—to undermine something that we did vote for, in very large numbers.

The scheme of devolution was very clear. There was a division between reserved and devolved powers. The Lords have seen through the truth twisting of this Government, and the sleight of hand of the Government in drafting this Bill. And do you know what, Mr Deputy Speaker? They agree with the SNP and think this Bill is a power grab. They do not think that Holyrood is getting any new powers, but they see that Westminster is getting back control over state aid and an explicit power to cut across devolved decision making.

What we are seeing here is a rebalancing of the constitutional settlement in so far as devolution is concerned, and it completely flies in the face of what voters were promised in 2014 during the independence referendum, when we were offered a more powerful Parliament, and, indeed, what we were promised by Michael Gove and others during the Brexit referendum campaign. It does not matter that on 7 October all parties in the Scottish Parliament, apart from the Scottish Tories—what a surprise—voted to reject this Bill, because we know now that the Sewel convention is not worth the paper it is written on. This Brexit process has told Scottish voters a lot about the reality of devolution. It has confirmed, if it were ever in doubt, that power devolved is power retained, and the United Kingdom is not the Union of equals that we were told about during the independence referendum, but rather a unitary state where the Executive can do what they like. We also know that Scotland does not lead the UK as we were told in 2014, but rather must follow where England wishes to go, whether we like it or not.

But the good news and the message that Conservative Members—and, indeed, those in the Labour party—should take away tonight is this: 15 opinion polls in a row in

Scotland show that voters now realise what is happening and they do not like it, and a consistent majority of well over 50% want a second independence referendum and they want to vote for independence. The reality is that no matter what this House does tonight, it is increasingly irrelevant to people in Scotland and to the debate that we are having in Scotland. Before long, it will be Scotland's turn to take back control, and we will not do so at the say so of this House or this Government; we will do so at the say so of the sovereign people of Scotland.

Mr Deputy Speaker (Mr Nigel Evans): I call Wera Hobhouse; please resume your seat at 8.50 pm.

Wera Hobhouse (Bath) (LD): The desire and the right of the UK as a sovereign nation to trade unhindered with all its regions and nations is undeniable, but it is what was part 5 of the Bill that is highly politically charged and controversial. It has serious implications for the relationship between the UK and the Republic of Ireland, and, most importantly, represents a direct challenge to the rule of law.

The rule of law is not just a domestic obligation, but applies to our international obligations, including the principles of good faith and co-operation with the withdrawal agreement that the Prime Minister himself signed only a year ago. If the Bill is unamended, it will severely undermine the UK's reputation across the world and have a long-term global effect. Not only will it damage the UK's current trade talks with the EU, which are on a knife edge; it will have severe consequences for any trade deals with any country. So why is it here?

I wonder to this day why those who so uncompromisingly campaigned to leave the European Union ever gave a serious thought about Northern Ireland. At the core of the Good Friday agreement is the ability of the people of Northern Ireland to look both ways—to the United Kingdom and to the Republic of Ireland—and of people, goods and services to move unhindered across boundaries. EU membership greatly facilitated the Good Friday agreement. The balance was always going to be severely upset by leaving the EU, and to this day Tory Governments of any shade have not solved the problem. With the unamended Bill the current Government have chosen the nuclear option not only to upset and destabilise a domestic settlement between all four nations but to blow to bits the remaining good will between the UK and the EU—

Mr Deputy Speaker (Mr Nigel Evans): Order. My apologies to the seven Members who did not get in to speak. I call the Minister.

Paul Scully: I thank everybody who spoke in the debate today and all the right hon. and hon. Members who have engaged with the Bill throughout.

From many speakers, especially at the beginning of the debate, we heard about exactly what businesses and people throughout the country have wanted—the certainty and consistency that the Bill will deliver. Unfortunately, we have heard, as we have throughout the Bill's passage, a lot of inconsistency from Opposition Members. We have heard the SNP talk about the fact that we are not going to get a trade deal with America but, by the way, when we do, we have to accept chlorinated chicken. Neither of those things is true.

We have heard that people want the Government to change and negotiate and work with the European negotiating team, but when we reach out to them to explain what part 5 of the Bill is all about and the fact that we will not need a safety net should we get successful talks in the Joint Committee, it is described as shambolic. Which would people like? Would they like change? I think we want certainty.

People have talked about the need for devolution in Northern Ireland and the need to respect Northern Irish businesses and the parties in Northern Ireland and give their businesses certainty, but Opposition Members will vote against part 5 and, in doing so, vote against unfettered access for Northern Ireland into GB.

We heard an SNP Member describe the UK Government as a boa constrictor, yet they want independence from the UK Government and from the other nations to go back to the boa constrictor that is the EU.

We need the Bill and these clauses now because parliamentary time dictates as much and we want the legislation to be ready for the end of the transition phase, whatever happens in the remaining days of discussions with the EU. I wish both sides well in their discussions.

To conclude, the UK's internal market has been the bedrock of our shared prosperity for centuries. It has enabled businesses and individuals to thrive and has been the source of unhindered and open trade throughout the country. It has helped to demonstrate that our country is greater as a Union than the sum of its parts.

The Government are committed to safeguarding the Union. We fully support devolution and continue to put the Union at the heart of everything we do. I very much believe that the four corners of the UK are stronger together and that the Bill supports and respects the devolution settlements. Some Members have said that the Bill is a threat to devolution, but in reality they are trying to further their narrow political arguments rather than look at the wider political arguments. Their narrow political arguments about independence have nothing to do with devolution.

I stress that the proposals in the Bill are designed to ensure that devolution can continue to work for everyone. All devolved policy areas will stay devolved and the proposals ensure only that there are no new barriers to UK internal trade. Indeed, at the end of the transition period hundreds of powers that are currently exercised by the EU will flow back to the UK. Many of these powers will fall within the competence of the devolved Administrations, and this flow therefore represents a substantial transfer of powers to the devolved Administrations that they did not exercise before the EU exit.

The Bill is vital in preserving our internal market and continuing to provide certainty for businesses as we seek to recover from covid-19, prepare for the opportunities after the transition period and protect jobs. It will ensure that UK businesses can trade across our four home nations in a way that helps them to invest and create jobs, just as they have for hundreds of years. I want to emphasise again that the Government have been, and will continue to be, reasonable in discussions on this Bill. We made many positive changes, and they are on the table, but ultimately the Government need to balance this with the need to deliver a Bill that provides the certainty that businesses want and the need to invest

and create jobs. I therefore call on hon. Members to support the Government in these objectives, which I believe we all share, when they vote today.

Question put, That this House disagrees with Lords amendment 1.

The House divided: Ayes 359, Noes 265.

Division No. 176]

[8.55 pm

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Campbell, Mr Gregory
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman

Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy

Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyins, Andrea
Jenrick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, Mr Marcus
Jupp, Simon

Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McVey, rh Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalf, Stephen
Millar, Robin
Miller, rh Mrs Maria
Milling, rh Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morrissey, Joy
Morton, Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark

Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane

Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Ayes:
James Morris and
Leo Docherty

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Callaghan, Amy
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas

Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davey, rh Ed
 David, Wayne
 Davies, Geraint
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Farron, Tim
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Flynn, Stephen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanna, Claire
 Hanvey, Neale
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John

Hendrick, Sir Mark
 Hendry, Drew
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McLaughlin, Anne
 McMahon, Jim
 McMorris, Anna
 McPartland, Stephen
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James

Nandy, Lisa
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John
 Norris, Alex
 O'Hara, Brendan
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Philipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat

Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Western, Matt
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
Jeff Smith and
Bambos Charalambous

Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Campbell, Mr Gregory
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James

Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinenage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark

Question accordingly agreed to.

Lords amendment 1 disagreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

9.6 pm

Proceedings interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83F).

Lords amendments 8 to 11 disagreed to.

Clause 10

FURTHER EXCLUSIONS FROM MARKET ACCESS
 PRINCIPLES

Motion made, and Question put, That this House disagrees with Lords amendment 12.—(Mike Freer.)

The House divided: Ayes 360, Noes 265.

Division No. 177]

[9.6 pm

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran

Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David

Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lockhart, Carla
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cheryl
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit

Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McVey, rh Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryl
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul

Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig

Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vars, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Ayes:

**James Morris and
 Leo Docherty**

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Callaghan, Amy

Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davey, rh Ed
 David, Wayne
 Davies, Geraint
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debonnaire, Thamang
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan
 Doughty, Stephen
 Dowd, Peter

Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Farron, Tim
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Flynn, Stephen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanna, Claire
 Hanvey, Neale
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben

Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McLaughlin, Anne
 McMahon, Jim
 McMorris, Anna
 McPartland, Stephen
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John
 Norris, Alex
 O'Hara, Brendan
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell

Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth

Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Western, Matt
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
Jeff Smith and
Bambos Charalambous

Question accordingly agreed to.

Lords amendment 12 disagreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Lords amendments 13 to 19 disagreed to.

Lords amendments 30 to 34 disagreed to.

Lords amendment 42 disagreed to.

Lords amendment 43 disagreed to.

Government amendments (a) and (b) made to the words so restored to the Bill.

Lords amendments 44 to 46 disagreed to.

Clause 47

FURTHER PROVISION RELATED TO SECTIONS 44 AND 45
 ETC

Motion made, and Question put, That this House disagrees with Lords amendment 47.—(Mike Freer.)

The House divided: Ayes 357, Noes 268.

Division No. 178]

[9.23 pm]

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth

Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob

Blunt, Crispin	Ellwood, rh Mr Tobias	Jack, rh Mr Alister	Mumby-Croft, Holly
Bone, Mr Peter	Elphicke, Mrs Natalie	Javid, rh Sajid	Mundell, rh David
Bottomley, Sir Peter	Eustice, rh George	Jayawardena, Mr Ranil	Murray, Mrs Sheryll
Bowie, Andrew	Evans, Dr Luke	Jenkin, Sir Bernard	Murrison, rh Dr Andrew
Bradley, Ben	Evennett, rh Sir David	Jenkinson, Mark	Neill, Sir Robert
Braverman, rh Suella	Everitt, Ben	Jenkyns, Andrea	Nici, Lia
Brereton, Jack	Fabricant, Michael	Jenrick, rh Robert	Norman, rh Jesse
Bridgen, Andrew	Farris, Laura	Johnson, rh Boris	O'Brien, Neil
Brine, Steve	Fell, Simon	Johnson, Dr Caroline	Offord, Dr Matthew
Bristow, Paul	Fletcher, Katherine	Johnson, Gareth	Opperman, Guy
Britcliffe, Sara	Fletcher, Mark	Johnston, David	Paisley, Ian
Brokenshire, rh James	Fletcher, Nick	Jones, Andrew	Parish, Neil
Browne, Anthony	Ford, Vicky	Jones, rh Mr David	Patel, rh Priti
Bruce, Fiona	Foster, Kevin	Jones, Fay	Paterson, rh Mr Owen
Buchan, Felicity	Fox, rh Dr Liam	Jones, Mr Marcus	Pawsey, Mark
Buckland, rh Robert	Francois, rh Mr Mark	Jupp, Simon	Penning, rh Sir Mike
Burghart, Alex	Frazer, Lucy	Kawczynski, Daniel	Penrose, John
Burns, rh Conor	Freeman, George	Kearns, Alicia	Percy, Andrew
Butler, Rob	Freer, Mike	Keegan, Gillian	Philp, Chris
Cairns, rh Alun	Fuller, Richard	Knight, rh Sir Greg	Pincher, rh Christopher
Campbell, Mr Gregory	Fysh, Mr Marcus	Knight, Julian	Poulter, Dr Dan
Carter, Andy	Garnier, Mark	Kruger, Danny	Pow, Rebecca
Cartlidge, James	Ghani, Ms Nusrat	Kwarteng, rh Kwasi	Prentis, Victoria
Cash, Sir William	Gibb, rh Nick	Lamont, John	Pritchard, Mark
Cates, Miriam	Gibson, Peter	Largan, Robert	Pursglove, Tom
Caulfield, Maria	Gideon, Jo	Latham, Mrs Pauline	Quin, Jeremy
Chalk, Alex	Gillan, rh Dame Cheryl	Leadsom, rh Andrea	Quince, Will
Chishti, Rehman	Girvan, Paul	Leigh, rh Sir Edward	Raab, rh Dominic
Chope, Sir Christopher	Glen, John	Levy, Ian	Randall, Tom
Churchill, Jo	Goodwill, rh Mr Robert	Lewer, Andrew	Redwood, rh John
Clark, rh Greg	Gove, rh Michael	Lewis, rh Brandon	Rees-Mogg, rh Mr Jacob
Clarke, Mr Simon	Graham, Richard	Lewis, rh Dr Julian	Richards, Nicola
Clarke, Theo	Grant, Mrs Helen	Liddell-Grainger, Mr Ian	Richardson, Angela
Clarke-Smith, Brendan	Gray, James	Lockhart, Carla	Roberts, Rob
Clarkson, Chris	Grayling, rh Chris	Loder, Chris	Robertson, Mr Laurence
Cleverly, rh James	Green, Chris	Logan, Mark	Robinson, Gavin
Clifton-Brown, Sir Geoffrey	Green, rh Damian	Longhi, Marco	Robinson, Mary
Coffey, rh Dr Thérèse	Griffith, Andrew	Lopez, Julia	Rosindell, Andrew
Colburn, Elliot	Griffiths, Kate	Lopresti, Jack	Ross, Douglas
Collins, Damian	Grundy, James	Lord, Mr Jonathan	Rowley, Lee
Costa, Alberto	Gullis, Jonathan	Loughton, Tim	Russell, Dean
Courts, Robert	Halfon, rh Robert	Mackinlay, Craig	Rutley, David
Coutinho, Claire	Hall, Luke	Mackrory, Cheryl	Sambrook, Gary
Crabb, rh Stephen	Hammond, Stephen	Maclean, Rachel	Saxby, Selaine
Crosbie, Virginia	Hancock, rh Matt	Mak, Alan	Scully, Paul
Crouch, Tracey	Hands, rh Greg	Malthouse, Kit	Seely, Bob
Daly, James	Harper, rh Mr Mark	Mangnall, Anthony	Selous, Andrew
Davies, David T. C.	Harris, Rebecca	Mann, Scott	Shannon, Jim
Davies, Gareth	Harrison, Trudy	Marson, Julie	Shapps, rh Grant
Davies, Dr James	Hart, Sally-Ann	Mayhew, Jerome	Sharma, rh Alok
Davies, Mims	Hart, rh Simon	Maynard, Paul	Shelbrooke, rh Alec
Davies, Philip	Hayes, rh Sir John	McCartney, Jason	Simmonds, David
Davis, rh Mr David	Heald, rh Sir Oliver	McCartney, Karl	Skidmore, rh Chris
Davison, Dehenna	Heapey, James	McVey, rh Esther	Smith, Chloe
Dinenage, Caroline	Heaton-Harris, Chris	Menzies, Mark	Smith, Greg
Dines, Miss Sarah	Henderson, Gordon	Mercer, Johnny	Smith, Henry
Djanogly, Mr Jonathan	Henry, Darren	Merriman, Huw	Smith, Royston
Donaldson, rh Sir Jeffrey M.	Higginbotham, Antony	Metcalfe, Stephen	Solloway, Amanda
Donelan, Michelle	Hinds, rh Damian	Millar, Robin	Spencer, Dr Ben
Dorries, Ms Nadine	Holden, Mr Richard	Miller, rh Mrs Maria	Spencer, rh Mark
Double, Steve	Hollinrake, Kevin	Milling, rh Amanda	Stafford, Alexander
Dowden, rh Oliver	Hollobone, Mr Philip	Mills, Nigel	Stephenson, Andrew
Doyle-Price, Jackie	Holloway, Adam	Mitchell, rh Mr Andrew	Stevenson, Jane
Drax, Richard	Holmes, Paul	Mohindra, Mr Gagan	Stewart, Bob
Drummond, Mrs Flick	Howell, John	Moore, Damien	Stewart, Iain
Duddridge, James	Howell, Paul	Moore, Robbie	Streeter, Sir Gary
Duguid, David	Huddleston, Nigel	Mordaunt, rh Penny	Stride, rh Mel
Duncan Smith, rh Sir Iain	Hudson, Dr Neil	Morris, Anne Marie	Stuart, Graham
Dunne, rh Philip	Hughes, Eddie	Morris, David	Sturdy, Julian
Eastwood, Mark	Hunt, Jane	Morrissey, Joy	Sunderland, James
Edwards, Ruth	Hunt, rh Jeremy	Morton, Wendy	Swayne, rh Sir Desmond
Ellis, rh Michael	Hunt, Tom	Mullan, Dr Kieran	Syms, Sir Robert

Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, Laura
Truss, rh Elizabeth
Vara, Mr Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Wakeford, Christian
Walker, Mr Robin
Wallace, rh Mr Ben
Wallis, Dr Jamie
Warburton, David

Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Wild, James
Williams, Craig
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Young, Jacob
Zahawi, Nadhim

Tellers for the Ayes:

**James Morris and
Leo Docherty**

NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, Jonathan
Bardell, Hannah
Barker, Paula
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blake, Olivia
Blomfield, Paul
Bonnar, Steven
Brabin, Tracy
Bradshaw, rh Mr Ben
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Ms Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burton, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Callaghan, Amy
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Cherry, Joanna
Clark, Feryal
Cooper, Daisy
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie

Coyle, Neil
Crawley, Angela
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Davey, rh Ed
David, Wayne
Davies, Geraint
Davies-Jones, Alex
Day, Martyn
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doogan, Dave
Dorans, Allan
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Fletcher, Colleen
Flynn, Stephen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gale, rh Sir Roger
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Glendon, Mary
Grady, Patrick

Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanna, Claire
Hanvey, Neale
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hill, Mike
Hillier, Meg
Hoare, Simon
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacAskill, Kenny
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat

McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne
McMahon, Jim
McMorrin, Anna
McPartland, Stephen
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rayner, Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sherman, Mr Barry
Sheppard, Tommy
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sultana, Zarah
Tami, rh Mark
Tarry, Sam
Thewliss, Alison
Thomas, Gareth

Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Western, Matt

Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
Jeff Smith and
Bambos Charalambous

Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinenage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann

Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lockhart, Carla
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cheryllyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome

Question accordingly agreed to.

Lords amendment 47 disagreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Clause 48

POWER TO PROVIDE FINANCIAL ASSISTANCE FOR
 ECONOMIC DEVELOPMENT ETC

Motion made, and Question put, That this House disagrees with Lords amendment 48.—(Mike Freer.)

The House divided: Ayes 359, Noes 55.

Division No. 179]

[9.34 pm

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve

Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Campbell, Mr Gregory
 Carter, Andy
 Cartlidge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James

Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McVey, rh Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul

Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Ayes:
 James Morris and
 Leo Docherty

NOES

Bardell, Hannah
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty

Bonnar, Steven
 Brock, Deidre
 Brown, Alan
 Callaghan, Amy
 Cameron, Dr Lisa
 Chapman, Douglas
 Cherry, Joanna
 Cowan, Ronnie
 Crawley, Angela
 Day, Martyn
 Docherty-Hughes, Martin
 Doogan, Dave
 Dorans, Allan
 Eastwood, Colum
 Edwards, Jonathan
 Fellows, Marion
 Ferrier, Margaret
 Flynn, Stephen
 Gale, rh Sir Roger
 Gibson, Patricia
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Hanna, Claire
 Hanvey, Neale
 Hendry, Drew
 Hosie, Stewart

Lake, Ben
 Law, Chris
 Linden, David
 Lucas, Caroline
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Mc Nally, John
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McLaughlin, Anne
 McPartland, Stephen
 Monaghan, Carol
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Oswald, Kirsten
 Saville Roberts, rh Liz
 Sheppard, Tommy
 Smith, Alyn
 Stephens, Chris
 Thewliss, Alison
 Whitford, Dr Philippa
 Williams, Hywel
 Wishart, Pete

Tellers for the Noes:
 Richard Thomson and
 Owen Thompson

Question accordingly agreed to.

Lords amendment 48 disagreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Lords amendment 49 disagreed to.

Mr Deputy Speaker (Mr Nigel Evans): As Madam Deputy Speaker informed the House earlier, Mr Speaker has given careful consideration to Lords amendment 50, which refers to state aid and the Office for the Internal Market. He is satisfied that it would impose a charge on the public revenue that is not authorised by the money resolution passed by the House on 14 September. In accordance with paragraph (3) of Standing Order No. 78, the amendment is therefore deemed to be disagreed to.

Lords amendment 50 deemed to be disagreed to (Standing Order No. 78(3)).

Lords amendments 51 to 57 disagreed to.

Lords amendment 61 disagreed to.

Lords amendments 2 to 7, 20 to 29, 35 to 41 and 58 to 60 agreed to.

Motion made, and Question put forthwith (Standing Order No. 83H), That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments 1, 8 to 19, 30 to 34, 42, 44 to 57 and 61;

That Paul Scully, Michael Tomlinson, Jo Gideon, Mark Fletcher, Ed Miliband, Gill Furniss and Drew Hendry be members of the Committee;

That Paul Scully be the Chair of the Committee;

That three be the quorum of the Committee.

That the Committee do withdraw immediately.—
(Mike Freer.)

Question agreed to.

Committee to withdraw immediately; reasons to be reported and communicated to the Lords.

Mr Deputy Speaker (Mr Nigel Evans): In order to observe social distancing, the Reasons Committee will meet in Committee Room 12.

PARLIAMENTARY WORKS SPONSOR BODY

Ordered,

That, under the provisions of Part 1 of Schedule 1 to the Parliamentary Buildings (Restoration and Renewal) Act 2019, Sir Robert Syms having resigned as a Parliamentary member of the Parliamentary Works Sponsor Body, Ian Levy be appointed to the Body in his place.—(*Mr Rees-Mogg.*)

Kenyan Civil Service Pensions: Non-payment

Motion made, and Question proposed, That this House do now adjourn.—(*James Morris.*)

9.50 pm

Stephen Timms (East Ham) (Lab): I am grateful to Mr Speaker for granting this debate. I thank the Minister and his colleagues for their assistance to me and other Members—a number are in the Chamber this evening—as we seek justice for our constituents. I hope that tonight's debate might push things a little further.

In April last year, I was approached by my constituent Mr Balbir Singh Sekhon. I have known him since 1984, the year he took up work as a traffic warden with the Metropolitan police and I became his local councillor. He migrated from India to Kenya in 1956. For 18 years, from 1957 to 1975, he was a secondary teacher in Kenya. He was offered and took up British citizenship during that time. For the last 12 of the 18 years, he taught English language and geography at Nairobi Technical High School.

Mr Sekhon retired in the UK 1994. A couple of years later, he asked the Kenyan high commission about his Kenyan civil service pension. He was relieved to learn that he would receive a pension of £1,154.07 per year, paid through Crown Agents. He received monthly payments thereafter—in the year ending 5 April 2019, he received £1,546.45—but then the payments stopped. Crown Agents says it has not been paid by the Kenyan Government.

I wrote to the Kenyan high commissioner in June last year. He replied very quickly, within a couple of weeks, and asked Mr Sekhon to provide “urgently” a number of documents to the high commission. Mr Sekhon did so, but he is still waiting for the money he is owed.

Other Members have constituents in a similar position. My hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) has devoted a lot of effort on behalf of two people, both former teachers in Kenya before they came to the UK in 1975. They claimed pensions in the mid-1990s. Later on, they inquired whether their payments would be adjusted for inflation, and at that point the payments stopped.

I pay tribute to my hon. Friend the Member for Washington and Sunderland West (Mrs Hodgson), who has led this campaign with great energy on behalf of her constituent Mr Sohan Singh. He is in the same position. His Kenyan pension has not been paid since 29 March 2019. Crown Agents says it has not received the payment. My hon. Friend took Mr Singh's case up with the former Minister, the hon. Member for West Worcestershire (Harriett Baldwin). Her advice—to raise it directly with the pensions department of the Kenyan Treasury—was not very helpful. Both Mr Sekhon and Mr Singh had tried that already, without success.

Seema Malhotra (Feltham and Heston) (Lab/Co-op)
rose—

Mr Deputy Speaker (Mr Nigel Evans): Order. Before I call Seema Malhotra, I want to remind everybody of one of the more interesting procedures: because the debate started before 10 o'clock, the Adjournment has to be moved again at 10 o'clock, so do not be frightened when I call order at that time.

Seema Malhotra: I thank and congratulate my right hon. Friend on securing this debate, which, as he said, is a matter of great concern for many of our constituents. I want to acknowledge and thank Mr Mangal Chudha in my constituency, who also brought this matter to my attention, along with two others.

My right hon. Friend just made the point that the UK Minister has told our constituents to write to the Kenyan Ministries. May I raise a concern and ask my right hon. Friend's view on it? When I wrote to the Minister last year, I received this reply:

"While this matter is the responsibility of the Kenyan authorities, the British high commission in Nairobi has written to the Kenyan Ministry of Foreign Affairs and the head of the department for pensions in the Treasury seeking an explanation for non-payment of pensions and lack of increase in line with inflation."

I was very surprised to see subsequent responses to parliamentary questions—for example, that tabled by our hon. Friend the Member for Washington and Sunderland West (Mrs Hodgson). That answer, in February, said:

"This matter is the responsibility of the Kenyan authorities. However, the British High Commission in Nairobi has written to the Kenyan Ministry for Foreign Affairs and the Head of the Department for Pensions in the Kenyan National Treasury seeking an explanation for non-payment of pensions to former Kenyan civil servants and the lack of increase in line with inflation."

Our hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) received exactly the same response in July. Does my right hon. Friend agree with me that it is for the Government to be doing more to support our citizens?

Stephen Timms: My hon. Friend is quite right. There is no evidence of any reply having been received to those inquiries. I do not know how many times the question has been asked, but perhaps the Minister can shed some light on what is going on.

After that initial response, my hon. Friend the Member for Washington and Sunderland West did receive a further letter from the Minister, which explained something that I thought was helpful and worth informing the House of. To quote from the reply to her:

"In very broad terms, HMG accepted responsibility for the pensions of those who were employed in Kenya on expatriate terms (i.e. had paid leave passages outside the country during their employment) and who were not citizens of Kenya on 1st April 1971 or the date of retirement if later. The pension of anyone who did not meet the above criteria above remained the responsibility of the Government of Kenya. This is why some pensions are paid by HMG and others, such as"

the constituent

"by Crown Agents on behalf of the Government of Kenya."

Jim Shannon (Strangford) (DUP): I congratulate the right hon. Gentleman on bringing this forward tonight. He and I talked last week about the issue. Does he not agree that in each constituency, my own included, where we come across injustice that we are unable to correct ourselves—and in a case where, I guess, this House has influence, and the Minister as well—there is a moral imperative that we use it for those we represent, such as his pensioners who have been abandoned by their Government and must not be abandoned by this one?

Stephen Timms: I am grateful to the hon. Gentleman, and I think he raises an important point. Of course, today their Government is our Government; in the past,

they were living under another Government, and we do not quite know what has happened or why these payments have ceased. However, he is absolutely right, and I am grateful for the way he has expressed it: it is right for Members of the House to raise these issues here in the hope that the Government can prevail and that their influence can ensure these payments resume.

There was a further letter to my hon. Friend the Member for Brentford and Isleworth from the hon. Member for Pendle (Andrew Stephenson), who moved to the Foreign Office in the reshuffle that summer, which said, as my hon. Friend the Member for Feltham and Heston (Seema Malhotra) has already told us, that "the British High Commission in Nairobi has written to the Kenyan Ministry for Foreign Affairs and the Head of the Department for Pensions in the Kenyan National Treasury seeking an explanation for non-payment of pensions to former Kenyan civil servants and the lack of increase in line with inflation."

That Minister—the Under-Secretary of State for Foreign, Commonwealth and Development Affairs, the hon. Member for Rochford and Southend East (James Duddridge)—assured my hon. Friend that his officials would be in touch when they received a response. As far as I know, nobody has ever heard any information about that response, whether or not one was received, but in any case there was no progress.

My hon. Friend the Member for Washington and Sunderland West tabled a written question on 21 February. The Minister, who I am pleased to say is in his place tonight, replied that his Department had been in touch, again, with the Kenyan Ministry for Foreign Affairs and the head of the Department for Pensions in Kenya for an explanation, and he added in that answer that the Foreign and Commonwealth Office was now helping the Kenyan National Treasury to contact Crown Agents Bank to expedite the reinstatement of the pensions. That was encouraging, but, over nine months later, the situation remains unchanged: the pensions have not been paid.

There is some history here. In 2009, Vince Cable tabled a written question to the Foreign Office, to ask the Foreign Secretary

"what recent representations he has made to the government of Kenya on the non-payment of pensions to retired Kenyan civil servants with British citizenship who are resident in that country."

The Minister, Ivan Lewis, replied:

"The Government are very concerned by the Freezing Order issued by the High Court on 23 October 2009 on accounts belonging to the Government of Kenya held by Crown Agents Bank. The freezing of these accounts affects the payment of pensions to former Kenyan civil servants. We are raising the issue with the Government of Kenya who are fully aware of their responsibilities in the matter."—[*Official Report*, 3 December 2009; Vol. 501, c. 880W.]

So this is not an entirely new problem. On 9 July 2013, the then Member for Brentford and Isleworth asked what recent discussions the Foreign Secretary had had with the Government of Kenya. The then Parliamentary Under-Secretary, Mark Simmonds, answered:

"In recent years we have raised this issue with Kenyan Government officials on a number of occasions, including—"

10 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed, That this House do now adjourn.—(*James Morris.*)

Seema Malhotra: My right hon. Friend is being very generous in giving way. He raises the very confusing issue of why we have not been able to get an answer to the questions around the non-payment of pensions to former civil servants, but also the lack of the increase in line with inflation, which I understand was part of the agreement many years ago between the British and the Kenyan Government, I think in 1977. A constituent has highlighted to me that he is one of 300 people who have not received an inflationary increase since 1991, and then from last year he has not been receiving his pension, so there has been some confusion over a number of years. Without answers to these questions, it is very difficult for people who are now in their 80s or sometimes in their 90s to be getting these answers directly from the Kenyan Government, which is what our Government are advising them to do.

Stephen Timms: My hon. Friend is absolutely right. I must say, I think my constituent has received inflation increases. There does seem to be some variability about who has received them over the last couple of decades. Who knows what the reason for that is?

I was just reading a written answer from 2013, which concludes:

“British high commission staff in Nairobi asked the Kenyan Ministry of Foreign Affairs about public sector pensions on 2 July 2013 and are awaiting a response.”—[*Official Report*, 9 July 2013; Vol. 566, c. 143W.]

That was seven years ago. Whether any response was received at that time, I do not know, but I certainly do not think any Member here has seen a response to any of these questions, which clearly have frequently been asked.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): I thank and congratulate my right hon. Friend on securing this late-night, niche, but important debate on the non-payment of Kenyan civil service pensions. In addition to the other examples raised, I want to highlight the case of my Slough constituent Amrik Singh Banse, who was a former civil servant in the teaching profession and whose pension sadly stopped without notice over a year ago. He has also informed me that, astonishingly, he has received no increment since 1992. Does my right hon. Friend not agree that it is simply unacceptable that individuals who have worked so tirelessly throughout their career are being left high and dry in such an egregious manner, and that is why our Government must intervene?

Stephen Timms: My hon. Friend is absolutely right. There is no dispute at all that our constituents are entitled to these payments. A promise has been made to them, and the Government of Kenya need to honour their promise to his constituent and to all the others.

Coming forward to this year, last month, I co-signed a letter to the Minister with my hon. Friends the Members for Washington and Sunderland West (Mrs Hodgson), for Brentford and Isleworth (Ruth Cadbury), for Harrow West (Gareth Thomas), for Slough (Mr Dhesi) and for Feltham and Heston and the hon. Member for Peterborough (Paul Bristow), who I see in his place, asking that the Minister meet us to discuss what further steps the Foreign, Commonwealth and Development Office will take to ensure that these pensions are reinstated and uprated in line with inflation. The Foreign Secretary

confirmed to me in Foreign, Commonwealth and Development Office questions last month that he would look to arrange the meeting, so we look forward to that.

I wonder whether the Minister can clarify the following tonight. First, how many people living in the UK does the Foreign Office think are affected by the non-payment of Kenyan pensions and, perhaps separately, by the issue that has been surfaced in this debate about the non-uprating of some of those pensions that have been in payment?

Secondly, can the Minister tell the House what recent discussions he has had about this with his Kenyan counterparts? Clearly the Foreign Office has asked about this on quite a few occasions. Has it received an answer from the Government of Kenya to any of its inquiries? What does the Minister make of it all? Why is it that our constituents have not been paid at all since the spring of last year? Lastly, what is the Department's plan should the Kenyan Government continue to withhold these payments to which our constituents are entitled?

Our constituents have not received the pension that they are entitled to for almost two years. Some have been waiting longer. Many, as my hon. Friend the Member for Feltham and Heston has said, are elderly. They are entitled to their pension, and there is an issue of dignity here. These people have worked and they are expecting to receive the fair pension that they are entitled to.

Seema Malhotra: Does my right hon. Friend agree that, as well as being an administrative nightmare for our constituents, it is also highly distressing for people to have to battle for something to which they have a right? This is something that they have earned through their hard work and commitment to the Kenyan Government and through their public service to the Kenyan nation. They should not have to fight for it in their retirement. This is the time when we need our Government to step in and help them.

Stephen Timms: My hon. Friend is absolutely right. She sums up the message of the debate extremely well. I hope that the Minister will provide some hope for our constituents that this matter will finally be resolved, and I look forward to hearing his answers after others have contributed to the debate.

Mr Deputy Speaker (Mr Nigel Evans): Paul Bristow has sought and received the permissions of the relevant bodies to make a short contribution to the Adjournment debate.

10.6 pm

Paul Bristow (Peterborough) (Con): I congratulate the right hon. Member for East Ham (Stephen Timms) on securing this debate. The non-payment of Kenyan civil service pensions is not a high-profile issue, but although it might not be a well-known problem, it is a very real problem for individual constituents. There are people affected across the country, represented by Members on both sides of the House, and our debate tonight is hugely significant for them. The right hon. Gentleman spoke very eloquently on behalf of his constituent. He covered the basic issues well, and I do not intend to retrace that ground, beyond agreeing with the undeniable principle that those who worked diligently for the Kenyan Government over many years should be paid their

pensions. It is entirely wrong for these relatively small sums of around £40 a month in many cases, which are still of huge value to individual constituents, to be withheld, because, small as they may be, it matters both morally and practically to these former Kenyan civil servants who have settled here in the UK.

My involvement, like that of other hon. Members present, stems from local casework. My constituent, Mr Darshan Chana, stopped receiving his pension in April 2019. No explanation was provided by the Kenyan Government or by the Crown Agents Bank, which administers his pension along with the others. Mr Chana came to me because, in his words:

“All attempts to all concerned have been entirely unsuccessful.”

I want to place on record my gratitude to the Foreign, Commonwealth and Development Office, and in particular to the Minister for Africa—the Under-Secretary of State for Foreign, Commonwealth and Development Affairs, my hon. Friend the Member for Rochford and Southend East (James Duddridge)—for his efforts on Mr Chana’s behalf. This is, of course, a matter for the Kenyan authorities to resolve, but I know that the British high commission in Nairobi has been directly in touch with Kenyan Treasury officials. Similar contact has continued with the Kenyan high commission in London. We all hope that this saga can be drawn to a close, and that our constituents can have their pensions restored and backdated. I look forward to the Minister’s response, so that I can quickly provide a further update to Mr Chana. After 20 long months without his pension, perhaps we can finally provide some hope for the future.

10.8 pm

The Minister for the Middle East and North Africa (James Cleverly): I too would like to express my gratitude to the right hon. Member for East Ham (Stephen Timms) for securing this debate. I pay tribute to him for the work that he has done on advocating for pensioners as chair of the Work and Pensions Committee. I would also like to thank the other hon. Members who have raised individual cases from a number of parts of the country. My hon. Friend the Minister for Africa is frustrated that he is missing this debate, but he is currently travelling on ministerial duties. It is therefore my pleasure to respond on behalf of the Government. I will try to answer as many of the questions raised as possible, but there may well be details to which I am not able to respond in this debate; I hope that Members will forgive me if that is the case. I will try to provide more complete responses later if there are gaps.

The individual constituents referred to today were previously dedicated civil servants working for the Government of Kenya. They have not received their pension payments—in some instances, for over 18 months. Prior to that, as has been mentioned by a number of hon. and right hon. Members, they have not had a pensions uprating since 1992. There have been previous occasions where pensions payments have been withheld, but not for this duration. Of course, a prolonged period of withheld payments has real-world consequences for the day-to-day lives of the people involved, and there is a risk that this will push individuals into a position where they face the unacceptable choice about which basic essentials they should forgo. The people we are speaking about have worked often lengthy and distinguished careers in public service, with the promise that they

would receive their pension benefits. I therefore join the House in voicing our frustration at the harsh and unfair reality with which many of these individuals have been forced to grapple.

In 1963, the Government of Kenya inherited both the assets and liabilities of the pre-independence era, including the payment and administration of public service employees’ pensions. In 1970, it became clear that it was becoming an increasing burden on Kenya, and—as an aid initiative and in recognition of our history with Kenya—Her Majesty’s Government announced that they would assume responsibility for the award, control, administration and payment of pension benefits of certain former public servants and their beneficiaries. As the right hon. Member for East Ham mentioned, these were people employed on expatriate terms—that is, those who had paid leave passage outside the country during their employment and who were not citizens of Kenya on 1 April 1971 or on their date of retirement, if that were later.

The pension of anyone who did not meet these criteria remained, and still remains, the responsibility of the Government of Kenya. It is this second group that we are discussing today. In response to the right hon. Member’s question, our estimate is that there are 229 retired civil servants who fall into this category. Some of these pensioners, whose payments are the sole responsibility of the Government of Kenya, now reside in the United Kingdom, and are our constituents and those of other right hon. and hon. Members.

The Government of Kenya appointed Crown Agents Bank as the global paying agent for their pensions liabilities, and it is Crown Agents Bank that is entrusted to make payments to those owed pensions by the Government of Kenya who are based overseas. However, in April 2019, the Government of Kenya ceased releasing funds to Crown Agents Bank, which was therefore unable to make the pension payments to the relevant former officers of the Kenyan civil service. We understand that there are a total of 286, with 229 residing in the United Kingdom.

The Government of Kenya have, as yet, not provided any explanation for the suspension of the payments. Her Majesty’s Government, specifically the former Minister for Africa, were first made aware of this suspension of payments at the end of May 2019 by the hon. Member for Washington and Sunderland West (Mrs Hodgson), who had received letters from affected constituents. From the speeches and interventions this evening, it is clear that other right hon. and hon. Members were approached by constituents in similar circumstances.

When it became clear that this was not an isolated incident, and indeed not a short-lived incident, a number of months later Her Majesty’s Government immediately got in contact with the Government of Kenya. We have regularly made both official and ministerial representations to the Government of Kenya, including on a number of occasions throughout 2019—I am making sure that I do not inadvertently pre-empt part of my own speech—and up to 3 December 2020, when the Minister for Africa raised this issue. The Foreign, Commonwealth and Development Office in London lobbied the Kenyan high commissioner and our high commission in Nairobi liaised with the pensions department of the Kenyan National Treasury, as well as raising the issue with the Ministry of Foreign Affairs. In all those exchanges, we

[James Cleverly]

asked for an explanation as to why payments were stopped, and called on the Government of Kenya to resume payments and backdate them as a matter of urgency.

Mr Dhesi: I thank the Minister for allowing me to intervene. During all those exchanges with the Government of Kenya, and given that this is a moral and ethical issue, did our Government Ministers explain to the Kenyan Government that this will become a matter of great shame for them? Even given the small amounts and the small number of individuals involved, it will still be a historical blot of non-compliance and non-payment to hardworking individuals who have served Kenya so tirelessly throughout their lives.

James Cleverly: I have not been privy to the details of the conversations, but I think it would be unimaginable for the Kenyan Government not to realise that when there is interest from Members of the UK Parliament, it will become a high-profile issue and it will have reputational implications for them.

The Government of Kenya, unfortunately, have never proactively raised this issue with us. Our high commissioner in Nairobi raised the issue with Principal Secretary Kamau from the Ministry of Foreign Affairs on 1 December, sharing with them the copies of the note verbale we had previously submitted on the subject. My colleague the Minister for Africa also raised it with Kenyan Cabinet Secretary for National Treasury and Planning Yatani on Thursday 3 December and pushed again for pension payments to be resumed and backdated.

We have been in regular contact with Crown Agents Bank and understand that in recent months it has made progress with the pensions department of the Kenyan National Treasury. Crown Agents Bank provided additional

information at the request of Kenyan authorities but as yet the funds needed for payments to resume have still not been released.

Seema Malhotra: I thank the Minister for the detailed response he is giving. Do the Government have any sort of taskforce that is dedicated to trying to get a resolution on this issue and to pursuing that doggedly? Will they keep those in the UK who are retired and affected up to date? I make the point again about the distress and strain for them, their children and their wider families, and the concern about whether, if people have passed away, their entitlements will still go to their relatives, because their families should have received them.

James Cleverly: My understanding is that we do not have a specific taskforce, but we do raise this issue at both high commissioner and ministerial level. My hon. Friend the Minister for Africa will be travelling to the region and raising this issue again with his Kenyan counterparts when he has the opportunity to do so. The matter is being dealt with at both senior official and ministerial level. I hope that shows the House that the Government take this issue very seriously indeed.

We understand that the Kenyan Treasury is now taking the matter forward with Crown Agents Bank. Quite frankly, progress has not been made anywhere near as fast as we would have hoped. In his contacts with the Kenyan Government my hon. Friend the Minister for Africa is urging swift resolution to this matter to ensure that payments to all individuals affected resume and that the outstanding sums are made good. He will have noted this evening's debate, and I hope that the Government of Kenya will have done so too and ultimately will do the right thing for the public servants who worked with them in the past.

Question put and agreed to.

10.21 pm

House adjourned.

Members Eligible for a Proxy Vote

The following is the list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy:

Member eligible for proxy vote	Nominated proxy
Ms Diane Abbott (Hackney North and Stoke Newington) (Lab)	Bell Ribeiro-Addy
Debbie Abrahams (Oldham East and Saddleworth) (Lab)	Chris Elmore
Nigel Adams (Selby and Ainsty) (Con)	Stuart Andrew
Imran Ahmad Khan (Wakefield) (Con)	Stuart Andrew
Nickie Aiken (Cities of London and Westminster) (Con)	Stuart Andrew
Tahir Ali (Birmingham, Hall Green) (Lab)	Chris Elmore
Lucy Allan (Telford) (Con)	Mark Spencer
Dr Rosena Allin-Khan (Tooting) (Lab)	Chris Elmore
Mike Amesbury (Weaver Vale) (Lab)	Chris Elmore
Sir David Amess (Southend West) (Con)	Stuart Andrew
Fleur Anderson (Putney) (Lab)	Chris Elmore
Lee Anderson (Ashfield) (Con)	Mark Spencer
Stuart Anderson (Wolverhampton South West) (Con)	Stuart Andrew
Caroline Ansell (Eastbourne) (Con)	Stuart Andrew
Tonia Antoniazzi (Gower) (Lab)	Chris Elmore
Edward Argar (Charnwood) (Con)	Stuart Andrew
Sarah Atherton (Wrexham) (Con)	Stuart Andrew
Victoria Atkins (Louth and Horncastle) (Con)	Stuart Andrew
Mr Richard Bacon (South Norfolk) (Con)	Stuart Andrew
Kemi Badenoch (Saffron Walden) (Con)	Stuart Andrew
Siobhan Baillie (Stroud) (Con)	Stuart Andrew
Steve Barclay (North East Cambridgeshire) (Con)	Stuart Andrew
Hannah Bardell (Livingston) (SNP)	Patrick Grady
Mr John Baron (Basildon and Billericay) (Con)	Stuart Andrew
Simon Baynes (Clwyd South) (Con)	Stuart Andrew
Margaret Beckett (Derby South) (Lab)	Chris Elmore
Apsana Begum (Poplar and Limehouse) (Lab)	Bell Ribeiro-Addy
Scott Benton (Blackpool South) (Con)	Stuart Andrew
Sir Paul Beresford (Mole Valley) (Con)	Stuart Andrew
Jake Berry (Rossendale and Darwen) (Con)	Stuart Andrew
Clive Betts (Sheffield South East) (Lab)	Chris Elmore
Saqib Bhatti (Meriden) (Con)	Stuart Andrew
Mhairi Black (Paisley and Renfrewshire South) (SNP)	Patrick Grady
Ian Blackford (Ross, Skye and Lochaber) (SNP)	Patrick Grady
Bob Blackman (Harrow East) (Con)	Stuart Andrew
Kirsty Blackman (Aberdeen North) (SNP)	Patrick Grady
Olivia Blake (Sheffield, Hallam) (Lab)	Chris Elmore
Paul Blomfield (Sheffield Central) (Lab)	Chris Elmore
Crispin Blunt (Reigate) (Con)	Stuart Andrew
Mr Peter Bone (Wellingborough) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Steven Bonnar (Coatbridge, Chryston and Bellshill) (SNP)	Patrick Grady
Tracy Brabin (Batley and Spen) (Lab/Co-op)	Chris Elmore
Ben Bradley (Mansfield) (Con)	Stuart Andrew
Suella Braverman (Fareham) (Con)	Stuart Andrew
Kevin Brennan (Cardiff West) (Lab)	Chris Elmore
Jack Brereton (Stoke-on-Trent South) (Con)	Stuart Andrew
Andrew Bridgen (North West Leicestershire) (Con)	Stuart Andrew
Sara Britcliffe (Hyndburn) (Con)	Stuart Andrew
Deidre Brock (Edinburgh North and Leith) (SNP)	Patrick Grady
James Brokenshire (Old Bexley and Sidcup) (Con)	Stuart Andrew
Alan Brown (Kilmarnock and Loudon) (SNP)	Patrick Grady
Ms Lyn Brown (West Ham) (Lab)	Chris Elmore
Anthony Browne (South Cambridgeshire) (Con)	Stuart Andrew
Ms Karen Buck (Westminster North) (Lab)	Chris Elmore
Robert Buckland (South Swindon) (Con)	Stuart Andrew
Alex Burghart (Brentwood and Ongar) (Con)	Stuart Andrew
Richard Burgon (Leeds East) (Lab)	Bell Ribeiro-Addy
Conor Burns (Bournemouth West) (Con)	Stuart Andrew
Dawn Butler (Brent Central) (Lab)	Bell Ribeiro-Addy
Ian Byrne (Liverpool, West Derby) (Lab)	Chris Elmore
Liam Byrne (Birmingham, Hodge Hill) (Lab)	Chris Elmore
Ruth Cadbury (Brentford and Isleworth) (Lab)	Chris Elmore
Alun Cairns (Vale of Glamorgan) (Con)	Stuart Andrew
Amy Callaghan (East Dunbartonshire) (SNP)	Patrick Grady
Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP)	Patrick Grady
Mr Gregory Campbell (East Londonderry) (DUP)	Gavin Robinson
Andy Carter (Warrington South) (Con)	Stuart Andrew
James Cartledge (South Suffolk) (Con)	Stuart Andrew
Sir William Cash (Stone) (Con)	Stuart Andrew
Miriam Cates (Penistone and Stocksbridge) (Con)	Stuart Andrew
Alex Chalk (Cheltenham) (Con)	Stuart Andrew
Sarah Champion (Rotherham) (Lab)	Chris Elmore
Douglas Chapman (Dunfermline and West Fife) (SNP)	Patrick Grady
Joanna Cherry (Edinburgh South West) (SNP)	Patrick Grady
Jo Churchill (Bury St Edmunds) (Con)	Stuart Andrew
Feryal Clark (Enfield North) (Lab)	Chris Elmore
Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con)	Stuart Andrew
Theo Clarke (Stafford) (Con)	Stuart Andrew
Brendan Clarke-Smith (Bassetlaw) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Chris Clarkson (Heywood and Middleton) (Con)	Stuart Andrew
James Cleverly (Braintree) (Con)	Stuart Andrew
Dr Thérèse Coffey (Suffolk Coastal) (Con)	Stuart Andrew
Damian Collins (Folkestone and Hythe) (Con)	Stuart Andrew
Daisy Cooper (St Albans) (LD)	Wendy Chamberlain
Rosie Cooper (West Lancashire) (Lab)	Chris Elmore
Jeremy Corbyn (Islington North) (Ind)	Bell Ribeiro-Addy
Alberto Costa (South Leicestershire) (Con)	Stuart Andrew
Claire Coutinho (East Surrey) (Con)	Stuart Andrew
Ronnie Cowan (Inverclyde) (SNP)	Patrick Grady
Geoffrey Cox (Torridge and West Devon) (Con)	Stuart Andrew
Angela Crawley (Lanark and Hamilton East) (SNP)	Patrick Grady
Stella Creasy (Walthamstow) (Lab)	Chris Elmore
Virginia Crosbie (Ynys Môn) (Con)	Stuart Andrew
Tracey Crouch (Chatham and Aylesford) (Con)	Rebecca Harris
Jon Cruddas (Dagenham and Rainham) (Lab)	Chris Elmore
John Cryer (Leyton and Wanstead) (Lab)	Chris Elmore
Judith Cummins (Bradford South) (Lab)	Chris Elmore
Alex Cunningham (Stockton North) (Lab)	Chris Elmore
Janet Daby (Lewisham East) (Lab)	Chris Elmore
James Daly (Bury North) (Con)	Stuart Andrew
Ed Davey (Kingston and Surbiton) (LD)	Wendy Chamberlain
Wayne David (Caerphilly) (Lab)	Chris Elmore
Gareth Davies (Grantham and Stamford) (Con)	Stuart Andrew
Geraint Davies (Swansea West) (Lab/Co-op)	Chris Elmore
Mims Davies (Mid Sussex) (Con)	Stuart Andrew
Alex Davies-Jones (Pontypridd) (Lab)	Chris Elmore
Mr David Davis (Haltemprice and Howden) (Con)	Stuart Andrew
Martyn Day (Linlithgow and East Falkirk) (SNP)	Patrick Grady
Thangam Debbonaire (Bristol West) (Lab)	Chris Elmore
Marsha De Cordova (Battersea)	Rachel Hopkins
Mr Tanmanjeet Singh Dhesi (Slough) (Lab)	Chris Elmore
Caroline Dinenage (Gosport) (Con)	Stuart Andrew
Miss Sarah Dines (Derbyshire Dales) (Con)	Stuart Andrew
Martin Docherty-Hughes (West Dunbartonshire) (SNP)	Patrick Grady
Sir Jeffrey M. Donaldson (Lagan Valley) (DUP)	Gavin Robinson
Michelle Donelan (Chippenham) (Con)	Stuart Andrew
Dave Doogan (Angus) (SNP)	Patrick Grady
Allan Dorans (Ayr, Carrick and Cumnock) (SNP)	Patrick Grady
Ms Nadine Dorries (Mid Bedfordshire) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Steve Double (St Austell and Newquay) (Con)	Stuart Andrew
Stephen Doughty (Cardiff South and Penarth) (Lab)	Chris Elmore
Peter Dowd (Bootle) (Lab)	Chris Elmore
Oliver Dowden (Hertsmere) (Con)	Stuart Andrew
Richard Drax (South Dorset) (Con)	Stuart Andrew
Jack Dromey (Birmingham, Erdington) (Lab)	Chris Elmore
Mrs Flick Drummond (Meon Valley) (Con)	Stuart Andrew
James Duddridge (Rochford and Southend East) (Con)	Stuart Andrew
Rosie Duffield (Canterbury) (Lab)	Chris Elmore
Philip Dunne (Ludlow) (Con)	Stuart Andrew
Ms Angela Eagle (Wallasey) (Lab)	Chris Elmore
Maria Eagle (Garston and Halewood) (Lab)	Chris Elmore
Colum Eastwood (Foyle) (SDLP)	Patrick Grady
Mark Eastwood (Dewsbury) (Con)	Stuart Andrew
Ruth Edwards (Rushcliffe) (Con)	Stuart Andrew
Michael Ellis (Northampton North) (Con)	Stuart Andrew
Mr Tobias Ellwood (Bournemouth East) (Con)	Stuart Andrew
Mrs Natalie Elphicke (Dover) (Con)	Stuart Andrew
Florence Eshalomi (Vauxhall) (Lab/Co-op)	Chris Elmore
Bill Esterson (Sefton Central) (Lab)	Chris Elmore
George Eustice (Camborne and Redruth) (Con)	Stuart Andrew
Chris Evans (Islwyn) (Lab/Co-op)	Chris Elmore
Dr Luke Evans (Bosworth) (Con)	Stuart Andrew
Sir David Evennett (Bexleyheath and Crayford) (Con)	Stuart Andrew
Ben Everitt (Milton Keynes North) (Con)	Stuart Andrew
Michael Fabricant (Lichfield) (Con)	Stuart Andrew
Laura Farris (Newbury) (Con)	Stuart Andrew
Stephen Farry (North Down) (Alliance)	Wendy Chamberlain
Marion Fellows (Motherwell and Wishaw) (SNP)	Patrick Grady
Margaret Ferrier (Rutherglen and Hamilton West) (Ind)	Jonathan Edwards
Katharine Fletcher (South Ribble) (Con)	Stuart Andrew
Stephen Flynn (Aberdeen South) (SNP)	Patrick Grady
Vicky Ford (Chelmsford) (Con)	Stuart Andrew
Kevin Foster (Torbay) (Con)	Stuart Andrew
Yvonne Fovargue (Makerfield) (Lab)	Chris Elmore
Dr Liam Fox (North Somerset) (Con)	Stuart Andrew
Vicky Foxcroft (Lewisham, Deptford) (Lab)	Chris Elmore
Mary Kelly Foy (City of Durham) (Lab)	Bell Ribeiro-Addy
Mr Mark Francois (Rayleigh and Wickford) (Con)	Stuart Andrew
Lucy Frazer (South East Cambridgeshire) (Con)	Stuart Andrew
George Freeman (Mid Norfolk) (Con)	Stuart Andrew
Marcus Fysh (Yeovil) (Con)	Stuart Andrew
Sir Roger Gale (North Thanet) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Mark Garnier (Wyre Forest) (Con)	Stuart Andrew
Ms Nusrat Ghani (Wealden) (Con)	Stuart Andrew
Nick Gibb (Bognor Regis and Littlehampton) (Con)	Stuart Andrew
Patricia Gibson (North Ayrshire and Arran) (SNP)	Patrick Grady
Peter Gibson (Darlington) (Con)	Stuart Andrew
Jo Gideon (Stoke-on-Trent Central) (Con)	Stuart Andrew
Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op)	Chris Elmore
Dame Cheryl Gillan (Chesham and Amersham) (Con)	Stuart Andrew
John Glen (Salisbury) (Con)	Stuart Andrew
Mary Glindon (North Tyneside) (Lab)	Chris Elmore
Mr Robert Goodwill (Scarborough and Whitby) (Con)	Stuart Andrew
Michael Gove (Surrey Heath) (Con)	Stuart Andrew
Mrs Helen Grant (Maidstone and The Weald) (Con)	Stuart Andrew
Peter Grant (Glenrothes) (SNP)	Patrick Grady
Neil Gray (Airdrie and Shotts) (SNP)	Patrick Grady
Chris Grayling (Epsom and Ewell) (Con)	Stuart Andrew
Damian Green (Ashford) (Con)	Stuart Andrew
Kate Green (Stretford and Urmston) (Lab)	Chris Elmore
Lilian Greenwood (Nottingham South) (Lab)	Chris Elmore
Margaret Greenwood (Wirral West) (Lab)	Chris Elmore
Andrew Griffith (Arundel and South Downs) (Con)	Stuart Andrew
Kate Griffiths (Burton) (Con)	Stuart Andrew
James Grundy (Leigh) (Con)	Stuart Andrew
Jonathan Gullis (Stoke-on-Trent North) (Con)	Stuart Andrew
Andrew Gwynne (Denton and Reddish) (Lab)	Chris Elmore
Robert Halfon (Harlow) (Con)	Rebecca Harris
Luke Hall (Thornbury and Yate) (Con)	Stuart Andrew
Fabian Hamilton (Leeds North East) (Lab)	Chris Elmore
Stephen Hammond (Wimbledon) (Con)	Stuart Andrew
Matt Hancock (West Suffolk) (Con)	Stuart Andrew
Greg Hands (Chelsea and Fulham) (Con)	Stuart Andrew
Neale Hanvey (Kirkcaldy and Cowdenbeath) (SNP)	Patrick Grady
Emma Hardy (Kingston upon Hull West and Hessle) (Lab)	Chris Elmore
Ms Harriet Harman (Camberwell and Peckham) (Lab)	Chris Elmore
Carolyn Harris (Swansea East) (Lab)	Chris Elmore
Simon Hart (Carmarthen West and South Pembrokeshire) (Con)	Stuart Andrew
Sir John Hayes (South Holland and The Deepings) (Con)	Stuart Andrew
Sir Oliver Heald (North East Hertfordshire) (Con)	Stuart Andrew
James Heap (Wells) (Con)	Stuart Andrew
Chris Heaton-Harris (Daventry) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Gordon Henderson (Sittingbourne and Sheppey) (Con)	Stuart Andrew
Sir Mark Hendrick (Preston) (Lab/Co-op)	Chris Elmore
Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP)	Patrick Grady
Damian Hinds (East Hampshire) (Con)	Stuart Andrew
Simon Hoare (North Dorset) (Con)	Stuart Andrew
Dame Margaret Hodge (Barking) (Lab)	Chris Elmore
Mrs Sharon Hodgson (Washington and Sunderland West) (Lab)	Chris Elmore
Kate Hollern (Blackburn) (Lab)	Chris Elmore
Kevin Hollinrake (Thirsk and Malton) (Con)	Stuart Andrew
Adam Holloway (Gravesham) (Con)	Maria Caulfield
Stewart Hosie (Dundee East) (SNP)	Patrick Grady
Sir George Howarth (Knowsley) (Lab)	Chris Elmore
John Howell (Henley) (Con)	Stuart Andrew
Paul Howell (Sedgefield) (Con)	Stuart Andrew
Nigel Huddleston (Mid Worcestershire) (Con)	Stuart Andrew
Dr Neil Hudson (Penrith and The Border) (Con)	Stuart Andrew
Jane Hunt (Loughborough) (Con)	Stuart Andrew
Jeremy Hunt (South West Surrey) (Con)	Stuart Andrew
Rupa Huq (Ealing Central and Acton) (Lab)	Chris Elmore
Imran Hussain (Bradford East) (Lab)	Bell Ribeiro-Addy
Mr Alister Jack (Dumfries and Galloway) (Con)	Stuart Andrew
Dan Jarvis (Barnsley Central) (Lab)	Chris Elmore
Sajid Javid (Bromsgrove) (Con)	Stuart Andrew
Mr Ranil Jayawardena (North East Hampshire) (Con)	Stuart Andrew
Mark Jenkinson (Workington) (Con)	Stuart Andrew
Andrea Jenkyns (Morley and Outwood) (Con)	Stuart Andrew
Robert Jenrick (Newark) (Con)	Stuart Andrew
Boris Johnson (Uxbridge and South Ruislip) (Con)	Stuart Andrew
Dr Caroline Johnson (Sleaford and North Hykeham) (Con)	Stuart Andrew
Dame Diana Johnson (Kingston upon Hull North) (Lab)	Chris Elmore
Gareth Johnson (Dartford) (Con)	Stuart Andrew
Darren Jones (Bristol North West) (Lab)	Chris Elmore
Fay Jones (Brecon and Radnorshire) (Con)	Stuart Andrew
Gerald Jones (Merthyr Tydfil and Rhymney) (Lab)	Chris Elmore
Ruth Jones (Newport West) (Lab)	Chris Elmore
Sarah Jones (Croydon Central) (Lab)	Chris Elmore
Mike Kane (Wythenshawe and Sale East) (Lab)	Chris Elmore
Daniel Kawczynski (Shrewsbury and Atcham) (Con)	Stuart Andrew
Alicia Kearns (Rutland and Melton) (Con)	Stuart Andrew
Gillian Keegan (Chichester) (Con)	Stuart Andrew
Barbara Keeley (Worsley and Eccles South) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Liz Kendall (Leicester West) (Lab)	Chris Elmore
Afzal Khan (Manchester, Gorton) (Lab)	Chris Elmore
Stephen Kinnock (Aberavon) (Lab)	Chris Elmore
Sir Greg Knight (East Yorkshire) (Con)	Stuart Andrew
Julian Knight (Solihull) (Con)	Stuart Andrew
Kwasi Kwarteng (Spelthorne) (Con)	Stuart Andrew
Peter Kyle (Hove) (Lab)	Chris Elmore
Mr David Lammy (Tottenham) (Lab)	Chris Elmore
John Lamont (Berwickshire, Roxburgh and Selkirk) (Con)	Stuart Andrew
Robert Langan (High Peak) (Con)	Stuart Andrew
Mrs Pauline Latham (Mid Derbyshire) (Con)	Mr William Wragg
Ian Lavery (Wansbeck) (Lab)	Bell Ribeiro-Addy
Chris Law (Dundee West) (SNP)	Patrick Grady
Andrea Leadsom (South Northamptonshire) (Con)	Stuart Andrew
Sir Edward Leigh (Gainsborough) (Con)	Stuart Andrew
Ian Levy (Blyth Valley) (Con)	Stuart Andrew
Andrew Lewer (Northampton South) (Con)	Stuart Andrew
Brandon Lewis (Great Yarmouth) (Con)	Stuart Andrew
Clive Lewis (Norwich South) (Lab)	Chris Elmore
Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con)	Stuart Andrew
David Linden (Glasgow East) (SNP)	Patrick Grady
Tony Lloyd (Rochdale) (Lab)	Chris Elmore
Mark Logan (Bolton North East) (Con)	Stuart Andrew
Rebecca Long Bailey (Salford and Eccles) (Lab)	Bell Ribeiro-Addy
Marco Longhi (Dudley North) (Con)	Stuart Andrew
Julia Lopez (Hornchurch and Upminster) (Con)	Stuart Andrew
Jack Lopresti (Filton and Bradley Stoke) (Con)	Stuart Andrew
Mr Jonathan Lord (Woking) (Con)	Stuart Andrew
Caroline Lucas (Brighton, Pavilion) (Green)	Bell Ribeiro-Addy
Holly Lynch (Halifax) (Lab)	Chris Elmore
Kenny MacAskill (East Lothian) (SNP)	Patrick Grady
Kerry McCarthy (Bristol East) (Lab)	Chris Elmore
Karl McCartney (Lincoln) (Con)	Stuart Andrew
Andy McDonald (Middlesbrough) (Lab)	Chris Elmore
Stewart Malcolm McDonald (Glasgow South) (SNP)	Patrick Grady
Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP)	Patrick Grady
John McDonnell (Hayes and Harlington) (Lab)	Bell Ribeiro-Addy
Mr Pat McFadden (Wolverhampton South East) (Lab)	Chris Elmore
Conor McGinn (St Helens North) (Lab)	Chris Elmore
Alison McGovern (Wirral South) (Lab)	Chris Elmore
Catherine McKinnell (Newcastle upon Tyne North) (Lab)	Chris Elmore
Craig Mackinlay (South Thanet) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Cherilyn Mackrory (Truro and Falmouth) (Con)	Stuart Andrew
Anne McLaughlin (Glasgow North East) (SNP)	Patrick Grady
Rachel Maclean (Redditch) (Con)	Stuart Andrew
Jim McMahon (Oldham West and Royton) (Lab)	Chris Elmore
Anna McMorrin (Cardiff North) (Lab)	Chris Elmore
John Mc Nally (Falkirk) (SNP)	Patrick Grady
Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP)	Patrick Grady
Stephen McPartland (Stevenage) (Con)	Stuart Andrew
Khalid Mahmood (Birmingham, Perry Barr) (Lab)	Chris Elmore
Shabana Mahmood (Birmingham, Ladywood) (Lab)	Chris Elmore
Alan Mak (Havant) (Con)	Stuart Andrew
Kit Malthouse (North West Hampshire) (Con)	Stuart Andrew
Julie Marson (Hertford and Stortford) (Con)	Stuart Andrew
Rachael Maskell (York Central) (Lab)	Chris Elmore
Ian Mearns (Gateshead) (Lab)	Bell Ribeiro-Addy
Mark Menzies (Fylde) (Con)	Stuart Andrew
Johnny Mercer (Plymouth, Moor View) (Con)	Stuart Andrew
Huw Merriman (Bexhill and Battle) (Con)	Stuart Andrew
Stephen Metcalfe (South Basildon and East Thurrock) (Con)	Stuart Andrew
Edward Miliband (Doncaster North) (Lab)	Chris Elmore
Mrs Maria Miller (Basingstoke) (Con)	Stuart Andrew
Amanda Milling (Cannock Chase) (Con)	Stuart Andrew
Nigel Mills (Amber Valley) (Con)	Stuart Andrew
Mr Andrew Mitchell (Sutton Coldfield) (Con)	Stuart Andrew
Carol Monaghan (Glasgow North West)	Patrick Grady
Layla Moran (Oxford West and Abingdon) (LD)	Wendy Chamberlain
Jessica Morden (Newport East) (Lab)	Chris Elmore
Penny Mordaunt (Portsmouth North) (Con)	Mark Spencer
Anne Marie Morris (Newton Abbot) (Con)	Stuart Andrew
David Morris (Morecambe and Lunesdale) (Con)	Stuart Andrew
Joy Morrissey (Beaconsfield) (Con)	Stuart Andrew
Wendy Morton (Aldridge-Brownhills) (Con)	Stuart Andrew
Holly Mumby-Croft (Scunthorpe) (Con)	Stuart Andrew
David Mundell (Dumfriesshire, Clydesdale and Tweeddale) (Con)	Stuart Andrew
Ian Murray (Edinburgh South) (Lab)	Chris Elmore
James Murray (Ealing North) (Lab/Co-op)	Chris Elmore
Mrs Sheryll Murray (South East Cornwall) (Con)	Stuart Andrew
Andrew Murrison (South West Wiltshire) (Con)	Stuart Andrew
Lisa Nandy (Wigan) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Sir Robert Neill (Bromley and Chislehurst) (Con)	Stuart Andrew
Gavin Newlands (Paisley and Renfrewshire North) (SNP)	Patrick Grady
Lia Nici (Great Grimsby) (Con)	Stuart Andrew
John Nicolson (Ochil and South Perthshire) (SNP)	Patrick Grady
Caroline Nokes (Romsey and Southampton North) (Con)	Stuart Andrew
Jesse Norman (Hereford and South Herefordshire) (Con)	Stuart Andrew
Alex Norris (Nottingham North) (Lab/Co-op)	Chris Elmore
Neil O'Brien (Harborough) (Con)	Stuart Andrew
Brendan O'Hara (Argyll and Bute) (SNP)	Patrick Grady
Dr Matthew Offord (Hendon) (Con)	Rebecca Harris
Guy Opperman (Hexham) (Con)	Stuart Andrew
Abena Oppong-Asare (Erith and Thamesmead) (Lab)	Chris Elmore
Kate Osamor (Edmonton) (Lab/Co-op)	Rachel Hopkins
Kate Osborne (Jarrow) (Lab)	Bell Ribeiro-Addy
Kirsten Oswald (East Renfrewshire) (SNP)	Patrick Grady
Taiwo Owatemi (Coventry North West) (Lab)	Chris Elmore
Sarah Owen (Luton North) (Lab)	Chris Elmore
Priti Patel (Witham) (Con)	Stuart Andrew
Mr Owen Paterson (North Shropshire) (Con)	Stuart Andrew
Mark Pawsey (Rugby) (Con)	Stuart Andrew
Sir Mike Penning (Hemel Hempstead) (Con)	Stuart Andrew
Andrew Percy (Brigg and Goole) (Con)	Stuart Andrew
Jess Phillips (Birmingham, Yardley) (Lab)	Chris Elmore
Chris Philp (Croydon South) (Con)	Stuart Andrew
Dr Dan Poulter (Central Suffolk and North Ipswich) (Con)	Peter Aldous
Rebecca Pow (Taunton Deane) (Con)	Stuart Andrew
Lucy Powell (Manchester Central) (Lab/Co-op)	Chris Elmore
Victoria Prentis (Banbury) (Con)	Stuart Andrew
Mark Pritchard (The Wrekin) (Con)	Stuart Andrew
Jeremy Quin (Horsham) (Con)	Stuart Andrew
Will Quince (Colchester) (Con)	Stuart Andrew
Yasmin Qureshi (Bolton South East) (Lab)	Chris Elmore
Dominic Raab (Esher and Walton) (Con)	Stuart Andrew
Angela Rayner (Ashton-under-Lyne) (Lab)	Chris Elmore
Steve Reed (Croydon North) (Lab/Co-op)	Chris Elmore
Christina Rees (Neath) (Lab)	Chris Elmore
Ellie Reeves (Lewisham West and Penge) (Lab)	Chris Elmore
Rachel Reeves (Leeds West) (Lab)	Chris Elmore
Nicola Richards (West Bromwich East) (Con)	Stuart Andrew
Ms Marie Rimmer (St Helens South and Whiston) (Lab)	Chris Elmore
Rob Roberts (Delyn) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Mr Laurence Robertson (Tewkesbury) (Con)	Stuart Andrew
Mary Robinson (Cheadle) (Con)	Stuart Andrew
Matt Rodda (Reading East) (Lab)	Chris Elmore
Douglas Ross (Moray) (Con)	Stuart Andrew
Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op)	Chris Elmore
Gary Sambrook (Birmingham, Northfield) (Lab)	Stuart Andrew
Selaine Saxby (North Devon) (Con)	Stuart Andrew
Paul Scully (Sutton and Cheam) (Con)	Stuart Andrew
Bob Seely (Isle of Wight) (Con)	Stuart Andrew
Andrew Selous (South West Bedfordshire) (Con)	Rebecca Harris
Naz Shah (Bradford West) (Lab)	Chris Elmore
Grant Shapps (Welwyn Hatfield) (Con)	Stuart Andrew
Alok Sharma (Reading West) (Con)	Stuart Andrew
Mr Virendra Sharma (Ealing, Southall) (Lab)	Chris Elmore
Mr Barry Sheerman (Huddersfield) (Lab/Co-op)	Chris Elmore
Alec Shelbrooke (Elmet and Rothwell) (Con)	Stuart Andrew
Tommy Sheppard (Edinburgh East) (SNP)	Patrick Grady
Tulip Siddiq (Hampstead and Kilburn) (Lab)	Chris Elmore
David Simmonds (Ruislip, Northwood and Pinner) (Con)	Stuart Andrew
Chris Skidmore (Kingswood) (Con)	Stuart Andrew
Andy Slaughter (Hammersmith) (Lab)	Chris Elmore
Alyn Smith (Stirling) (SNP)	Patrick Grady
Cat Smith (Lancaster and Fleetwood) (Lab)	Chris Elmore
Chloe Smith (Norwich North) (Con)	Stuart Andrew
Henry Smith (Crawley) (Con)	Stuart Andrew
Nick Smith (Blaenau Gwent) (Lab)	Chris Elmore
Royston Smith (Southampton, Itchen) (Con)	Stuart Andrew
Karin Smyth (Bristol South) (Lab)	Chris Elmore
Amanda Solloway (Derby North) (Con)	Stuart Andrew
Dr Ben Spencer (Runnymede and Weybridge) (Con)	Stuart Andrew
Alexander Stafford (Rother Valley) (Con)	Stuart Andrew
Keir Starmer (Holborn and St Pancras) (Lab)	Chris Elmore
Chris Stephens (Glasgow South West) (SNP)	Patrick Grady
Andrew Stephenson (Pendle) (Con)	Stuart Andrew
Jo Stevens (Cardiff Central) (Lab)	Chris Elmore
Jane Stevenson (Wolverhampton North East) (Con)	Stuart Andrew
John Stevenson (Carlisle) (Con)	Stuart Andrew
Bob Stewart (Beckenham) (Con)	Stuart Andrew
Iain Stewart (Milton Keynes South) (Con)	Stuart Andrew
Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)	Wendy Chamberlain
Sir Gary Streeter (South West Devon) (Con)	Stuart Andrew
Wes Streeting (Ilford North) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Mel Stride (Central Devon) (Con)	Stuart Andrew
Graham Stuart (Beverley and Holderness) (Con)	Stuart Andrew
Julian Sturdy (York Outer) (Con)	Stuart Andrew
Zarah Sultana (Coventry South) (Lab)	Bell Ribeiro-Addy
Sam Tarry (Ilford South) (Lab)	Chris Elmore
Alison Thewliss (Glasgow Central) (SNP)	Patrick Grady
Derek Thomas (St Ives) (Con)	Stuart Andrew
Gareth Thomas (Harrow West) (Lab/Co-op)	Chris Elmore
Emily Thornberry (Islington South and Finsbury) (Lab)	Chris Elmore
Edward Timpson (Eddisbury) (Con)	Stuart Andrew
Kelly Tolhurst (Rochester and Strood) (Con)	Stuart Andrew
Justin Tomlinson (North Swindon) (Con)	Stuart Andrew
Craig Tracey (North Warwickshire) (Con)	Stuart Andrew
Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con)	Stuart Andrew
Jon Trickett (Hemsworth) (Lab)	Bell Ribeiro-Addy
Laura Trott (Sevenoaks) (Con)	Stuart Andrew
Elizabeth Truss (South West Norfolk) (Con)	Stuart Andrew
Tom Tugendhat (Tonbridge and Malling) (Con)	Stuart Andrew
Karl Turner (Kingston upon Hull East) (Lab)	Chris Elmore
Mr Shailesh Vara (North West Cambridgeshire) (Con)	Stuart Andrew
Martin Vickers (Cleethorpes) (Con)	Stuart Andrew
Mr Robin Walker (Worcester) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Mr Ben Wallace (Wyre and Preston North)	Stuart Andrew
Dr Jamie Wallis (Bridgend) (Con)	Stuart Andrew
Matt Warman (Boston and Skegness) (Con)	Stuart Andrew
Suzanne Webb (Stourbridge) (Con)	Stuart Andrew
Claudia Webbe (Leicester East) (Ind)	Bell Ribeiro-Addy
Catherine West (Hornsey and Wood Green) (Lab)	Chris Elmore
Helen Whately (Faversham and Mid Kent) (Con)	Stuart Andrew
Mrs Heather Wheeler (South Derbyshire) (Con)	Stuart Andrew
Dr Philippa Whitford (Central Ayrshire) (SNP)	Patrick Grady
Craig Whittaker (Calder Valley) (Con)	Stuart Andrew
John Whittingdale (Malden) (Con)	Stuart Andrew
Nadia Whittome (Nottingham East) (Lab)	Chris Elmore
Bill Wiggin (North Herefordshire) (Con)	Stuart Andrew
Craig Williams (Montgomeryshire) (Con)	Stuart Andrew
Hywel Williams (Arfon) (PC)	Ben Lake
Gavin Williamson (Montgomeryshire) (Con)	Stuart Andrew
Munira Wilson (Twickenham) (LD)	Wendy Chamberlain
Beth Winter (Cynon Valley) (Lab)	Rachel Hopkins
Pete Wishart (Perth and North Perthshire) (SNP)	Patrick Grady
Mike Wood (Dudley South) (Con)	Stuart Andrew
Mohammad Yasin (Bedford) (Lab)	Chris Elmore
Jacob Young (Redcar) (Con)	Stuart Andrew
Nadhim Zahawi (Stratford-on-Avon) (Con)	Stuart Andrew

Westminster Hall

Monday 7 December 2020

[DAVID MUNDELL *in the Chair*]

Childhood Cancers: Research

4.30 pm

David Mundell (in the Chair): I remind hon. Members that there have been some changes to normal practice 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 dispose of that material as they leave the room. Members are also asked to respect the one-way system around the room, and to exit by the door on the left. Members should speak only from the horseshoe, and I therefore ask Members currently at the horseshoe to vacate a seat for the Members at the back who want to speak in the debate—once they have spoken, obviously. I call on Tonia Antoniazzi to move the motion.

4.31 pm

Tonia Antoniazzi (Gower) (Lab): I beg to move,

That this House has considered e-petition 300027, relating to research into childhood cancers.

It is a pleasure to serve under your chairship, Mr Mundell, and an honour to lead for the Petitions Committee in this debate. I welcome the large number of colleagues who have put in to speak today, and pay tribute to those who are unable to do so due to the parliamentary covid restrictions. As chair of the all-party parliamentary group on cancer, I really wanted to lead on this petition, as it is one that has touched many parliamentarians and their constituents. Indeed, I was approached by the hon. Member for Calder Valley (Craig Whittaker), who is unable to participate today, who asked me to pay tribute to his constituents Julia and Darren, who lost their beautiful daughter Fifi to childhood cancer. I put on record my heartfelt thanks to the petitioner, Fiona Govan, who lost her grandson Logan to a type of brain cancer called diffuse intrinsic pontine glioma, and to Amanda Mifsud from the charity Abbie's Army, which was set up following the death of six-year-old Abbie from DIPG in 2011.

Children's cancers represent under 2% of all UK cancers. Despite this low number, that still means that over 500 children die from cancer each year. It is the most common cause of death in children. The great news is that since the 1970s, mortality has decreased by around 70%, and even with the debilitating side effects of many treatments, that is testament to the achievements of research in saving our children. One caveat to those figures is the massive variation in survival rates by cancer type: 99% survival for retinoblastoma, contrasting with 0% for DIPG. Many forms of cancer affect children, but after speaking to Fiona and Amanda, I am going to concentrate on the disease that took Abbie, Logan and so many others.

DIPG is a highly malignant brain tumour located in the pons, or pontine, area of the brain stem, almost exclusively affecting children. DIPG tumours are one of the most aggressive forms of cancer, and the prognosis for children diagnosed with it is terminal—it has a 0% survival rate. What also struck me was that while there have been

huge leaps in the treatment of many other cancers and diseases, nothing can be done to treat DIPG. Neil Armstrong lost his daughter to DIPG in 1962, and since that time there has been no development in treatments, let alone a cure. Thankfully, childhood cancers are rare, but that also means that they do not get the research funding that other cancers attract, and are often seen as too difficult to tackle. As Dr David Walker wrote in *The Telegraph* in February 2016:

“So-called ‘rare’ cancers are collectively as common as the ‘common’ ones. But the perception that research should be funded according to incidence means that individual rare cancers are doomed forever to receive a fraction of the money.”

As such, the equivalent of a classroom full of children die from DIPG in the UK year after year, while there are no meaningful advances in treatment options and no current UK trials.

What does the petition ask of the Government? Less than 21% of research funding on childhood cancers is provided by the Department of Health and Social Care, and there is little transparency on where the funding goes. To change that, the petitioners want the National Institute for Health Research classification system to include specific cancer types and age data. They also ask for a commitment from the Government on ongoing funding obligations and for a set percentage of other funding to be ring-fenced for research on childhood cancers. We also need to look at reprioritising funding, to make sure that money is being used strategically for actual research—and that it is not spent on infrastructure, as happens at the moment.

We need to take full advantage of the highly accomplished researchers we have in the UK, such as Professor Chris Jones, but they need funding to answer the key scientific questions, such as, how can we do better and how can we help these children? That has been done in other countries. The Australian Government awarded about \$9 million in 2019 and 2020 for childhood cancer research, and there have been extraordinary advances in outcomes on some cancers. If we can get that funding, the UK can become a centre of excellence in the field.

Yesterday, Fiona sent me an email with a message from one of the families, who are going through an incredibly hard time with their son Joshua. Josh's mum, Michelle Beresford-Smart, writes:

“Josh is still with us, but since August has been bedridden and no longer able to communicate. Completely paralysed by the end of September and blind in October and no longer able to swallow. About 10 days ago his breathing changed and this week he was put on a syringe driver. No life, just waiting for the inevitable. Horrendous. Josh...was diagnosed in August 2017 with a tremor in his right hand. The GP told us we were being paranoid! Just a trapped nerve!”

Nine days after the GP appointment, they were in Great Ormond Street Hospital. Michelle writes:

“My son was 15 at diagnosis. He is now 18. But, as you know, there aren't any options here in the UK. He did radiation and chemo and then we were lucky enough to get him on the ONC201 trial in New York. We last visited in February 2020, then COVID struck and options were taken away.”

These incredible women told me their stories about making a change for other families and their children who will be affected with poise and passion, and today I am speaking up on behalf of all the families who deal with the tragedy of losing a child. I ask the Government to do the right thing and fund research on rare cancers to give future generations a fighting chance.

[Tonia Antoniazzi]

The majority of fundraising is done by parents and family-led charities. Earlier today, I heard that Alison Caplan, a constituent of the hon. Member for East Renfrewshire (Kirsten Oswald), lost her son Daniel, aged 17, to DIPG last week. He was a bright young lad who had his whole future ahead of him. His funeral is this Friday and the family hope to help other children who are diagnosed with cancer, especially DIPG.

These are people who have lost a child to a horrendous disease, but still they continue to fight for better outcomes for future generations. They deserve to have their voice heard and I am proud to have been able to speak for them today.

David Mundell (in the Chair): To ensure that everyone can make a meaningful contribution, I am imposing a four-minute time limit.

4.38 pm

Sarah Atherton (Wrexham) (Con): It is an honour to serve under your chairmanship, Mr Mundell, and to follow my Welsh colleague, the hon. Member for Gower (Tonia Antoniazzi), who moved the motion on behalf of the Petitions Committee.

I want to speak about unbeatable Eva, a 10-year-old constituent of mine. I have been involved and in contact with her since she was diagnosed with DIPG in January. As we have heard, this is an inoperable brain tumour, inside the brain stem, and the prognosis is a life expectancy of less than 12 months. Today, it is 11 months and seven days since Eva was diagnosed with that horrendous tumour. The global pandemic has been particularly cruel to Eva and her family. Not only was there no suitable treatment for Eva in the UK, but she was unable to fly to the United States to receive experimental treatment. The cruel hand of covid stopped Eva travelling to Europe to receive life-prolonging pharmaceutical treatment. Think for one minute about the agony faced by a parent knowing that treatment is available and could prolong their child's life, but being powerless to do anything about it. How cruel is it that, in any other year, Eva might have received that treatment? Covid took that chance from her.

The benefit of these debates is that they show the strength of feeling on a topic. Petitions allow the public to influence what we, as parliamentarians, discuss. Eva and her family should be proud of how much awareness they have raised nationally for this cause. DIPG has been talked about by many Ministers and the Health Secretary. Eva's name has been mentioned by the Prime Minister in the Chamber, and her plight was highlighted on "Children in Need" and across the news channels. Wrexham has rallied around this little brave girl, and her parents have privately raised more than £310,000 to fund her treatment. I am here today for Eva, and I hope, Mr Mundell, that you deem it appropriate for me to read out a statement from her father, Paul.

We are here to advocate and fight for our constituents; that is our job. However, what really matters is how our constituents interpret the situation they find themselves in—life through their heartbroken eyes, facing tragedy day by day. Paul has asked me to read this out: "60 years ago, Neil Armstrong lost his daughter to DIPG. On the

1st of January this year, when we received Eva's diagnosis, her treatment plan was the same as it was all those years ago. The lack of progress is solely down to one thing—funding. In a week where the UK Government approved a covid vaccine, having spent in excess of £6 billion on research and development, it is hard to feel anything other than anger. If some of that money had been spent on the cure for this horrific form of cancer, imagine how many parents would have been spared the conversation we had with doctors in January, and more importantly, imagine how many children would have been able to live full and happy lives, as every child should. All cancer is devastating, but the facts about DIPG and the devastation it causes parents, siblings, grandparents, friends and family make it the very worst of the worst, and more must be done where it can."

Eva's treatment journey has at every twist and turn been thwarted due to inaccessibility, cost, lack of understanding and research, different healthcare regimes between England and Wales, and covid-19 restrictions. This brave little girl with a beautiful smile has the arms of Wrexham wrapped around her.

Further research in this field is required. Existing DIPG treatments available around the world are not available here. However, we have the desire in this country to fund research on this childhood cancer, as this petition proves. We have the talent in this country to undertake that task, and we have the best—the unique—national health service, free at the point of delivery. We cannot let children lose their childhoods, cut short due to funding and research issues. Let us hope that this debate starts a reassessment of how we look at children's cancer going forward.

4.43 pm

Chris Evans (Islwyn) (Lab/Co-op): I thank my hon. Friend the Member for Gower (Tonia Antoniazzi), a fellow member of the Petitions Committee, for introducing the debate. There is no greater champion of families affected by cancer, and I thank her for all the hard work that she does for them, week in, week out. In the short time available, I will tell the story of Izzy Withers, a constituent of mine who tragically passed away last year due to childhood cancer. Her mother Tracey shared their experience in the hope that it would highlight the desperate need in this country for more funding for childhood cancer treatment.

In August 2018, 16-year-old Izzy fell ill, and in September that year she received the devastating news that she had DIPG and a stage 4 brain tumour. DIPG is a highly malignant childhood brain cancer that disables the nervous system, and the prognosis is grim—fewer than 10% of children diagnosed survive longer than 18 months. That meant that Izzy was effectively handed a death sentence. DIPG is very resistant to chemotherapy; it is extremely difficult to treat. Tracey Withers described the tumour as like sand in grass. The treatment of Izzy, like that of Karen Armstrong, Neil Armstrong's daughter, therefore consisted of radiotherapy, which in turn destroyed their healthy brain tissue. The radiotherapy affected Izzy's ability to walk and use the left side of her body. She eventually lost all capacity to walk. After seven weeks at the Royal Gwent Hospital and two weeks at the Teenage Cancer Trust in Cardiff, Izzy and her mother spent 13 weeks living at Tŷ Hafan hospice. Tracey described Izzy's illness and the effects of the treatment as a bit like

locked-in syndrome. Her body shut down and she lost the ability to walk and move, and eventually she struggled to swallow. Children with DIPG die a protracted, painful and horrendous death. That is why more funding is needed for research to ensure that, in the future, children diagnosed with childhood cancers with a low survival rate and their families have more options.

For children such as Izzy, care is inadequate, and other, more practical factors increased the problems that Izzy and Tracey came up against in trying to get access to treatment. As Izzy was 16, she was not classed as a paediatric patient or an adult. That put her in administrative limbo. Hospitals were unaware of where she should be treated, who should treat her and who would foot the bill. That left Tracey with the extra burden of chasing hospitals for treatment and looking for counselling and other support. Tracey was often the one who had to find out where Izzy could receive care and what sort of care she could receive. That was yet another stress that she should not have had to deal with.

It goes without saying that caring for a child with cancer is phenomenally tough. Those parents care for their children emotionally and practically while trying to come to terms with the intricacies of their illnesses, all the while having to process that themselves and realising that they face what every parent dreads more than anything: outliving their own children. They should not be faced with added stresses and tasks because their children fall into the limbo between paediatric and adult care. That was also frustrating for the senior clinicians in charge of Izzy's case, who felt that they were going round in circles over who would treat her.

Tracey received invaluable support from the Teenage Cancer Trust, CLIC Sargent and the Tŷ Hafan hospice. Those charities do incredible work for children with cancer, helping children and their families to navigate the medical and emotional sides of their illnesses. Without those charities, families such as Izzy's would be completely lost. That is a failure on the part of the state to provide adequate care and funding for children with cancer. Izzy was given a dignified death thanks to the Tŷ Hafan hospice, which relies entirely on charity.

I say this to the Minister: three children died last week from DIPG alone. That is three families who now face a Christmas of grief. We must do more. The ring-fenced funding is not enough for a country that prides itself on scientific research. We could be leading the way, but we have failed to do enough. Some things go beyond politics, and this should be one of them. Few of us can imagine what Izzy's family have gone through, but we must do more to stop others experiencing the same.

I want to end by thanking Izzy's mother, Tracey, for allowing me to share her story, for her bravery and, above all, for her desire to ensure that no other family goes through what hers have been through. She said that she is praying that this is the start of a change that gives hope to families such as hers. I hope the Government listen and bring about real change.

4.48 pm

Steve Brine (Winchester) (Con): It was the privilege of my life to hold the role of cancer Minister in the previous Government. Through that work, I learned of the battles of DIPG patients and the all-too-tragic outcomes.

As ever, it is the personal stories that connect. I wish I could show Members the pictures, but I have the words of Emily, the mum of Atticus—a fantastic name:

"In June 2018 our happy, charming, caring 4 year old son started to exhibit very mild symptoms which gave us cause for concern. Slight issues with balance, difficulty concentrating and mild drooling. Nothing significant but...you know when your child is not 'right'...Atticus went...for a CT scan and was then referred to Southampton General for an MRI. On 1 July 2018, 2 years ago, my husband and I were guided into a small room to be given the results. I will never forget that moment. The neurologist told us that...he had a likely survival time of 9-12 months. In one breath our whole world came crashing down and we began to grieve—even though Atticus was still with us...On 7 February Atticus fell asleep forever in the bed next to me. I'll never, ever forget watching my child pass away. It is the most unnatural, unjust and devastating experience any parent can suffer."

Emily wrote to me again the other day:

"As we face the second Christmas without our beautiful boy, we can take some comfort in the prospect of increased funding and research to help eradicate this terrible cancer. It is all we can hope for."

I guess the question is whether we—and whether they—have hope. As has been said, a child diagnosed with DIPG today faces the same prognosis as a child diagnosed over 50 years ago. Survivable rates are near zero for this particular cancer.

It is true, as the Government said in their response to this petition, and as the Minister will almost certainly say today, that

"we have invested £1bn per year in health research through the National Institute for Health Research".

Expenditure in this area is the largest it has ever been. I remember working with the Tessa Jowell Brain Cancer Mission. It was a privilege to work with Tessa and her daughter Jess, who were very forceful ladies and very good at lobbying Ministers, including me. We were able to promise an extra £40 million over five years for brain tumour research as part of the mission's work. That included funding for childhood cancers.

One key point of their work was to stimulate the research market in this area, to see new research propositions come forward. Tessa understood that acutely. It is never the case that we have enough money for health research. I suggest that we need both investment and strategy. That is why I was struck by this particular recommendation in the campaign that led to this petition, which the hon. Member for Gower (Tonia Antoniazzi) touched on.

The UK does have excellent collaborative research at our medical facilities, but we must assign sufficient funding to DIPG research and implementation of the new treatments. I urge the Government to convene and appoint special UK experts directly to centralise efforts and bring forward that new prioritisation strategy, so that we can stimulate the research market, as Tessa and her campaign urged me to do when I was sitting in the Minister's position.

The Minister cannot wave a magic wand and make this go away—I have sat in her place enough times to know that. However, we can agree to make this change and to work together to finally face DIPG and start to turn the corner, with the collaborative strategy that I have mentioned. That is the hope—to reiterate that word—that these families want. I do not think that is too much to ask.

4.52 pm

Carla Lockhart (Upper Bann) (DUP): I thank the hon. Member for Gower (Tonia Antoniazzi) for securing this important debate and all those who signed the e-petition. Cameron Truesdale's name will not resonate with people in this room, but I am speaking of a little boy who is now safe in the arms of Jesus. He was a little 11-year-old boy from my constituency, who had so much to live for but who did not get the opportunity.

His mum described him as sweet, shy and popular. He never had a bad word to say about others. He was good at maths. In his own words, he wanted to be an "entrepreneur". He was a super cool big brother and he adored his sisters Chloe, Courtney and Catlin. Sadly, Cameron's life ended on 3 September 2018, but his memory is still alive.

When Cameron was diagnosed with DIPG cancer in January 2017, his family were told that he would have nine months to live, if he was to receive radiotherapy and steroids. "Go home and make memories"—the most chilling and heart-wrenching words that any family will ever hear. Cameron's family were devastated that in the 21st century they would be told that there was no hope and, no matter what they did for Cameron, he would die anyhow. Cameron's family believe that where there is life, there is hope. Cameron's family immediately looked at therapies around the world. They raised thousands of pounds and travelled to Mexico, where Cameron received treatment. While it did not save his life, it gave them hope and extra time to make those memories.

Cameron and his family fought DIPG with courage and determination. Cameron did not want to die. Even towards the end, when he was very poorly and DIPG had stolen every function apart from his ability to know what was going on, his mum asked him whether he wanted to stop fighting and just rest, or for her to stop fighting. With tears running down his face, even in agony, he did not want to stop, because he loved life.

We have already heard today that the survival rate for DIPG is 0%. That is just not good enough and not what we should settle for. Cameron should not be a statistic and we do not want any other families to go through the pain and anguish of losing a child. In Northern Ireland alone, three young people are diagnosed with cancer every week. That means three young people facing huge physical and emotional challenges, doubts, fears and anxieties. We must ensure that science is being supported to increase survival rates and to break this dark, sleekid thief.

Globally, we have poured billions into finding a vaccine for covid-19, because the will has been there to do so. We need a similar will and focus on cancer. I recognise that the Government have invested millions of pounds into cancer research, but amid the myriad cancer types that exist, we must ensure that childhood cancer receives the specific attention that it demands. I fully support the call for ring-fenced funds for new research. We need a specific fund that targets childhood cancer, and particularly those cancers that have the lowest survival rates. We need transparency on specific cancer types and age data, and we also need exceptionalism and expediency. Every life lost is one too many.

The message of the last week, with the news of the covid vaccine, brought hope. It also highlighted that when science is supported, it can make the breakthroughs

we need. The Government should do the same for cancer, because none of us knows whose family could be next.

4.56 pm

Derek Thomas (St Ives) (Con): I commend the hon. Member for Gower (Tonia Antoniazzi) for opening this debate, and I also commend Fiona Govan for her incredible work to secure the signatures needed to trigger this debate. I know that Fiona would say that it is the least she could do following the loss of her grandson, but she, along with many other families suffering the same trauma, expects us to do something. The Minister understands that, as I know her to be a caring and compassionate individual.

In Fiona's case, as we have heard, her grandson Logan died of a DIPG, which is a childhood cancer that wipes out hope and brings to an end a life of promise and potential. DIPGs, as we have heard, are tumours that are highly aggressive and difficult to treat, found at the base of the brain. But Fiona and her family are not alone; we all have families in our constituencies who have lost children to brain cancers.

I have the great honour of chairing the all-party parliamentary group on brain tumours. The charity that supports this influential APPG was born out of the loss of a girl following a diagnosis of DIPG. I cannot pretend to know what a family goes through when they are told such terrible news, but I can share a little in the pain, having lost a son at just nine months old. An account of Fiona's family's story can be found on the Brain Tumour Research website, and it is really powerful reading, for those who have not read it already. It sets out precisely the journey, and the trials and the challenges, that they had to go through, as their son and grandson lost his life.

When a family is told that their child has a DIPG, they do not have to search far to learn that just 10% of children diagnosed with this type of brain tumour survive for up to two years following a diagnosis, and that only 2% survive for as long as five years, and we know that few of these children, if any, survive at all for longer than that. As we have heard, this prognosis has not improved.

The work of the APPG is extensive, but what is particularly relevant to this debate is a recent meeting with Midatech. Midatech is a British-based company, which in October announced

"encouraging" headline results from a phase 1 study at the University of California... in patients with... (DIPG)".

We were told that in a cohort of seven children with DIPG who took part in a clinical trial whereby a drug is delivered directly to the brain via a catheter, five survived beyond 12 months and three continue to be monitored.

As always, it is important that we carefully manage the expectations of families with very sick young ones. However, the purpose of this debate is not to present the problem, which is well documented, but to seek to identify what will unlock the solution. We are aware of 200 failed drug trials relating to DIPG. There are very few promising signs, which is where I turn to the Minister. Will she investigate why a British company is limited to running clinical trials in the US—in the case of Midatech, in California and New York? Will she work with the National Institute for Health Research to find a way of committing and ring-fencing funds directly for research

into childhood cancers, as the petition demands? Will she work with the APPG and Midatech to navigate a way to set up clinical trials in the UK? It seems that the only option for many parents is to travel across the world, at enormous personal expense. I associate myself with the recommendations of my hon. Friend the Member for Winchester (Steve Brine), his work on the strategy and the need for absolute focus.

The APPG has been told repeatedly there is a lack of research and clinical trials in the area of brain cancer. That can only be properly addressed if we build the skills and expertise base, but that is very hard if the Government are not proactively promoting and funding such research. We start at a low base, but with the right focus, as we have all heard, there is an opportunity to provide the hope that these families so desperately need.

David Mundell (in the Chair): I now call Kirsten Oswald, who should have been referenced on the call list as an SNP Member.

5.1 pm

Kirsten Oswald (East Renfrewshire) (SNP): Thank you, Mr Mundell. In July, I was fortunate enough to secure a question at Prime Minister's Question Time. As Members across the Chamber will know, that is when we try to think of the best political hit we can get, but on that day there was only one question I was going to ask. It was about a young man, Daniel Caplan, a constituent of mine who had just turned 17 and had been diagnosed with diffuse midline glioma—a brain stem tumour. As I explained to the Prime Minister, it was a terminal diagnosis and, of course, an absolutely crushing one for Daniel and his family. As the hon. Member for Gower (Tonia Antoniazzi) said, I am so sorry to say that Daniel died last week.

I did not know Daniel, but I was really struck that one of his friends, Martin, who spoke to me earlier this year about something else entirely, made sure to tell me what a great person his friend Daniel was. It is crystal clear what a special and very much loved young man he was. If I, who did not know this lovely young man, am so devastated to hear of his loss, I cannot begin to imagine how Daniel's family can cope with it, just at the time when, if things were different, he would be looking to make his way in the world and realise all of his potential. I have been thinking about them a great deal.

For families like Daniel's, and all those we are hearing about who have received the devastating news of a childhood cancer diagnosis, among all that awful news is the terrible realisation—one they probably never had cause to be aware of before—that there have been no new treatments for these conditions for 40 years. There has been no progress in treating childhood brain stem tumours. That is stark and shocking. It is absolutely right and necessary that we heed the call of all those families faced with that terrible news when they ask for a renewed focus on research and for a light to be shone on awareness of childhood brain stem cancers so that others do not have to face what they have gone through. I was glad that the Prime Minister agreed with me when I asked for his commitment to shine that light and to bring focus to this issue.

The Scottish Government have also done a great deal of work to improve cancer treatment in Scotland over the last decade. All these things matter, but we need a

commitment from all of us not to let it lie for these young people, because although cancer is rarer in children and young people than in adults, it is often more complex and more difficult to treat.

Earlier this year, working with the Brain Tumour Charity—an organisation close to my heart—and with other Members, I tabled an early-day motion to raise awareness of DIPG. That continued focus has to be our priority, because only 10% of children with DIPG survive for more than two years following their diagnosis and research into brain tumours represents less than 3% of the UK's cancer research budget. Those statistics should stop us all in our tracks, because in the midst of all the medical advances of recent years, affected families find that crushing and inexplicable.

All of us in the Chamber need to ensure that this area is a priority. We need to have more research and to think of it as we go forward. For Daniel Caplan and all the other children like him, and all their families, a cure really cannot wait.

5.4 pm

Dr Luke Evans (Bosworth) (Con): We can choose to be affected by the world or we can choose to affect the world. My constituent Isla chose the latter. In August 2017, seven-year-old Isla Tansey woke up unable to walk. After many horrible treatments, surgery and radiotherapy, in January 2018 she was diagnosed with DIPG. Isla's mother described the terminal illness as the most traumatic and heartbreaking experience for a family ever to go through. Sadly, Isla passed away in July 2018, but not before inspiring thousands around the world with her positivity and creativity through her hobby: painting stones and pebbles.

Isla asked others to join in by painting their own stones, with any design, but she asked them to include the hashtag #islastones and the words “photo, post, re-hide”, and then to send a picture to a dedicated Facebook page for her to see. They were subsequently to leave the stones somewhere hidden, so that when they were found they could spread a little of the joy that Isla's idea had given them—a little reminder of Isla's joy. Isla's mother, Katherine, hoped that a child might one day find one of the stones, learn about Isla's story and become a researcher in childhood cancer.

Thousands of people took part in more than 149 countries. Although Isla could no longer walk, she loved to see where all the stones ended up and where they would travel to next. Places included the Taj Mahal, New Zealand, Disneyland and America, with a very special stone in Antarctica. Through the stones and the lovely people who made them, hid them and posted their photos, Isla travelled the world.

The hashtag #islastones grew to a Facebook presence with more than 75,000 members from all around the world. In 2019, a year on from Isla's passing, at the Celebration of Smiles event in Hinckley in my constituency, a world record was set for the largest display of painted stones, with 8,542 stones—all in remembrance of Isla.

To continue her legacy, Isla's parents, Simon and Katherine Tansey, set up the Islastones Foundation for raising smiles and helping to fight childhood cancer: a reminder of the fun and happiness that Isla brought to so many people's lives. Isla is now permanently memorialised at Argents Mead in Hinckley, where her legacy of smiles and positivity will live on for ever.

[Dr Luke Evans]

Why does this matter? We have heard the stats in the debate, but these are the real stories behind the cases. Some 650 people in my constituency signed this petition to ask for transparency in the funding, for improvement in treatment options and for pulling together the clinical pathways that people who suffer in this situation have to go through. They ask for real understanding, for listening and for something to change. I am reminded of the quote:

“Your life is your message to the world. Make sure it’s inspiring.”

Isla’s message was truly that, and I hope the Government’s message on DIPG will be the same.

5.8 pm

Grahame Morris (Easington) (Lab): Thank you for calling me, Mr Mundell. I thank my hon. Friend the Member for Gower (Tonia Antoniazzi) not only for securing this important debate on childhood cancer, but for all the excellent work that she does as chair of the all-party parliamentary group on cancer. I also thank the petitioners who promoted this debate today.

I want to talk about the work of the Bradley Lowery Foundation, which is based in my constituency, and I want to concentrate on the need, as other hon. Members have, for Government collaboration with smaller charities and research and funding into less common cancers. The Bradley Lowery Foundation was established in August 2017 after my constituent, six-year-old Bradley Lowery, lost his fight for life to stage 4 high-risk neuroblastoma, a rare and aggressive form of childhood cancer.

In 2013, Bradley’s mother, Gemma, started a fundraising campaign to raise funds so that Bradley could get treatment in the United States—treatment that was not available here in the UK. The foundation—one of its patrons is the former Sunderland and England footballer, Jermain Defoe—supports research on neuroblastoma and other childhood cancers, is developing plans to support a £600,000 holiday home in Scarborough, and runs a support line for families of children with cancer in the north-east. The Bradley Lowery Foundation has given £200,000 to neuroblastoma research and has just pledged another £15,000 to sarcoma research. It collaborates with other research charities to ensure that more funding can be put into the right places.

We have heard from my hon. Friend the Member for Islwyn (Chris Evans) and others about the prognosis for patients who have brain stem cancer, particularly children. The prognosis is really quite dark. I point out to the Minister, for whom I have the highest regard, that the Bradley Lowery Foundation wrote to the Chancellor of the Exchequer around June of this year and is still awaiting a response. In the letter, the foundation expressed its willingness to set up a meeting with the Chancellor regarding funding for childhood cancer research, and it was seeking to secure some support through match funding from Government.

The charity finds that although the most common incurable cancers rightly receive a lot of funding, the rarer and harder-to-treat cancers get little funding. The funding that they receive is from smaller charities and organisations that, like the Bradley Lowery Foundation, might have been set up as a legacy for families who have lost children to a particularly rare cancer. I urge the

Minister to speak to the smaller charities. I am sure she does so on a regular basis, but will she speak to the smaller charities and organisations that fund this vital research, such as the Bradley Lowery Foundation? After all, it is the smaller charities that fund the harder-to-treat cancers.

If the covid-19 pandemic has proven anything, it is that, with the will and the right funding and resources, treatment and vaccines can be developed. If the Government can pledge even a fraction of the funding that has been allocated for covid towards childhood cancer research, we could no doubt find better, safer treatments a lot faster.

5.12 pm

Greg Smith (Buckingham) (Con): When the Paul family in my constituency were told of their four-year-old daughter Georgia’s cancer diagnosis, their immediate reaction was not one of shock but of, “We can fight this; she is tough.” To then discover that there was absolutely no treatment was simply devastating for the family. Georgia had been diagnosed with DIPG—a brain tumour. She was enrolled on a trial, but it became clear that there was no chance of saving her. No matter what angle the family approached it from, DIPG is universally fatal, as we have heard already. No child has ever survived it.

DIPG remains the most fatal of all childhood brain cancers, and I fear that is in part due to a lack of funding for research. In seven short months, Georgia went from a happy, active and engaged little girl who loved life to losing her ability to walk, talk or swallow. The 28th November just gone marked exactly two years since Georgia died in her family’s arms, leaving them absolutely heartbroken.

Another constituent, Sue Farrington Smith, lost her beloved niece, Alison Phelan, to a brain stem glioma tumour in 2001, three weeks before her eighth birthday and 10 months after diagnosis. Sue went on to establish Brain Tumour Research, an umbrella group of 22 brain tumour charities that have campaigned to move the dial on funding for brain tumour research. Their campaign led to the establishment of the 2016 task group on research, and they are now working with the Government to see how the £40 million Tessa Jowell fund is spent.

The good news is that, in the past 50 years, there have been dramatic improvements in treating childhood brain tumours. Historically, 75% of children affected sadly died, but now 75% survive. That proves what research can do. In about 70% of cases, radiotherapy, which is the only treatment currently offered to DIPG patients, does shrink the tumour, which allows for a few months of normal life before it returns. Georgia, who I spoke of earlier, was one of the unlucky ones for whom radiotherapy did nothing.

I welcome the fact that improving cancer outcomes, including for children, is a major priority for the Government. I support the £1.2 billion that the Government have put into the cancer drugs fund, which has helped 95,000 people, including children, to access the latest and most innovative cancer care drugs. We have to recognise, however, that in the UK only 20.8% of childhood cancer research is Government-funded, and the rest of the funding comes from charities, the fundraising for many of which has been severely hampered by covid.

Let us commit to providing that new research funding for childhood cancers and ensure that a legal proportion of other funding must be used for childhood cancer research to adequately balance the years of life lost against the relative rarity of conditions. This is about the children who will be diagnosed in the future and who will face the same dreadful, awful news that Georgia and her family did. That will happen year after year, unless funding is allocated to research.

5.16 pm

Wes Streeting (Ilford North) (Lab): It is a pleasure to serve under your chairmanship, Mr Mundell, and to follow many moving and powerful speeches.

I congratulate the petitioners, because securing a Westminster Hall debate through the petition route is no small achievement. We have heard many of their stories this afternoon, and I suspect that much of the campaigning activity has been driven by families whose children have died as a result of DIPG or are suffering from DIPG. When we think about the number of families who have gone through that—it is a very rare childhood cancer—it is inspiring to see the time and effort that they put into campaigning, in some cases long after their children have passed, because they are determined that no other family should go through what they have been through or the ordeal that they have suffered.

My constituent Kaleigh Lau died of DIPG. Her family, including her father Scott, her mother Yang and her brother Carson, are just as committed to making sure that we find a cure for DIPG. I have been thinking about how the families will feel watching the debate. More than anything else, unfortunately—with great respect to the hon. Members who have spoken and the way in which they have told powerful stories—too many of them will have a sense of *déjà vu*.

With great respect to the Minister, who is a good person and absolutely committed to what she does, those families are not looking for warm words, reassurance or sympathy. They want action. They want to know what the Government are doing. They want to be able to hold the Government to account for progress against that action. They want real commitments. So far, although we have undoubtedly had steps in the right direction from successive Ministers, progress has been insufficient. Certainly, that is how Kaleigh's family feel and how I feel as their constituency MP, having raised the issue on a number of occasions in recent years.

We know from Cancer Research UK of some of the challenges of researching children's cancers. There are too few researchers, too little discovery research, not enough industry support, poor awareness of particular cancers, fragmented expertise and a lack of research tools. That is absolutely true in the case of DIPG, which is incredibly rare, as we have already heard.

What could we reasonably ask of the Minister? What would we like her to say, if not this afternoon, then in the not-too-distant future? We want to ensure that the UK seeks to be a world leader in researching DIPG and in the efforts to find a cure. I was particularly struck by the experiences of the hon. Member for Winchester (Steve Brine), who speaks with great authority and experience, having done the job and understanding the pressures on his successor. I think that the sort of action that he outlined would give families some reassurance that serious actions are being taken, but also that that is

transparent and we can measure and monitor progress as personalities come and go—and hopefully, in the not-too-distant future, Governments too. In all seriousness, I think that the strength of cross-party consensus on this issue is obvious, and the Minister will get a great deal of support from those on the Opposition Benches if she is able to come forward with that kind of action plan. That is really what the families are looking for today.

5.20 pm

Duncan Baker (North Norfolk) (Con): I thank the hon. Member for Gower (Tonia Antoniazzi) for bringing such an important debate to the fore. Many people will know what the bond is like between parent and child, so just imagine what it must be like for families to then lose their child. That is a thought that, as a parent, I personally cannot bear, yet it happened in my community this summer. My community of North Norfolk is very close and loving, and things are very much the same in the Pitcher family. On 12 July, little Benny Pitcher lost his battle, after just over a year, with diffuse intrinsic pontine glioma—DIPG. He was just six years old. Never before have I witnessed grief in my community like it, as people lined the streets to watch that bravest of little men make his way to Cromer crematorium. That little boy captured the spirit of everybody who met him. He was, like the characters that he adored, a little superhero.

I first became involved with the family, Julie and Kevin Pitcher, when helping them to achieve planning permission for their house so that little Benny could live a more comfortable life as his cancer took hold and his health deteriorated, but cruelly he was even robbed of being able to move into the extension when he passed away just a week before the builders finished. That was despite enormous work by the community—hundreds of people helped. I was not an MP at that time, but the Pitchers' story touched me, like so many others. How could it not touch you to witness a family go through what Kevin and Julie experienced? I am proud to say that I helped them and now call them my friends.

As we all know, the Pitchers will not be the last family to suffer at the hands of the cruellest of childhood cancers, and it is because of stories like theirs that parliamentarians like us must do absolutely everything we can to provide help and support, and ensure that as much funding as possible is provided for scientific research. As we have heard, there is a 0% survival chance with DIPG. There has been no improvement over the last 50 years. In the 21st century, surely that is not good enough. We have to do what we can to turn around the fact that cancer is still the most common cause of death in the under-15s. As we have heard, if we can fund and produce a vaccine for covid in nine months, surely we can do more on childhood cancers and improve the fact that only one fifth of childhood cancer research is funded by the Department of Health and Social Care.

I would also like to make the point that when people's lives are turned upside down overnight by the knowledge that their child will pass away in a very short time, we must do more to support those families, who end up being carers. Every waking moment should be spent with their child, not worrying about what forms need filling in or where they can go to get help. Where is the one-to-one handholding—the service that really could help to lessen the strain that those families experience?

[Duncan Baker]

I want to place on the record my thanks to the incredible communities that I serve and the selfless people who raised so much money to help the Pitcher family, and particularly to the Pitcher family themselves. Their work alone back in North Norfolk has raised the issue of childhood cancers. The incredible strength that the family have shown through such adversity is admired by everybody who meets them. Benny's father, Kevin, made a promise to his son that he would run a marathon to raise funds for this cause, and it is the true mark of that family that Kevin will fulfil his promise in the spring and honour his son Benny.

5.24 pm

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Mundell. I thank all hon. Members for the way they have spoken so movingly. I put on the record my thanks to Chris Copland, from my constituency, who helped me prepare for the debate, and to all the petitioners, who obviously signed the petition wanting to see real change in the life chances of children.

Grace did not lose her battle with cancer. The truth is that Grace's battle was lost before she was even given a chance to fight. The battle was lost by the lack of research into the No. 1 medical cause of death of children in the UK: childhood cancer. I was struck by the words of Dr Jen Kelly, who told me of her little girl, Grace, and how she died in her arms, just four and a quarter years old, of a rhabdoid tumour. I am grateful to her for sharing the story of her little girl, Grace, with me. She continues to fundraise and champion the cause of all children.

Every year, 1,900 children receive the devastating news that they have cancer. Parents have to equip themselves to deal with that, often without the information that they need at that time being readily available. For Grace's family, the time was too short, and they were simply told to do research on the internet. They have used the legacy of Grace to turn that around for other parents.

Just two weeks ago, many of us spoke in this place about the opportunity to extend research in certain medical areas. The Association of Medical Research Charities called on the Government to establish a life sciences-charity partnership fund. I listened intently to the Chancellor's statement and was sorry that no announcement was made. Cancer Research UK alone has had to cut its research budget by £44 million this year due to covid. Charities have also lost £10 billion to date, and this year is not getting any easier for them. However, today marks the start of UK Charity Week, with its slogan, "What will you be doing?" I put that question to the Minister, because this week again provides an opportunity for action. It is worth recalling that, for every £1 spent on childhood cancer, there is a potential £3 return, not to mention the human benefit that this brings.

There is an opportunity for us to go further. We trail behind our European counterparts in early diagnosis. A prime goal of at least catching up with all European countries would be a first step.

We also need to ensure that we are part of that global community of research, and that we play our role in leading that. Before the closure of talks with the EU, we need to make sure that opportunities to participate with

other European countries are not diminished at this time but accelerated. There is hope on the horizon. There has been much discussion about Horizon research funding over the years. This new round, which is coming over the horizon, is very much related to cancer, and discussions are certainly taking place about the role it can play in advancing research into paediatric cancers. I trust that the Minister will tell us how she is participating in that debate in order to make what all of us have called for today a reality for the families who desperately need that help.

5.28 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I am glad to participate in this important debate. I thank the hon. Member for Gower (Tonia Antoniazzi) for the comprehensive exposition that she gave at the start of the debate, and all those who signed the petition calling for more funding for and focus on childhood cancers. The fact is that this petition was born out of a sense of frustration and grief. That is why more 109,000 people across the UK signed the petition, and why so many people in my constituency supported it.

Twelve children in the UK are diagnosed with cancer daily, and one in five will die within five years, often of the deadliest types, such as DIPG—brain stem cancer, which we have heard a great deal about. Yet as we have also heard, there has been insufficient funding for research into these childhood cancers, and little or no progress in the treatment of DIPG appears to have been made over the past 60 years, while treatments for cancer in general have made positive strides.

DIPG, or diffuse midline glioma, accounts for between 5% and 10% of all childhood brain tumours. They are high-grade, fast-growing tumours and can spread throughout the brain. The main treatment for this type of cancer is radiotherapy, but it remains difficult to treat and the prognosis is poor, as we have heard from several Members during today's debate.

The fact is that young people who face cancer do so with unique challenges. It is the largest killer disease of young children, and as my hon. Friend the Member for East Renfrewshire (Kirsten Oswald) reminded us, cancer is rarer in children and young people than in adults, but it is often more complex and difficult to treat. As such, greater funding of research and greater focus on childhood cancers are important and will undoubtedly contribute to prolonging and saving young lives in the future. What we are debating today is about saving the lives of children.

For a few years now, I have been in correspondence from time to time with a woman in my constituency called Fiona Govan, who also spoke with the hon. Member for Gower. Fiona is an ordinary woman, but in some ways she is also pretty extraordinary. Since the loss of her young grandson, Logan Alexander Maclean, who passed away at three years old on 17 October 2017, she has worked extremely hard to raise awareness of the disease that claimed his young life.

Logan was diagnosed with DIPG. His family were told that he would not see his fourth birthday, and he did not. What news to receive about your little boy or grandson. The family, like many before them, had never even heard of DIPG. Logan coped with his biopsy to confirm his diagnosis—apparently, some children do

not and immediately lose even more function. He also responded well to palliative radiotherapy, the treatment that has been the only option since the 1960s. However, as advised, Logan's family made as many wonderful memories with him as they could, treasuring every moment they had left with him. As we might expect, Logan's family have nothing but praise for Logan's treatment and the medical professionals who cared for him at the Royal Hospital for Sick Children in Glasgow, University Hospital Crosshouse in Kilmarnock and CLIC Sargent, and so many others.

Logan's grandmother, Fiona Govan, does not want other families to suffer the loss that she and her family have. She was keen to let me know, in preparation for this debate, that we should remember that every year, children with their whole lives ahead of them—with all their unfulfilled potential—develop what seem like minor ailments, only for their parents to be told that their child will soon die of DIPG. It might be that the child develops a slight limp, as Logan did when he was two years old. It might be that they mention a pain in their hand, like Reece, aged 11, did. They might start to choke on their food, as Sofia, aged six, did. Like Eva, aged four, they might develop a lopsided smile, or like Evie, aged 13, they might begin to slur their speech. They may have night terrors like Ollie, aged 12, or migraines and vomiting as Izzy, aged 16, did. There are so many other cases. Gradually, these children lose their motor functions. Following diagnosis, some children survive only weeks, some are spared for a few months and, very occasionally, some will have a few years, but they will all die.

I mention these children as a reminder to all of us that the loss caused by childhood cancer must not become about abstract statistics. The loss is real, and families are never the same again after the loss of a child. The death of a child is unlike any other loss it is possible to experience, because it is the loss of a life un-lived—the loss of a promised future—and defies all natural order. Parents burying children is a grotesque inversion of nature. It is the lot of children to bury their parents, not the other way around.

Just as many of my parliamentary colleagues did, I signed a letter calling on the Chancellor to uplift UK Government support for medical research to ensure that vital research on childhood cancers can continue, but not just that: research is needed to improve outcomes, with ring-fenced funding for children whose cancer is more complicated and difficult to treat than many cancers in older people. The fact is that so little progress has been made on DIPG, which is both distressing and alarming. That explains why DIPG is being treated in the same way it was in the 1960s. That cannot be right, considering that it is so deadly and accounts for so many childhood brain tumours, and given advances in treatment of other cancers.

We know that medical research budgets are under huge strain due to the restrictions on raising funds that covid-19 has created. That strain will impede and impact on medical research. The Government must ensure that research on DIPG is given greater priority. We cannot bring back the children who have been lost to cancer or the dreadful DIPG, but we can honour the memory of the children who have gone by deciding to renew our commitment to fund research into childhood cancers, which will help save children's lives in the future. The Government must be able to say—we all must be able to say—that we are doing all we can to save children's lives.

David Mundell (in the Chair): There are about 20 minutes for Mr Norris and the Minister, because I would like the hon. Member for Gower (Tonia Antoniazzi) to have a few minutes to respond to the debate.

5.36 pm

Alex Norris (Nottingham North) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Mundell. I commend the petitioners for securing this important debate about childhood cancer. As my hon. Friend the Member for Ilford North (Wes Streeting) said, it is hard to get the required signatures for these debates, and it happens only when the issue is as significant as this. I hope that the petitioners will see that their efforts have been rewarded with as full a house as we can have in the context of covid-19 and with the high quality of this debate.

I echo the comments commending Fiona Govan, who set this petition up following the tragic death of her grandson Logan in 2017. I am sure that many of the over 100,000 people who joined her in signing it have been touched personally by this issue. I say to Fiona and all those watching that the way that she and they have turned their grief into action is an incredible feat of bravery, which has had a powerful, important impact on all of us as legislators and has pushed us to drive change more quickly. I know that is what they want. I also thank Brain Tumour Research, which has been a phenomenal driving force in this area with the petition, the debate and all the other work that has gone on.

This debate has been an important reminder that, while we were elected by voting-age people almost a year ago today, we represent all of our constituents, including children. MPs have spoken today for those children: Logan from Ayrshire, Izzy from Islwyn, Daniel from East Renfrewshire, Georgia from Buckingham, Isla from Bosworth, Benny from North Norfolk, Kaleigh from Ilford, Grace from York, Cameron from Upper Bann, Atticus from Winchester, and Bradley from Easington. Their stories have been told by their representatives today, and their names will live on in the record for as long as this Parliament stands. I know that will not bring those children back to their families, but I hope that they can take some comfort from it. As we make progress in this place—we will make progress—I hope they can also take comfort from the fact that their children have been an integral part of this story. I am sure we all want to send our prayers to Eva from Wrexham and her family as she goes through her treatment.

We heard contributions from my hon. Friends the Members for Gower (Tonia Antoniazzi) and for Easington (Grahame Morris), as well as from the hon. Member for St Ives (Derek Thomas), who all provide leadership through their relevant all-party parliamentary groups, which do really important work in keeping this at the top of the inboxes of busy Ministers. I know they will continue to make significant efforts to turn today's discussion into activity and change.

I must talk about a few numbers, because we have to discuss this at a global level. But before I do, I want to say, as all colleagues have, that behind every number is a child who has had their life taken before they have had the opportunity to really live it, and their family, who have to live with this extraordinary pain. As a country, we must strive to do our best for children who are afflicted by cancers, as if they were our own. We must

[Alex Norris]

take the efforts of parents, which we have heard about today, and act with that level of urgency. As colleagues have said, covid-19 has shown what can happen when we join together in common purpose and are properly resourced to meet great challenges.

Cancer remains the most common cause of death in children, with around 240 aged 14 and under dying each year. Research has made significant inroads. Mortality has decreased by around 70% since the 1970s. The five-year survival rate for retinoblastoma is now 99%. There are recent examples, too, with a clinical trial for acute lymphoblastic leukaemia improving survival rates by a quarter, thus offering promise for the future. However, as colleagues have said, that picture is inconsistent. The incidence of childhood cancer has risen by about 15% since the 1990s, and there are many cancers for which the five-year survival rate remains devastatingly low: it is 67% for neuroblastoma, 65% for bone cancer and 32% for atypical teratoid rhabdoid tumour.

Then, of course, there is DIPG, which Logan Maclean suffered from, as have many others, as has been mentioned today. When I spoke to people at Brain Tumour Research about DIPG, they labelled it the monster of all monsters: there is no cure, the two-year survival rate is less than 10% and the five-year survival rate is zero. As to treatment, surgery is rarely an option. Radiotherapy is the preferred option, but it is suboptimal, providing a temporary positive response but not a curative one. Chemotherapy has been trialled, but that is all. The only way out today—and the only way out for our collective energies—is through research. That is how we will make the difference for DIPG and for cancers in young people on a wider scale.

At the moment only about 20% of childhood cancer research is funded by the Department, with the rest funded by charities—most significantly Cancer Research UK. What assessment has the Minister made of how the gearing could be improved and what the results of that would be? Similarly, on brain tumour research, I know that the Minister will refer to the welcome £40 million that the hon. Member for Winchester (Steve Brine) spoke about, which was announced in 2018 as part of the Tessa Jowell Brain Cancer Mission. Two and a half years later, I understand that only about £6 million of that has been allocated. Will the Minister confirm that and set out what the plan is for the other £34 million? That money needs to be put to use for the things we want it to be used for.

Charities, as I have said, are playing a crucial role in research, but their fundraising avenues have been severely hit by covid, so research funding is in danger. Sue Farrington Smith, the chief executive of Brain Tumour Research, put it bluntly:

“The stark reality is that charity-funded research into brain tumours could stop and the vital progress we have made will be lost.”

What are the Minister's views on that? What assessment has the Department made of the resilience of research funded by charities and of how we are, at least in the short term, going to fill the gap that covid has created?

I want to finish by majoring on the points that the petitioners asked us and the Government to focus on in moving towards solving childhood cancer. First, transparent data classification systems, coming through from the National Institute for Health Research, could be dealt

with relatively simply and quickly, so I hope the Minister will support that. The petitioners also ask for the ring-fencing of funding for research on childhood cancers. Finally—this is important for rare cancers and rare diseases more broadly—they want the incentivising of research in these areas, where the incentives will not, clearly, be financial. Taking those steps would make a significant difference for future children and families, who will not know that we are having this discussion. I would like to hear the Minister's assessment of those asks. Will she let us know more broadly what steps the Government will take to reach those goals?

The debate has been a poignant and moving one, but those who signed the petition and triggered it want action. They have set out what those actions might be. It is time for us to pull together and get on with it.

5.43 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Jo Churchill): It is a pleasure to serve under your chairmanship, Mr Mundell.

I want to begin by congratulating the petitioners, as other Members have, and by thanking the hon. Member for Gower (Tonia Antoniazzi) for securing this important debate. It has been one of the most poignant I have attended—I am sure we can all agree about that—and it is my fourth debate about cancer in the past five days. Each one shows the devastation that that disease brings to families, but that has been particularly so today, because we have been speaking of children. As the hon. Member for North Ayrshire and Arran (Patricia Gibson) said, there is no way to feel, in burying a child or grandchild, that that is the right order of things.

I agree entirely with those Members who said that we are stronger when we act together—particularly in the world of cancer. That brought me to this place, and I hope to do a little good while I am here, in this sphere in particular. I want to add my voice to the chorus of tributes to Fiona Govan, who, as we have heard, started the petition after the death of a much-loved grandson, Logan.

As many Members have expressed, DIPG is a brutal cancer—we are seeing success with some cancers, but DIPG is particularly difficult. Fiona has vowed to do everything she can so that future generations will never have to experience the pain of losing a child, as her family did. As we have heard today, however, Eva, Izzy, Atticus, Cameron, Daniel, Isla, Bradley, Georgia, Kaleigh, Benny, Grace, Reece, Evie and Ollie have all been treasured and lost. It is to their families that I address my remarks. Nearly 110,000 people stand in solidarity with Fiona, and I am grateful to the Petitions Committee for its important work.

I am honoured to speak about this most important of petitions on behalf of the Government this afternoon. My heart goes out to all families affected. The pain of the diagnosis of DIPG and the subsequent treatment is something that no mother, father or grandparent should ever have to go through. The very thought of it in the 21st century is unbearable, yet Fiona's experience and others' experiences, which we have heard about through the many powerful and compelling contributions to the debate, remind us too painfully that although we have come a long way—there have been improvements over the past 40 years—we have not come far enough, particularly with DIPG. The dial has not shifted.

In the past 40 years, we have seen good progress in the treatment of childhood cancers. Thankfully, the majority of children will now survive cancer. However, the most pernicious cancers, such as DIPG, remain a deadly threat. Our research must continue, and I agree with hon. Members that it must intensify. The National Institute for Health Research is the largest national clinical research funder in Europe. As has been said, we have invested over £1 billion so that some of the finest researchers in the world can work on this puzzle and try to find the answer. The largest of the disease areas is cancer, and such research receives over £130 million each year.

Many tributes have been paid, and I want to pay tribute to my predecessor, my hon. Friend the Member for Winchester (Steve Brine), for the work he did in this space, particularly with the Tessa Jowell Brain Cancer Mission in 2018. The Government have announced £40 million of funding over the five years, including for DIPG. The money is being invested through NIHR, making full use of its talents as an internationally recognised centre of research excellence. At the heart of the mission is translating the discoveries of scientists and doctors into treatments and diagnostics that can transform the lives of all young patients.

We know that research takes time. It is through heart-breaking experience that brain tumours give us one of the most persistent challenges, even for the greatest medical minds in this country and across the globe. We want researchers to submit high-quality research proposals in this area. In 2018, we made an appeal to the research community for more funding applications for brain tumours. The response was fantastic, with an immediate increase in proposals, and we have been able to fund the very best of them. As the hon. Member for Nottingham North (Alex Norris) alluded to, £5.7 million has been spent so far, but we need to make that appeal loudly and clearly so that the research proposals that come forward can be assessed.

One of the challenges of ring-fencing just for DIPG is about the scientific potential of the research and what we are looking at. When we ring-fence funding, sometimes it actually stops great research. Although I want to go full pelt behind intensification—I want more proposals to come forward—the challenge of ring-fencing is a difficult one.

Research has been a major part of covid, as many hon. Members have said. We have shown that we can do more, that we can speed up research, that we can do things in parallel, and that we can deliver speedily from the bench to the bed to the patient. We need to take every one of the lessons that we have learned from the pandemic and translate them, particularly into cancer research.

We know well that cancer in children presents unique challenges. The Royal Marsden's biomedical research centre is a world-leading centre for children with cancer that does genuinely groundbreaking research, such as the work to develop a 91-gene panel test that can detect certain genomic mutations in childhood tumours. The study used next-generation sequencing and involved children whose tumours were no longer responding to treatment; we have heard about the limited treatment options available to parents.

The study found that 51% of tumours had mutations that could be targeted by anti-cancer drugs that are used for different tumours in adults—51% is really encouraging.

That is the challenge of ring-fencing funding in a different area, however: we need to look at how we can use different treatments to target other cancers, as we are seeing more and more. We need to make the most of that. For example, drugs that are ordinarily used to treat skin cancer in an adult might be effective in treating a child's brain tumour. That could clearly be a game changer.

The Royal Marsden is also a leader in DIPG research. As we know, DIPG is difficult to treat because it is comprised of multiple generations of different types of cancer cell. The biomedical research centre's pioneering work has used genetic sequencing of individual cell types to explore how they interact, co-operate and stimulate the growth of that tumour. That opens up new avenues for the interpretation of tumour evolution and opportunities for new drug interventions. All that groundbreaking work is transforming how we think about childhood cancers, with powerful technologies that offer hope for future generations. What unites us all is that we never want to see parents go through that pain if we can work towards a solution to stop it. We are determined that the biomedical research centre at the Royal Marsden should remain a home for groundbreaking research. Since 2017, we have provided £43 million over five years.

The University of Nottingham is another such centre of excellence and the National Institute for Health Research is funding research there to look at the early diagnosis of childhood cancers. Early diagnosis is crucial across all cancer types. We know that we get much better outcomes when we diagnose in stages 1 and 2, rather than being presented with stages 3 or 4 when, obviously, the prognosis is much poorer. This represents a potential pathway that might avoid the painful journey that lies ahead.

In Nottingham, researchers are looking at cancer symptoms that are often non-specific and can mimic other more common childhood illnesses. We heard from many hon. Members how an initial tremor in the hand, a dragging of the leg or feeling unwell would perhaps not immediately be thought of as cancer in a child. Doctors do their best, but parents do not want every visit to the doctor to be a worry that their child has cancer. It is very difficult for those who diagnose. The research in Nottingham aims to address that challenge by increasing awareness of symptoms among healthcare professionals and addressing the lack of paediatric-specific diagnostic tools.

I say in answer to several hon. Members that the Department is working with charities large and small, such as Cancer Research UK and other medical charities, and Cancer52 and the smaller charities, as well as with many research bodies, including the Medical Research Council and others. Only by co-ordinating funding can National Cancer Research Institute partners maximise the impact of research for patients and the public. I pay tribute to those centres of excellence, but this journey is not theirs alone. We are seeing an ever more powerful network of partnerships and likeminded organisations that care passionately about brain tumours. In addition to the Tessa Jowell Brain Cancer Mission, we work with Cancer Research UK and many others. For example, in partnership with CRUK, the NIHR has funded £1.2 million for an experimental cancer medicine centre and a paediatric network, which brings together trialists, scientists, clinicians and NHS research infrastructure to increase availability and access to novel treatments. Several Members spoke

[Jo Churchill]

of the challenge of having to go abroad to America or Europe to access those treatments. We want people to be able to take part in trials and access treatments here.

The Brain Tumour Charity does incredible work and provides £2.8 million of funding for the study of more targeted brain tumour drugs. The fantastic Tessa Jowell BRAIN MATRIX is pioneering a new trials platform to give people with brain cancer, including children, access to trials and treatments that are best suited to individual tumours. There are many hundreds, if not thousands, of different cancers. The Tessa Jowell BRAIN MATRIX is working across the four nations, and across the globe. Nobody has the sole right to make the discovery. Working together, we are much stronger. We are all here to make sure we deliver for young patients.

I pay tribute to the incredible partners across the country for the effort that is going into this generational challenge. I also pay tribute to the charities for their additional work in supporting families. When a person gets a cancer diagnosis, that is a horrendous journey. It is awful as an adult, but worse when it is someone's child—my heart goes out to all those parents.

No child should have to suffer in the way the children we have heard about today did and do, and no adult should have to bear such a loss. Fiona and everyone else who has lost a very loved child or grandchild before their time have my deepest sympathy and respect. As we have heard, that is often not enough, so they have my absolute commitment that the Government will stop at nothing to make childhood cancer a thing of the past for generations to come.

We will look at getting better data. Transparency can be a challenge, because it is obviously important that we do not divulge too much about an individual patient. I have talked about the challenge with ring-fencing, but that does not mean that we should not be spending the money and calling for more research. We will also incentivise research, and I am happy to carry on the conversation about a UK strategy.

We will stop at nothing to make childhood cancer a thing of the past for generations to come. We will achieve that only through research, and we will do it better together.

5.58 pm

Tonia Antoniazzi: I thank the Minister for her positive response. As chair of the APPG on cancer, I welcome it, and so do Members across the Chamber, especially my hon. Friend the Member for Easington (Grahame Morris), who works very hard alongside me. I thank the Minister on behalf of Fiona Govan and all the petitioners. We will continue to hold her to account. I thank all hon. Members for their contributions.

Question put and agreed to.

Resolved,

That this House has considered e-petition 300027, relating to research into childhood cancers.

Sitting suspended.

Covid-19: Impact on Schools and Exams

[JAMES GRAY *in the Chair*.]

[*Relevant Documents: First Report of the Education Committee, Getting the grades they've earned: Covid-19: the cancellation of exams and 'calculated' grades, HC 617, and the Government Response, HC 812.*]

6.2 pm

Jonathan Gullis (Stoke-on-Trent North) (Con): I beg to move,

That this House has considered e-petitions 326066, 550846, 316404 and 549015, relating to the impact of Covid-19 on schools and exams.

It is a pleasure to serve under your chairmanship, Mr Gray. This is a timely debate as only last week the Secretary of State for Education laid out the Government's plan for the delivery of GCSEs and A-levels next summer. I want to put on record my sincere thanks to Libby Harris, Alex D'Arcy and Ellis Rogers, whose petitions we debate today, for giving me time to speak with them at length about their reasons for starting their respective petitions. I also thank Dame Glenys Stacey from Ofqual for giving me her time to explain the processes for exams next summer.

I start with Ellis's e-petition calling for the reclosure of schools and colleges due to an increase in covid-19 cases, which has been signed by 416,000 people—990 of them are from my constituency of Stoke-on-Trent North, Kidsgrove and Talke—as well as Libby's petition asking the Government to mandate schools to close two weeks before the end of autumn term, enabling students to self-isolate before joining loved ones in their Christmas bubbles.

Ellis began his petition because of his mum and aunt, who both work as teachers—unsung heroes during the global health pandemic—at the same secondary school. When all year groups returned to Parrs Wood High School, where Ellis's mum and aunt work, it was only a matter of weeks until his mother caught covid-19. Ellis feels that, despite all the measures introduced by the school to be as covid-secure as possible, they simply are not enough, in large part because not all pupils are following the rules of wearing masks in corridors, keeping socially distanced from staff and peers, and not mixing with different bubbles. He also highly doubts the regularity of people hand-sanitising or washing. That causes only more anxiety for Ellis as his aunt was classified as extremely vulnerable via her GP during the first lockdown, and his first concern is—rightly so—the safety and wellbeing of his family.

Ellis has some questions for the Minister that he would like to have answered. Why can we not move back to online learning for all pupils? What have the Government done to invest in technology to enable learning from home since the start of the 2020 summer term? Have they invested in better ventilation in schools, as has happened in some countries across Europe? Lastly, what are they doing about vocational qualifications? Many students felt let down by having to wait an additional two weeks to receive their grades last summer. Are vocational qualifications an afterthought?

Libby's petition, which goes along slightly similar lines to Ellis's, is about providing safety for elderly relatives and preventing another spike in cases, as we have recently witnessed. She has asked whether it is

possible to move all learning online for the final two weeks of this term. In that way, young people could self-isolate, potentially get tested and ensure that they had no symptoms, so that when they met loved ones they could do so knowing that they were not endangering them.

Libby referred me to Stephen Reicher from Independent SAGE, who has suggested allowing pupils off a week earlier than usual and adding those days back into the school calendar next summer, in order to protect loved ones and the NHS. Libby also referred to Kit Yates, also from Independent SAGE, who has said that if we took year 13 alone as a region, they would be in tier 3. To be clear, Libby is not a teacher. She is a concerned citizen who understands the need to compromise and is willing for her idea to apply only to secondary schools where the spread of covid-19 cases seems much more prevalent. Libby therefore asks this question of the Minister: if schools remain open, will the Government implement the safety measures recommended by Independent SAGE, and if not, why not?

I come to the final petitioner, Alex, who has called for the cancellation of all GCSEs and A-levels in the summer of 2021. His petition has just over 169,000 signatories, with 292 from my constituency of Stoke-on-Trent North, Kidsgrove and Talke. Alex is a year 11 student preparing to sit his GCSEs next summer. A northern lad living in Liverpool, he argues that his local community in his region has been more greatly affected than some in other parts of the United Kingdom. Since September, some of his peers have lost out on six weeks of face-to-face learning. Alex was happy to share that he is a beneficiary of Merchant Taylors', a private school that he attends in Liverpool. It has the resources and capability to deliver high-quality online learning, but that experience is not fair and not true of many in his community.

Alex referred to statistics showing that during the first lockdown, when most students were asked not to attend school, a study by the National Foundation for Educational Research team concluded that a third of students had not engaged in lessons while at home, 42% had not bothered to return their work, and pupils from the most disadvantaged backgrounds were the least likely to engage with remote learning. Alex feels it is highly unlikely that a level playing field can be created because, as some surveys suggest, students from disadvantaged backgrounds are up to four months behind in their learning, which the three-week delay to the start of exams simply cannot make up for.

All my discussions with Alex predate last week's announcement by the Secretary of State for Education, but Alex did email me with some thoughts and questions for the Minister. How will the Government and Ofqual ensure that fair marking is applied across all exam boards, as marking can be very subjective? The Government must ensure that the advance notice of topics and additional support materials is announced as soon as possible to ensure that teachers and students can prepare. A U-turn must not happen. Lastly, will the Government pledge to spend any additional money on resources in case of a third lockdown, and use Oak National Academy, BBC Red Button and textbooks suppliers so that schools have all the resources they need?

I hope I have done justice to the petitioners. I will respond with my own views on the petitions. All petitioners have been told in advance, and I am grateful for their trust in me to deliver their views today. For the record, I

do not believe that schools and colleges should close, and I believe that exams must go ahead next summer. I am pleased that we now have the details about how that will run. Such large numbers of students being asked not to attend school for six months still saddens and horrifies me. I understand why that was necessary as we tackled and learned about covid-19, but I think many Members will agree that that is something we never wish to see again.

I represent an area with one of the worst level 3 and level 4 qualification take-ups in the country. Students in my area are below average in achieving a pass in English and in maths at GCSE, and far too many lack access to high-skilled, high-quality apprenticeships or job opportunities. Lockdown has meant that we are rocking on our back foot as a local area after taking a right hook from covid-19. I therefore ask the Government to ensure that the last things to be closed in this country are schools and colleges.

I was extremely disappointed to see the National Education Union executive campaign so heavily not to have schools open to all students, and spending time running a political campaign asking for Facebook graphics to be shared, rather than working with the Department for Education. The damaging actions taken by NEU leaders, who I do not believe speak for most of its members, will have negatively impacted the reputation of and respect for some in the teaching profession. I sincerely hope the NEU will pause and think about its conduct.

Since the start of September, 99% of state-funded schools have been open each week, with the rate of face-to-face attendance maintained at close to 90%, although we have seen a drop to 83% as of 26 November, due to an increase in covid-19 cases. This shows that many students are present in school, and there has been an expectation for schools to provide remote learning when students have to self-isolate, with recent guidance about how that must be done.

Of those pupils who did not attend on 26 November due to covid-related reasons, it is believed that only 0.2% had a confirmed case and 0.4% a suspected case, and 7% to 8% were self-isolating because of coming into contact with someone who had covid. UK scientists have constantly demonstrated that children are less susceptible to infection than adults, which has also been shown in studies from South Korea and Iceland. Data from this summer demonstrated that under-18s in the UK accounted for less than 2% of all infections detected, and research led by University College London concluded that children are 50% less likely to become infected than adults. Data has also indicated that schools are a low-risk setting for transmission and that there is no significant transmission among children or from pupils to teachers. Details of a study in the Netherlands that were published by SAGE in April support these claims.

I believe that the Government have worked to create a comprehensive list of measures—including regular hand washing, enhanced cleaning, bubbles and staggered timings of the day—to ensure that school can be an effective place of learning. However, although lots of good work has been done, it is still fair to ask questions and raise concerns.

I note that the Department for Education has announced recently that money will be made available to schools to assist with the costs of cleaning, the provision of laptops, supply teachers and other costs. Although that is welcome,

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it is not yet clear what the size of the budget will be nor how the money can be applied for. Schools in Stoke-on-Trent North, Kidsgrove and Talke, such as St Mary's Primary School in Tunstall, have lost out, because they have a well-managed budget and therefore were not entitled to claim back for the cost of making sure that they were covid-secure after the first lockdown. Will the Minister say how big the budget will be, whether schools be able to backdate claims and when the money will be distributed?

I acknowledge and welcome the Government's £195 million to purchase 340,000 laptops and tablets. However, not all children have access to wi-fi, nor do they or their parents know how to use the internet and online apps properly, as is the case for 44% of residents across Stoke-on-Trent. While the digital divide exists, with 9 million people struggling to use the internet independently, as the Good Things Foundation has found, we can anticipate huge problems. That is why I back the call by my right hon. Friend the Member for Tatton (Esther McVey) for a digital catch-up scheme.

With regard to exams, I will not revisit the past, as I think we have all learned a valuable lesson from that ordeal. The scheme announced by the Secretary of State for Education seems to take a balanced and detailed approach. I am particularly pleased with the advance notice of topics, as it enables teachers to plan accordingly. Again, I urge the Minister to work with the profession to create accessible online resources and also videos on these topics for TV, accessed via the red button, to aid teachers, as my right hon. Friend the Member for Harlow (Robert Halfon), the Chair of the Education Committee, has regularly called for. These additional support materials will give students the support to ensure that they can demonstrate the very best of their ability.

However, the Minister must keep the pressure on Ofqual to ensure that advance notice is given by the end of January, as promised. Contingency plans—additional papers for those who miss the exams and enabling clinically vulnerable students to do tests from home—would also be good news. However, I hope that those with special educational needs and disability will also be taken into account much further, with consideration of home examination adjusted for.

Using Ofqual's special consideration process for those who may sit only one or two of the exams in a subject is also good news, as this is a system that has been in place for decades. However, I ask the Minister to ensure that the system has been stress-tested, because it is highly unlikely that it will have had to handle the numbers in this summer's exam series, in order to give certainty to year 11 and 13 students across England.

I also urge the Minister to work with me to have the DFE set up an online portal for the volunteer army of retired or ex-teachers to be exam invigilators, an idea that the Secretary of State has supported. This way, the DFE can enable schools to waive the costs of conducting CRB checks and access those stepping up in the national effort.

The Minister also needs to set out how additional exam markers will be hired to ensure that papers can be marked in a shorter timeframe and to ensure the quality of exam board marking.

I welcome the £1 billion catch-up fund, but I am seriously concerned that some schools, such as the King's Church of England School in Kidsgrove, have not been able to find tutors via the approved suppliers, and by the announcement that the £350 million of funding for the national tutoring programme is not only for the 2020-21 academic year but will now be spread over two years. I have long stated my scepticism that this scheme will deliver for students in disadvantaged areas such as Stoke-on-Trent, Kidsgrove and Talke, as these large, centrally controlled schemes do not always end up where they are intended to.

Will the Minister explain why funding from the national tutoring programme will now be spread over two years, what progress has been made in hiring tutors and how they will be distributed? Lastly, the school holidays are a really important opportunity to catch up. Following comments last week from my hon. Friend the Member for Wantage (David Johnston), will the Minister explain how we can use the holiday periods effectively?

6.15 pm

Bill Esterson (Sefton Central) (Lab): I am really pleased that we are having this debate, and I am grateful to the hon. Member for Stoke-on-Trent North (Jonathan Gullis) for introducing the petitions so well. This is a really difficult time for all students and their parents, just as it is for everybody else. We know of the uncertainty and damage that will be done if the right provision is not available. I agree with the hon. Member that it is absolutely right that schools stay open. I point out that all schools, or nearly all schools, have been open all the way through since 23 March for the children of essential workers and for many other children from disadvantaged backgrounds. We should all pay tribute to staff, who have worked incredibly hard, have been on the frontline, are essential workers and have often been infected with covid. Sadly, too many teachers and other school staff have died.

I wanted to take part in this debate because of my constituent, Alex D'Arcy. The hon. Gentleman mentioned him. He lives just around the corner from me, and I have known him on and off since he was about eight. I did not know that he had started the petition in August; I had absolutely no involvement whatsoever in encouraging him to do it, but I am thrilled that he did. When I spoke to him last week, he had not realised how quickly the petition had grown. He had not looked at it for several months, and suddenly 169,000 people had signed it. He was demonstrating his solidarity with many of his friends—people who live in the same street as him—who are not in such a fortunate position as he has been: he is one of only five students in his school who have not had to self-isolate at any time since going back in September.

Many others are not as fortunate, and many go to other schools where it has been much harder. As the hon. Gentleman said, children have not had the online support, and they have not had the in-school support either. That is the context in which Alex launched the petition. Because of the missed hours between 23 March and the end of the summer term last year, he did not see how it was possible for the exams to take place this year.

Much of that still applies, if not the point about whether exams should go ahead, because there has been a serious gap between those children and young people who have had very good access, like Alex, and those in the north-west who have had to go home and self-isolate

on up to five different occasions since just September. It is hard to see how those children and young people will catch up. The Government announced the national tutoring programme, but the hon. Member pointed out that that funding is over two years, not one, and it is being introduced very late. There are questions about why it took so long, and about where the tutors will come from. How much support will be available? One headteacher in my constituency said that, as far as she can tell, it will be 15 hours for one subject only. For students taking eight or nine GCSEs, that will be a drop in the ocean. I am afraid that having advance notice or support in the exam hall will not make the slightest difference. If a student taking an exam does not understand the topic, it does not matter how much notice they get or how much help they get in the exam hall—they will not be able to answer the questions. I am afraid that setting up a working group, which was the big reveal from the Government, really does not go far enough at this stage. The Government have to answer quickly some serious questions about how this will all work, how the catch-up will be possible and how it will be possible for all children and young people to have a fair chance at their exams in the summer.

The Government need to have a plan B in place. Given the reform, we know it will be difficult to deliver the kind of classroom assessment that the current Chancellor of the Duchy of Lancaster put through when he was Education Secretary, whereas it is possible in Wales. There are alternatives to exams, and the Government will have to come up with an alternative, just in case the infection rate increases and we are not able to see a fair system for exams. We have not heard that so far, and we have yet to see exactly how they propose to make exams work. Unless they do—this is a point that was made to me by Alex—we will have a real imbalance between the nations of the United Kingdom, whereby children in England will face real unfairness and inequality. They will face a system whereby grades are being awarded in Scotland and Wales on a different basis. How will that enable A-level students to compete fairly for university places, and will it be fair to GCSE students? Those are the questions for the Minister and Secretary of State.

I am incredibly proud of Alex for launching his petition. He has done a terrific job in highlighting this issue and he deserves enormous credit. We should encourage our young people to do as he has done. I hope that his getting 169,000 people to join him in signing the petition is the kind of impetus the Minister needs to take the action that all our children and young people need to have a fair crack this year.

6.22 pm

Damien Moore (Southport) (Con): It is a pleasure to serve under your chairmanship, Mr Gray. We had a really good start to the debate from my hon. Friend the Member for Stoke-on-Trent North (Jonathan Gullis), and it is a pleasure to follow my constituency neighbour, the hon. Member for Sefton Central (Bill Esterson), for the first time ever.

Many of our nation's schools face an unprecedented challenge. The lockdown has had a severe impact on every aspect of education in this country, and many students have fallen behind in their studies. The entire student population, from primary right through to university,

has been forced to learn from home for almost a full academic year. Teachers have risen to the challenge of adapting for digital delivery, and many say they want to keep some techniques as we return back to the new normal, but the lack of available equipment and connectivity for disadvantaged young people during the lockdown has widened the educational divides. In my constituency of Southport and many others across the country, there are homes where children simply do not have access to a computer. If we are truly to level up our communities, we must address the problem and ensure that such children are not disadvantaged further by this pandemic.

My second point is about closures and the impact that they have had on examinations and the continuity of students' grades. Of course, exams were cancelled this year. Thousands of students, who had been relentlessly told for years about the importance of exams, were suddenly left without a conclusion to their studies. Indeed, Ofqual established a system for teachers to estimate grades. Like a great number of MPs present, I received hundreds of emails from constituents after the grades were given out. They were concerned about their son or daughter and the grades that they had been given—they were nothing like what had been predicted. Many students missed out on a place at university. We must ensure that that does not happen again and that integrity is put back into the system.

That brings me to my final point, about the impact of this virus on students' mental health, an issue that I have raised on numerous occasions since becoming the Member of Parliament for Southport in 2017. We know that the coronavirus pandemic has a profound impact on the lives of millions of children and young people across this country. In some cases, they have been through other traumatic experiences at home as well, such as abuse or death, as well as the direct impact that covid has had on families. Some have struggled with missing friends, others with losing the structure of the school day and no longer having access to the support network that they relied on. Although returning to school is likely to be positive for many young people's mental health, the readjustment following a long break and the changes that schools are having to make to their environment and timetables will be challenging for some.

Schools need to make wellbeing their top priority as we return to normality, and they need Government support to help them to do that. We know that about a third of schools do not provide school-based mental health support and that many young people who are struggling to cope may not meet the criteria for NHS mental health services in their area. When the Minister responds, I ask her to carefully consider that issue and the campaign of the charity YoungMinds, which calls on the Government to provide ring-fenced funding to ensure that schools can bring in extra support where it is needed to help pupils and parents.

It is vital to ensure that, through no fault of their own, this generation of students do not fall back in terms of the educational support they receive. Let us get them back on top of their studies. I strongly believe that we need to return to full in-person learning and examinations, which are the only way to ensure fairness between year groups and parity between students from low-income and more fortunate backgrounds.

6.26 pm

Wera Hobhouse (Bath) (LD): It is a pleasure to serve under your chairmanship in this timely debate, Mr Gray. I am pleased to be discussing the subject again. I congratulate the young people who stand in solidarity with their peers, their teachers and their family members and who started the petition, and those who have signed it. Pupils in Bath and across the UK have responded with remarkable resilience to this challenging year. Our teachers and school staff have also adapted brilliantly; I thank them all for the work that they have done to make sure that our schools can remain open. It would be an insult to their efforts to repeat the exams fiasco next year.

I have said before that I believe a return to exams in 2021, even with a three-week delay, is the wrong decision. It is about fairness, about which we have already heard a lot in the debate. The time that students have spent in school varies massively across the country, and more may need to self-isolate. I am not convinced that the measures announced by the Secretary of State for Education last week will be enough to level the playing field.

We have seen that teacher assessment works. Teachers are fully capable of assessing their students' ability. The Welsh Government have announced a flexible approach to assessments that will be delivered in a classroom environment. Those assessments will be externally set and marked to ensure consistency across the nation, but they are not national exams as we know them. Most importantly, the Welsh approach gives pupils the chance to use the summer term to catch up on lost teaching time and to continue learning and building the skills and knowledge that they need for the next stage of their lives. Why should pupils in England not be given the same opportunity?

The Government have yet to answer many questions. Moving grade boundaries may help some students to get higher grades, but will it make up for the huge variation in teaching time? When can students expect the list of topics that will be covered in exams? That must be provided as soon as possible so they can make the most of the rest of the school year. Teachers also need to prepare. If we go ahead with exams, how can we make sure that they are fair? Announcing an expert panel to monitor that is all very well, but again, when can teachers and students expect clarity on what it will mean for them? It is completely unacceptable to continue to kick that decision down the road.

There is a real human cost to all this uncertainty for pupils and teachers. We have already heard much about pupils' mental health. Behind every exam result is a young person ready to take on the next stage in their life, whether that is an apprenticeship, a place at university or something else. We cannot begin to know the full extent to which this disruption will affect them, but the exam situation is causing them a great deal of stress and anxiety, and the power to reduce it is in the Government's hands. The Government owe it to those young people to learn from the summer exams fiasco, rather than rely solely on exams at all costs.

6.30 pm

Mark Pawsey (Rugby) (Con): It is a great pleasure to serve under your chairmanship, Mr Gray. I congratulate my hon. Friend the Member for Stoke-on-Trent North

(Jonathan Gullis) on his introduction and on bringing forward this debate on the impact of covid on schools and exams.

This is an important debate. Few issues are as important as our children's education, especially in a year when that has been more disrupted than at any time in recent memory. As a principle, I believe that for children's progress and wellbeing it is vital for them to remain in the education setting for as long as possible. I will therefore focus on the impact of covid on exams and the case for a two-week lockdown in schools before Christmas. I will build on representations I have had over the past week from the headteachers of three schools in Rugby: Siobhan Evans of Ashlawn School, Mark Grady of Rugby High School and Alison Davies of Avon Valley School.

On the issue of exams, I recognise the very great challenge to the Government and Ofqual—I am sure the Minister will explain this—of putting in place a system to treat pupils who will be sitting GCSEs and A-levels next summer. How are we to treat those pupils fairly? Many pupils have lost an awful lot of school time. Ofsted, in its recent annual report, notes:

"While we do not yet have reliable evidence on 'learning loss' from the pandemic, it is likely that losses have been significant and will be reflected in widening attainment gaps."

My hon. Friend the Member for Southport (Damien Moore) referred to that.

We know that the amount of home study in this time has varied dramatically according to the circumstances of the children and their parents. Children from disadvantaged backgrounds have missed out significantly in comparison with their more fortunate peers. Mrs Evans drew my attention to the fact that her own son, who attends a different school from the one where she is head, missed out on 150 teaching hours during the first lockdown and is on course to miss a further 120 in this academic year—a total of 270 hours. I understand that a GCSE is typically 120 guided learning or teaching hours, so her son is missing the equivalent of two GCSEs' worth of teaching time. That is a huge amount, even when parents are able to monitor their child's learning, support them and put additional resource in place—and of course we know that that has not been possible for every child. Many have not had the support at home to make up for that lost teaching time. I have heard accounts from teachers and parents of pupils who have spent that time at home on computers, playing games and staying up late, rather than completing their schoolwork.

There is a range of solutions, varying from cancelling the exams altogether to going ahead and pretending that nothing has happened, but I believe that what the Government have announced is a pragmatic suggestion. It includes delaying exams for three weeks to provide extra teaching time, giving advance notice of the topics that pupils will be examined on, as my hon. Friend the Member for Stoke-on-Trent North said, and providing appropriate aid to pupils during their exams.

It is essential that exams go ahead, because they are the fairest and most accurate way we have to measure attainment. Of course, pupils themselves deserve to have the opportunity to demonstrate their hard work and show what they know. Today, I spoke to the equality club at Rugby Free Secondary School—a fourth secondary in my constituency—to talk about equality. The Government should take steps to ensure that no pupil is unfairly

disadvantaged simply by virtue of having been born in a particular year—in this case, 2003, 2004 or 2005—and sitting exams in either 2020 or 2021. It is imperative that there is a level playing field on applications for jobs and universities for the children who sit exams in these two years as there was for those in the years preceding them and as there will be in the years afterwards, when, we hope, everything will settle down.

I now turn to the case for a two-week lockdown from 10 December, which has been made to me by Mr Grady and Ms Davies. They have told me that, following the announcement of the relaxation of the rules to allow the formation of Christmas bubbles, there should be a two-week school lockdown from 10 December. I understand that that is because if a student is identified as a contact and required to isolate after 10 December, their self-isolation period will have a direct impact on their family's plans for Christmas—through no fault of their own, a student could cause their family to miss out on a family Christmas.

Any child going to school from Monday 14 December and required to self-isolate will have to do so for the whole Christmas period. The case for closure is that if schools were to close on 10 December, that risk could be eliminated. But I believe that that would be incredibly disruptive to the majority of children and, as with previous school closures, a two-week school lockdown would have a disproportionate effect on students from disadvantaged backgrounds at a time when those students have missed many hours of education already.

My hon. Friend the Minister will tell us that there is a judgment call to be made between the impact on family Christmases and on children's education. If we had not lost so much teaching time already in the year, it might have been reasonable to close early for Christmas, but I do not buy that. I think it essential that children do not fall further behind, and for that reason I am not supportive of a pre-Christmas school lockdown.

If I may, I will raise one or two issues that have been drawn to my attention by my local headteachers and particularly in respect of Ashlawn School, which is very heavily subscribed because of its outstanding Ofsted rating. A big and busy school, it has done exceptionally well to maintain social distancing on the school estate, but in practice the limitations of the classroom sizes have made it very difficult to meet all the Government guidelines. Mrs Evans has contrasted the reality that schools face on the ground with some of the images that have come through from the Department, showing students in spacious classrooms with plenty of room between them. That is not always the case, particularly in a well subscribed "outstanding" school. She has also drawn my attention to the cost of maintaining social distancing measures in a big school: she estimates that the cost is £200 a day, with £70 a day spent on hand sanitiser alone.

The Government have done the right thing in prioritising education and ensuring that pupils get the best possible education. They have demonstrated that they have the best interests of the most disadvantaged at heart, and I very much look forward to the remarks of the Minister in summing up the debate this evening.

6.38 pm

Rachael Maskell (York Central) (Lab/Co-op): I am grateful to be able to speak in this debate. I certainly concur with the comments made by the hon. Member for Stoke-on-Trent North (Jonathan Gullis) about the national tutoring programme. I know that school heads

across York, who come together in an organisation called YSAB—York Schools and Academies Board—say that the money could be better and more effectively targeted had they got control of the resources. They also have relationships with people who could deliver such a programme. That would make such a difference, and not only in delivering the programme far more quickly, which is something that we would all want to see.

I also concur with some of the comments made in Libby's petition on looking at closing schools down earlier before Christmas and being able to displace that time to another point in the calendar in order to keep families safe. Every day, we are seeing hundreds of children in our constituencies not at school. In York, 545 children are not in school in one of the lowest areas of infection in the country. We have to hold things in balance: we have to look at how we can put the right measures in place to keep families safe, but also ensure that there is minimum disruption to children's education.

This has been the most challenging time for teachers and support staff, as well as students. The stress placed on our young people today, who have worked incredibly hard through this time, has had a profound impact on their mental health, which must be recognised. People do not want to be absent from their education: with every single absence, they see their future slipping away, not least because they are still uncertain as to what the end of the year may bring for them. One thing that they are certain of, though, is that those absences have driven greater inequality.

In researching for this debate, I decided to go back to some source reports, drawing on academia in particular and looking at Ofqual reports too, to examine the assertion that Government keep putting forward: that exams are the best form of assessment. From Ofqual's work and that of others, that is not what the evidence is saying. For instance, an inequality is hardwired into the system: the evidence shows that male students perform better in exam-only assessments than female students, and we therefore need to look at that issue. While female students perform well in exams, they also excel where there is coursework involved, and therefore the hybrid model that Labour championed during its time in government struck the right balance. That is certainly borne out by the evidence put forward by academics.

That evidence has also shown that having proper access to IT and broadband, and a safe and secure learning environment, removes so much of the inequality around socio-economic status that we see. That is why it is absolutely right for the Government to prioritise those things, although sadly that has been lacking throughout this pandemic: there has been greater divergence, particularly for pupils who already have lower attainment, and that growing inequality in our education system is of great concern.

As set out by the *Journal of Child Psychology and Psychiatry* last year, teacher assessment during compulsory education is as reliable as formal external exams. That journal also found no bias on the grounds of ethnicity or gender in that type of assessment. It did, however, recognise the impact that exams are having on wellbeing, as did the Mumsnet survey of 1,500 parents, who identified the impact exams are now having on children's mental health. Two in three children experience anxiety and sleepless nights. For one in 10, exams have a severe impact on their mental health, with 9% seeking medical

[*Rachael Maskell*]

help, one in five pupils in tears, and 31% experiencing exam stress. Research has shown how exams—not least the gold-standard exams—have exacerbated poor mental health, resulting in an increase of a third in medical referrals, as well as panic attacks, breakdowns, crying, fatigue, and children imploding emotionally.

That poor mental health is creating a new disadvantage through exams, where those who are breaking under the system are performing worse in exams. That must be taken into consideration, not least with the escalation of pressure when a pupil knows that they are sitting exams having had many days of absence, while other pupils have been able to attend school. Now, we have a system where four different nations have four different systems and pupils are applying to universities for the same places, and therefore greater inequality is being built into the system. Sadly, while it is welcome to hear about the work that the Government have been doing, their announcements last week have not addressed the deep concerns about inequality in our system. Certainly, most young people still do not know what lies beyond that point.

An extension of only three weeks to the academic year, as needed as it may be, will not address the missed opportunities children have had. I spoke to one parent whose daughter had had only 16 days since March of her A-level biology course, for which she sits the exam next summer. How will she compare with the pupil who has been constantly in education over that time, when she has had no contact with her educational establishment for three months? The gap is so large that it is clear we cannot depend on an end-of-year-exam-only assessment. I am sure that after the Government have sat in their workgroup, they will be coming back to make further announcements.

However, there is one more question that I want to put before Government, which is maybe a bigger question: what is education for? Surely we need to return to the classical understanding that education is the acquisition of knowledge and the ability to apply it. Passing exams has little to do with that, and therefore the Government's assertion that exams are the best form of assessment and of advancing pupils' education is not proven by the academic evidence.

We can trust our professional teachers and educators to nurture and assess our young people with centre-based assessments for all—yes, absolutely, nationally moderated—and turn the stress and tears to joy and prove that education is not just about exams. If the Minister fails to do that, I trust that the higher education sector will take control of how it will admit its next generation of students and force the Government to think again.

6.45 pm

Jane Hunt (Loughborough) (Con): It is a pleasure to serve under your chairmanship, Mr Gray. First, I thank the petitioners, my hon. Friend the Member for Stoke-on-Trent North (Jonathan Gullis) and, of course, the around 600 people in my constituency who have signed these petitions, which I am pleased MPs have the opportunity to discuss. I will focus my speech on two main aspects: the call for schools and colleges to close due to covid-19 and the call to cancel examinations.

While I appreciate colleagues' arguments, I am not supportive of closing schools or colleges. School closures are incredibly damaging to young people—to their education, health and mental wellbeing—so they must be used only as a last resort. I am grateful for the best efforts of teachers and parents to provide high-quality remote learning as well as in-house learning for vulnerable children and children of key workers during the previous closures earlier in the year. We owe our teachers an immense debt of gratitude as they have worked tirelessly right through the year to support students, often going beyond teaching to ensure that emphasis is placed on young people's wellbeing.

However, the period of partial school closures inevitably led to many children—especially those from disadvantaged backgrounds—falling behind. We cannot put the futures of our young people at risk. There is simply no substitute for face-to-face learning for those at a young age, so I will continue to support the Government in keeping schools and colleges open.

While inevitably there have been covid outbreaks in schools, those have often been controlled thanks to the collaboration of national and local government and schools. There is clear evidence that children are much less susceptible to the damaging effects of covid-19 and ONS data identifies teaching as a low-risk profession, in part thanks to the monumental efforts of schools over the last few months to ensure their facilities are covid-19-secure. It has not been easy to implement and maintain new safety measures, so I thank all managerial, administrative and teaching staff for their hard work.

I would like to mention in particular Cobden Primary School in my constituency, where during a recent visit I saw at first hand the lengths gone to so as to keep children and staff safe while ensuring that the impact on education was as little as possible. Rawlins Academy has also done a fantastic job on that, although it has found it more difficult than others due to its limited space and the nature of its facilities. The staff and head especially have done their utmost to reduce the impact on education, but in some cases school bubbles have been out of school for some time, which is far from ideal. I raised that specific case recently with the Education Secretary.

Instead of closing schools, which only hinders social mobility, widens the disadvantage gap and places a burden on working parents, we should continue to work with them to ensure they have the resources and infrastructure they need to accommodate students and teachers safely on site or supplement their current facilities with additional local buildings and resources, should that be necessary. On that, I ask the Minister to look at the specific case of Rawlins Academy in Loughborough.

I am not in favour of cancelling exams, because we would be denying the child their moment of demonstrating all they have worked for and achieved, which gives them confidence to progress further. However, we should look at what adaptations could be made to aid schools in delivering the examination timetable, should social distancing still be in place next summer. I am pleased that the Minister is looking at this matter and ask her to consider what steps can be taken to secure examinations in 2021 and provide consistency and a firm plan for pupils.

6.49 pm

Helen Hayes (Dulwich and West Norwood) (Lab): It is a pleasure to serve under your chairmanship this evening, Mr Gray, and I congratulate the hon. Member for Stoke-on-Trent North (Jonathan Gullis) on securing this important debate.

I pay tribute to school leaders, teachers and support staff across my constituency, who have worked tirelessly throughout the coronavirus lockdown to keep schools open for the children of key workers, deliver teaching online in difficult circumstances, and reopen schools to all students. Their commitment has been extraordinary, but they have not had the support from the Government that they should have been able to rely on. First, in relation to laptops, tablets and wi-fi provision, it was completely obvious at the very beginning of the coronavirus lockdown that the impact on education would be far worse for students who did not have dedicated access to a laptop or tablet, and reliable wi-fi. Yet across my constituency the number of laptops provided has not come close to meeting the need, and in October the allocation was revised down. One headteacher tweeted that in September the school was promised

“115 laptops for disadvantaged students”,

that on 22 October schools had a

“legal requirement to deliver remote learning”,

and that on 23 October as the school broke up for half term it received 23 laptops. The headteacher added that the children had not “got less disadvantaged” between September and 23 October.

Secondly, in relation to costs, schools have incurred significant extra costs as a result of introducing covid-safe measures. Many schools in my constituency are seeking to reclaim between £12,000 and £20,000 in extra costs—money that they have already spent; but there is no transparency from the Government about reimbursements. Some schools’ applications have been refused entirely, others have had a partial amount, and others have received the full sum for which they applied. I would be grateful if the Minister would explain how she expects schools to balance their budgets in those circumstances, when the Government do not fully account for and reimburse the significant extra costs. Will she commit to reimburse all the additional costs that schools have incurred related to covid-19?

Finally, on exams, it is important that children can be confident that everything possible will be done to ensure that they do not suffer long-term disadvantage as a result of the terrible year of coronavirus. The handling of exam results was a fiasco. It caused deep, lasting distress to many students and their families, not all of which could be repaired by the Government’s U-turn. Even after that U-turn, there was still a widening of the disadvantage gap in results, with private schools seeing the biggest improvements in grades. Applying blanket measures to all students in the coming year will not address the disadvantage gap either. Students who have had good access to online learning will still fare better than students who have not had the laptops or wi-fi that they need, even with knowledge of the subjects that will be on the exam paper.

Coronavirus has scarred our country enough. The Government must ensure that they do not do long-term damage to young people in relation to either the quality of their education or their mental health. Funding

laptops, reimbursing schools for additional costs and delivering a fully functioning, comprehensive catch-up programme are the minimum requirements that children should be able to expect.

6.53 pm

Peter Gibson (Darlington) (Con): It is a pleasure to serve under your chairmanship, Mr Gray, and I congratulate my hon. Friend the Member for Stoke-on-Trent North (Jonathan Gullis) on leading today’s debate.

I thank all the schools in Darlington—the teachers, headteachers and other school staff—for their amazing efforts throughout the last nine months in keeping schools open and continuing to educate our children online and in the classroom. In preparing for tonight’s debate, I have spoken with Nicole Gibbon, the fantastic head of St Aidan’s Academy in my constituency. She said to me:

“Children need to come to school for their mental health, their stability and their routine. They need goals to work toward and I welcome the announcements in respect of next year’s exams although I would have liked them sooner.”

I agree with Nicole and I believe that it is right for schools to be open and children to be at school. It is also right for exams to take place.

We are of course living in unique times, and that is why I welcome the measures that were announced last week, including a three-week delay to exams, more generous grading, advance notice of some topics and exam aids. I am conscious that some of my constituents want schools closed and exams cancelled, with more than 1,000 people from Darlington signing the petitions before us. However, as the chief medical officers of each of the four nations set out, schools are the best place for children to be, while the Children’s Commissioner stated that Ministers should ensure that schools should be the last places to close and the first to reopen.

We are all conscious of the risk to children of missing out on education in the long term and of social isolation and the potential damage to their development. I firmly believe that the best place for our children in the future is in school, for their education, their social development and their mental health. I am proud of the work undertaken by schools and colleges right across Darlington, which have responded to the challenges of 2020 and have remained open in a covid-secure manner. To close them now would be a betrayal of their hard work and the trust placed in them. It is right that the Government remain committed to exams going ahead in 2021, and they have responded to the challenge that that poses with a number of sensible measures.

I welcome the steps taken to tackle the digital divide, which needs to cover kit, connectivity and skills. I urge the Minister to continue to send out kit to children in Darlington as soon as it rolls off the production line. While I am issuing a Christmas list to the Minister, will she please commit to the additional costs being reimbursed to all our schools?

I know that schools and colleges right across Darlington have been working hard to ensure that no pupil misses out. I want that to continue, with our schools staying firmly open and vital exams taking place.

6.56 pm

Jim Shannon (Strangford) (DUP): I congratulate my good friend, the hon. Member for Stoke-on-Trent North (Jonathan Gullis), on setting the scene, as he often does.

[Jim Shannon]

He has brought his knowledge of education to the House, which we all benefit from. Well done to him. I also thank you, Mr Gray, for allowing me the opportunity to speak.

Education is clearly a devolved matter, so the Minister has no responsibility for what happens in Northern Ireland. However, I will add my comments, which will replicate the comments of other right hon. and hon. Members on what is important in education and the best way to achieve the safety and education of children. This debate has illustrated that I am not the only MP inundated with parents' concerns; I believe that much of the mail I receive every day in relation to education will be the same in Strangford as elsewhere. The queries of parents uncomfortable with their child being on the bus to school, in class or taking part in after-school activities are valid, and their concerns are entirely understandable.

However, the other side of that is a letter from an equally concerned parent that their child's academic and social development is being adversely affected by remote teaching, as the hon. Member for Rugby (Mark Pawsey) clearly referred to. Queries about the focus on home learning and children being prevented from attending normal after-school activities are equally valid and understandable. The Minister for Education in Northern Ireland, Peter Weir, said that schools will remain open right through to the normal school holidays. That is good, because children need a routine; that is important, as has been coming through to me. He is in regular contact with the Education Minister here, and they try to ensure continuity between what happens here and in Northern Ireland.

I hear from teachers concerned for their families. It seems that every day we hear of more community transmission. Although the rate is lessening thanks to the steps taken, it is still in schools, and I hear from teachers concerned for the health of their loved ones at home. There was a covid-19 outbreak in my granddaughter's school, and year 8s and year 9s had to go home as a precaution. I will not mention which school, but it is good that they are now over that, that there were no fatalities and nothing serious came out of it. All teachers and pupils have recovered.

I hear from other teachers who highlight their concern for children who are unable to learn at home due to a lack of support or the need for enhanced professional support. One teacher told me that their heart was breaking for a child she believes soaks up the kindness from teaching staff; there are children who really need that more than anything else. When she went to call the child's mother on Zoom to check on the child during the covid lockdown, she was unable to get through. The child returned to school after lockdown ended, but was withdrawn, quiet and uncertain. In the teacher's own words, her heart "literally ached" for that child.

Let me be quite clear that this child is not in any physical danger; she is fed and clothed in clean clothes. Nevertheless, this teacher urged me to tell the story of all the children who need to be in school for the kindness and encouragement that they receive, even for that little two minutes that the teacher spends with them on a one-to-one basis. Other children look forward to the structure of school, while for many children it is the nutritious lunch they get at school that they look forward to; that is valid to me and it is valid to their families as well.

One teacher highlights the need for an additional week of school holiday, to give the two-week buffer after the five-day Christmas period relaxation. However, another says that she cannot do that:

"I have GCSE and A-level students who need to be in".

Both views are valid, and there is a balance that Education Ministers and even schools themselves are always trying to strike in the education system. But herein lies a problem for schools. What one family needs is not what all children need; what will work for one teacher might not work for another. Are any of those teachers wrong in what they say? No, I do not think they are.

So, what can we do? How do we design a place to satisfy the valid concerns of both sides, who have opinions that are polar opposites? The question is difficult, yet what every teacher and every parent agree on is that there is more riding on this issue than an attendance percentage on a report. For many children, it is about establishing their foundation for learning; for others, it is the difference between excelling and merely attaining.

I got no further than GCSEs at school, or their equivalent at that time; I will put that on the record. I often say to children at exam time that through hard work, determination and working my way up, I ran my own business and managed to make it to this place. Exams are not the be-all and end-all, but education is, and we must do all we can to protect the education of our children, to protect the necessary social interaction between them and to protect a generation of innovation and hope. Are we getting things right? I am not really sure. Do we need to keep listening and reacting to new information and situations? The answer to that is, "Absolutely."

7.2 pm

Wes Streeting (Ilford North) (Lab): It is a pleasure to serve under your chairmanship, Mr Gray.

I begin by thanking all those who signed the petition and in particular the two people who started it, and I echo what we have heard already around the Chamber, namely that it is particularly encouraging to see so many young people engaging in the democratic process and making their voice heard in this year of all years.

For all the reasons that we have heard during the debate, Labour Members believe that it is absolutely essential that we keep pupils learning. In fact, the big challenge that our pupils face this year—and I fear that it will be the big challenge that our country will face for many years to come—is that pupils have spent so much time out of school. So, we certainly cannot support a proposal that would take pupils out of school for even longer.

We also believe, not least because of the experience last summer as well as because of other well-known and well-recognised concerns about the potential for bias outside of examination conditions, that it is in the best interests of pupils for examinations to go ahead. Our argument has been that the Government need to take action to ensure that exams go ahead in a way that is fair and accessible to all pupils, and that takes into account the levels of lost learning this year. I am afraid, however, that the Government have failed England's school pupils. They have failed on exams, failed on attendance, failed to protect the vulnerable, failed on home learning and failed on funding.

Let me take exams first. We all saw the unmitigated disaster that was last year's exam results; 31.9% of teachers' A-level predictions in England were downgraded by the algorithm and pupils from poorer backgrounds were more likely to have received a bigger downward adjustment. Indeed, under the original algorithm, the subject in which students did best relative to their predicted grades was Latin.

That information was known by Ministers in advance of results day. They were presented with evidence of the inequities but proceeded anyway, into a results day where the disaster was not just foreseeable but actually foreseen. I cannot imagine any Labour Education Secretary over the years being presented with such evidence and not taking immediate action ahead of the disaster.

Even then, the current Education Secretary mishandled the fallout. Alternatives to the algorithm were put in place at the last minute. The Education Secretary announced that the system would switch to a triple lock before Ofqual signed it off. Ofqual was only told about the plan on 11 August, just two days before results day.

With the lessons of last summer's disaster not having been learned, we have seen dither and delay. Surely, the one lesson we should learn from the exams debacle is to ensure that preparations are made for the coming set of exams, and that those positions are well understood by pupils, parents and schools alike. Instead, the Government have dithered and delayed, announcing only a three-week delay in October as the grand sum of their package, until last week, when the Education Secretary came before the House and presented a range of measures, many of which we could support, but which did not go far enough.

The measures are not targeted. We know that lost learning is disproportionately impacting pupils from different backgrounds and schools in different communities, yet we saw a blanket approach with standard measures put in place for all schools and pupils regardless of their circumstances. There was no real focus on tackling the severe disadvantage that some have faced disproportionately.

The big announcement was the proposal to establish "a new expert group to look at differential learning and monitor the variation in the impact of the pandemic on students across the country."

This is really obvious stuff. We know there has been a differential impact. We know that pupils and schools have been affected differently. Why was the Education Secretary not announcing the outcome of such a review last week, rather than simply commissioning one just before Christmas? It is absolutely unacceptable.

Despite measures announced such as providing schools and pupils with topics in advance of exams, and proposals around revision aids and written materials to take into exams, the Education Secretary has not said when that information will be available. We were given a commitment of late January, but there is so little teaching time left this academic year before pupils are meant to be revising that he really ought to have that information out to schools by the beginning of term in January at the latest.

On attendance, we have all talked about the importance of getting pupils to school, but in recent weeks we have had as many as 1 million children missing school each week. Worse still, the Government are hiding the extent of the crisis by refusing to publish a regional breakdown of data. Finally, we have a commitment from the

Department to publish that regional breakdown before the end of December. If we do not know the extent of the problem, how on earth can we work to tackle it?

On vulnerable children, we know that rates of absence for children with social workers and special educational needs are even higher than the general figures. We also know that prolonged absences have been a disaster for the most vulnerable children. Only last week, Amanda Spielman, Ofsted's chief inspector said:

"Covid-19 has exposed an already crumbling infrastructure that fails to meet the needs of our most vulnerable children all too often".

That would be shameful enough, were it not that the Education Secretary and the Department were dragged before the courts to be held to account for their failure in their statutory duty to protect the most vulnerable children. That is not to say anything of the reprehensible decision by this Government not to provide the necessary support to feed vulnerable children over the October half-term. If Treasury sources are to be believed, the Education Secretary and the Department did not even ask for the money to provide that support.

On home learning and catch-up support, we have seen a failure to provide enough laptops. Only this Department for Education led by this Education Secretary could be so incompetent as to provide schools with a new statutory duty to provide home learning on one day and to cut the provision of laptops by 80% the next. Of course, some people are doing very well out of this incompetent and overly centralised means of providing laptops. Computacenter founder and director, Philip Hulme, has given thousands of pounds to the Conservative party. His wife gave £100,000 to the Tories during last year's general election. Of course, companies like Computacenter just happen to have been given lucrative contracts by the Government. Even where the Government could have exerted some influence, we have seen some pathetic attempts to make sure that pupils can access learning from home. If there is one thing that we have come to understand from the pandemic, it is that devices are only part of the story. Without internet access, they are as good as useless for home learning.

We asked the Department for Education what work had been done to encourage mobile internet providers to zero-rate educational websites. In a reply to a written question, it said:

"To further support disadvantaged households who rely on a mobile internet connection, the major telecoms companies have zero rated the Hungry Little Minds site."

No doubt the Hungry Little Minds site is great, but it is just one site. What about the BBC? What about the Oak National Academy? We asked if any other websites had been zero-rated and the Government could not list any. It is absolutely outrageous.

As we have heard, there has been a £350-million intervention this year to fund the national tutoring programme. Although that is not sufficient, we had hoped that it would give some support to those who need it. Last week, however, we found that the Department is fiddling the figures, so £350 million is not £350 million for this year; it is £350 million over two years, which is effectively half the funding. One big overriding problem with the Department and its Secretary of State is that they are not focusing on or targeting the most disadvantaged enough, so to find an already limited pot cut in half is deeply disappointing.

[Wes Streeting]

As we heard from many hon. Members, it is a cross-party concern that schools have been seriously short-changed, and so have their pupils as a result, because the Department is not covering the true cost of covid and all those measures. Headteachers have enough to worry about. They need to be able to put in place safety measures in the certainty that they, their schools and, most importantly, their pupils are not going to be short-changed by the Government. What we have heard so far is simply not enough.

I am sorry that, for the second time that I can recall in recent weeks, the poor Minister has been sent along to take a brickbat for other people. She had to take brickbats on the disgraceful decision to scrap Unionlearn, which no doubt came from the Secretary of State and some of his bizarre ideological hobby-horses, and now she is having to take brickbats for the Minister for School Standards, no doubt because he is absolutely sweating it ahead of appearing before the Education Committee and its difficult questions. I welcome the Minister, but I am sorry that she has to account for it all.

We want to hear from the Minister, so I will conclude by saying an enormous thank you to all the staff—school leaders, teachers and support staff—in our schools who have been busting a gut to keep pupils learning. When I compare their efforts with the work of the Secretary of State for Education, they are truly lions led by donkeys.

7.12 pm

The Parliamentary Under-Secretary of State for Education (Gillian Keegan): It is a pleasure to serve under your chairmanship, Mr Gray, and I congratulate my hon. Friend the Member for Stoke-on-Trent North (Jonathan Gullis) on securing this debate. I am also grateful to the petitioners, Ellis, Libby and Alex, and to the Petitions Committee for giving us the opportunity to discuss these important topics of opening schools and colleges and ensuring that exams can fairly take place in 2021.

I offer my thanks, as I am sure all hon. Members would, to teachers and educational leaders for their phenomenal efforts in recent months as they have adapted to the changing environment we all live in. The work of schools and colleges has been critical to ensuring that students have continued to access education in some way, and have continued to feel connected to the classroom and their peers. We accept, however, that that has not been an equal experience across the whole country.

When developing our approach, the interests of students and teachers have always been our priority. Since the pandemic began, we as a Government have rightly put education first, and we will continue to do so. We cannot and must not let covid destroy this year of education, which is why we have taken steps to keep schools and colleges open and exams on track.

The return to school in autumn was driven by the clear benefits to young people and children of a return to educational settings. Those benefits remain unchanged. As many hon. Members said, keeping schools and colleges open is important to mitigate some of the largest risks that have materialised during this period for children and young people who have spent time away from educational settings.

There is clear evidence of the negative educational impact of missing school for all students, but particularly younger children, as investments in children's learning tend to accumulate and consolidate over time. School and college closures put educational outcomes at risk, especially for disadvantaged students, due to existing inequalities and attainment gaps being exacerbated. The opportunities for early identification of things such as emerging learning problems are also missed when pupils are not in school.

As was mentioned by many hon. Members, particularly my hon. Friend the Member for Southport (Damien Moore), school closures have been found to cause a deterioration in children's mental health. Evidence suggests that the mental health of adolescents is particularly affected, and that their cognitive, social and emotional development outcomes are at risk, as is their physical health. For vulnerable children, the impact of school closures has had an adverse effect on their wellbeing and educational outcomes due to reduced access to essential services. One regional study presents evidence that schools have been the source of 40% of child protection and safeguarding referrals.

Keeping settings open remains the Government's priority, and we have taken other steps across society to manage down virus prevalence by closing other sectors in order to allow schools to remain open at full attendance. We have prioritised education at all local restriction tiers. The Government's policy is that education settings will remain open, and parents should therefore continue to send their children to school. Schools have implemented a range of protective measures to minimise the risk of transmission. The risk of children becoming severely ill from coronavirus is low, and there are negative health impacts from being out of school. Senior clinicians, including the chief medical officers of all four nations, still advise that school is the best place for children to be.

To respond to Libby's specific question—several hon. Members have raised the issue of finishing school two weeks earlier—we will provide guidance to schools and colleges on the end of term and on how to manage the short period afterwards, when their support might be required with contact tracing. Further guidance will be issued, but let us be clear: this will not be a typical Christmas for any of us, and we will all need to take extra care, as the Prime Minister has said. We want to maximise the time in school as much as possible. Young people have missed simply too much of their education.

Let us turn to some of the support that we provide to schools, particularly on their use of technology and on whether they have been able to access technology. The hon. Member for Sefton Central (Bill Esterson), who is no longer in his place, mentioned that. We have taken access to technology very seriously. By the end of this year, over 500,000 laptops, as well as 50,000 4G wireless routers, will have been provided by Computacenter, which has always been on the procurement framework. We have also introduced a service to provide more flexibility and to make sure they get to the right places, if there are specific lockdowns or large areas where kids need them. People can call that service and receive a laptop in just two days—I am sure the people of Darlington will welcome that.

The EdTech strategy, which we published in April last year, set out the Government's commitment to support and enable schools and colleges to use technology more effectively. Of course, that has been really important, as we have all had to go and do pretty much everything online. The strategy set out the building blocks for effective use of technology in education: good digital infrastructure, capacity building, capability building across the sector, and a better understanding of the things that work in practice.

The same building blocks from the strategy have been an essential part of our response, but at a greater pace than we could have ever anticipated, to ensure that both schools and parents feel supported and that young people continue to thrive. That includes a whole host of measures, such as the introduction of the EdTech demonstrator network, which is a peer support network of schools and colleges that aims to increase expertise in their use of technology. That includes targeted support, weekly webinars and an online library of resources that can be shared. That is to help schools that are not as comfortable or familiar with the technology, so that those that are further ahead on the tech journey can help others in need.

In recent months, the network's support has included how to maximise the investment that the Government have made to freely access Microsoft 365 or the G Suite for Education digital platform; how to ensure that pupils are safe online, including anxiety-busting strategies and activities; and how technology can help better support pupils with complex needs. There is a lot of work going on in this area. Crucially, that support also considers how our investment in technology can offer long-term benefits for pupils and teachers, as disruption to education could continue. Even after it reduces, there will be a legacy of blended learning.

On 27 November, the Department announced a new covid workforce fund for schools and further education settings to help them remain open. It will fund the cost of teacher absences over a threshold in schools and colleges for those with high staff absences that are facing significant financial pressures. The fund will help schools and colleges meet the cost of the absences that they have experienced from the beginning of November until the end of this term.

A number of Members mentioned budgets and additional costs. Schools have already received payments of £102 million for exceptional costs during the summer months, and there will be a further opportunity later in the year for schools to claim any costs that fell between March and July in the same approved categories for which they did not already claim in the first window. We will continue to review the pressures that schools and colleges are facing in the next term.

Helen Hayes: Despite having claimed for costs incurred over the summer, some schools in my constituency have received no reimbursement from the Government. Will the Minister explain why that is happening and how those schools can be expected to balance their books this year?

Gillian Keegan: Obviously there are criteria for each of those funds—I do not know the particular situation, but I am happy to write to the hon. Lady—and those schools may not have met them. One of them is to look at the whole of the school budget, and reserves in particular.

Let me turn to exams and Alex's petition to cancel GCSEs. I understand Alex's concern and it is admirable that he is concerned, on behalf of others, about the unfairness due to unequal access to education. We are continuing to do everything in our power to ensure that young people are evaluated fairly in the coming year. We have to realise that there is no perfect system. All the other systems have flaws and downfalls. In the current climate, the decision to hold exams demonstrates our commitment to ensuring the fairest possible outcome for all students.

As the Secretary of State set out last week, the fundamental problem with this year's exams is that we tried to award grades without actually holding exams, and we are not going to repeat that mistake. This is really difficult to do. It got me, like the hon. Member for Strangford (Jim Shannon), thinking back to my own experience. I come from the same area as Alex—Liverpool. I passed 10 O-levels, and I am sure there was not a single teacher in my Knowsley comprehensive school who would have thought that I would do that. The culture of education was such that we had to hide our homework and what we were doing. I am pretty sure that if I had been in school during this period, I would have been lucky if I had passed four. I was not confident enough to think that I could have passed 10. Exams are a really important way of enabling people to show just what they can do.

Holding a successful exam series in summer 2021 remains a vital component of our strategy to maintain continuity of education and support our young people to ensure they can progress with their qualifications, fairly awarded. We will ensure a successful delivery of the 2021 exams. We will consult with key stakeholders, such as schools, unions and exam centres, to discuss the logistics of the series, in terms of venues, invigilators and so on.

We support Ofqual's decision that, in awarding next year's GCSEs and AS and A-levels, grading will be generous and aligned with the overall standards awarded this year. Ofqual is working with awarding organisations to ensure that vocational and technical qualifications—a point raised by my hon. Friend the Member for Stoke-on-Trent North—lead to similar progression opportunities as A-levels and GCSEs, and that students studying them are not advantaged or disadvantaged.

To help students target their revision, at the end of January they will be given advance notice of some of the topic areas that will be assessed in their GCSE and A-level exams. We will also provide exam support material, such as formula sheets, in some exams to give students more confidence and reduce the amount of information they need to memorise for exams. We really are trying to reduce the stress that students feel when taking exams by narrowing what they know to expect in exams and providing aid so that they do not need to worry about memorising the formulas and so on.

Rachael Maskell: The announcement that the Government are going to give pupils advance notice of topics at the end of January hardly gives them an opportunity for their mock exams and to experience this new world of exams. How will the Minister ensure that young people will have confidence going into that new environment?

Gillian Keegan: On the point about the end of January, the objective is not to reduce the amount of teaching, but to provide an aid so that pupils can focus their revision and catch up if required. It is not to narrow the curriculum or what is being taught, but to enable catch-up—we have all mentioned catch-up—and to enable them to focus their revision on those areas. That is the point and that is why the end of January is deemed the right date.

Students studying for vocational and technical qualifications can also expect additional flexibilities, including the reduction of assessment for optional units. We want as many students as possible to be able to sit their exams, so we have also got a contingency package if they miss an exam because of self-isolation, illness and so on. In the minority of cases where they cannot sit all their papers, there will be additional means by which they can take a future exam or still be awarded a grade, including additional papers available after the main A-level and GCSE exam series. It is the same for VTQ students who have not been able to complete all their necessary assessments.

This is not easy and not perfect. We are dealing with a situation where there has not been equal access to education. The catch-up is happening right now, but we have taken steps to make sure that students and teachers do not lose out because of covid. We have taken them to make sure that they can still achieve their aspirations and to make sure that coronavirus does not drag down educational standards. Instead, we continue to try to level up across the country.

Mark Pawsey: Will the Minister give way?

Gillian Keegan: I am sorry, but I cannot. I would love to, but I want to leave time for my hon. Friend the Member for Stoke-on-Trent North.

I want to thank all of our dedicated teachers and support staff for their continued commitment to supporting children and young people. We all know, when we go to schools, how much young people love being back in school. Even if they are trying to catch up, they still want to be back there. I remain confident that the measures we have put in place, together with the continued dedication of educators and support staff, will suffice. I thank all hon. Members for taking part and the petitioners for raising the subject.

7.27 pm

Jonathan Gullis: I want to place on the record my thanks to all right hon. and hon. Members from both sides of the House who have taken part in this very important debate.

Some really strong points were made about fairness in the United Kingdom by the hon. Members for Sefton Central (Bill Esterson) and for Strangford (Jim Shannon).

I completely concur with their comments. I am concerned about the fact that we have different systems in different parts of our United Kingdom. This would have been a good opportunity for all regions of the United Kingdom to come together as one to agree a system to ensure fairness.

I also have concerns—this was raised by the hon. Member for York Central (Rachael Maskell)—about the deferment of students from 2020 going into this year along with the students who will apply for university at the end of their summer exams in 2021, and whether universities will be able to handle that and whether students will miss out on their first choices.

I should mention my hon. Friend the Member for Rugby (Mark Pawsey). I was a teacher at Ashlawn School, which he named, so I suppose I should put that on the record in the interests of fairness. I brought him to the school to speak to students on numerous occasions.

I want to go back to the hon. Member for York Central, because she made excellent points about how it would be far better for the £350 million for tutoring to go to local areas to make local decisions to hire local tutors, or for local university or student tutors or ex-teachers like me to go out there and actually do the work. Before I get the Twitterati trolling me, I place on the record that I would not expect to be paid if I did volunteer.

I thank all teachers, supply staff and exam officers from across Stoke-on-Trent North and the UK. I look forward to sparring with the shadow Minister, the hon. Member for Ilford North (Wes Streeting), on education. He referred to the Government's handling of exams last summer, but I remind him that Labour-run Wales and the Scottish National party, which runs Scotland, also had to realise that their algorithms had gone wrong. He talked about the issues with advance notice. There are 1,000 exams that need to be written, so there is obviously an issue because exam boards need time to work with Ofqual to make sure the topics are fair and balanced.

When it comes to lions led by donkeys—I do enjoy that old line from when I taught history—I thought at one moment that we were talking about the NEU leading the Leader of the Opposition with regard to his constant non-committal in June over whether schools should be open or not. Perhaps I misheard or misunderstood.

I thank all Members for taking part in this debate.

Question put and agreed to.

Resolved,

That this House has considered e-petitions 326066, 550846, 316404 and 549015, relating to the impact of Covid-19 on schools and exams.

7.30 pm

Sitting adjourned.

Written Statements

Monday 7 December 2020

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Paris Agreement: UK Nationally Determined Contribution

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): On Friday 4 December, the Prime Minister announced the UK's new nationally determined contribution (NDC) under the Paris agreement. This commits the UK to a new ambitious target to reduce the UK's emissions by at least 68% by the end of the decade, compared to 1990 levels.

This is a step forward in our ambition to tackle climate change over the next 10 years as we accelerate towards meeting our legally-binding commitment to reach net zero by 2050. Just as the UK led the way as the first major economy to legislate for net zero, our NDC raises the bar for global climate ambition by committing the UK to the highest level of emissions reductions by 2030 of any major economy, compared to 1990 levels. The level of the UK's NDC is consistent with advice from the independent Climate Change Committee (CCC). It is a significant step up from the level of the UK's previous target as a contributor to the EU's NDC, which was equivalent to around a 53% UK reduction over the same time period.

As the UK looks ahead to hosting COP26 in Glasgow next year, in partnership with Italy, we are urging all countries to follow suit and come forward with ambitious new NDCs and transformational long-term strategies towards net zero emissions, in order to ensure that this will be a decade of ambitious climate action. The climate ambition summit on 12 December, which the UK is co-hosting with France and the UN in partnership with Chile and Italy, provides an excellent opportunity for countries to come forward with new commitments across the three pillars of the Paris agreement: mitigation, finance and adaptation.

Tackling climate change will remain a top priority for the Government. In November, the Prime Minister announced his 10-point plan for a green industrial revolution. Ahead of COP26, we intend to publish a comprehensive net zero strategy, setting out the Government's vision for transitioning to a net zero economy, making the most of new growth and employment opportunities across the UK.

The UK intends to communicate its NDC to the UNFCCC by the 12 December climate ambition summit. This will include the technical annex, known as information to facilitate clarity, transparency and understanding (ICTU), which will set out the detail underpinning the UK's headline 2030 target. The UK also intends to communicate an adaptation communication and finance biennial communication to the UNFCCC.

Once formally communicated to the UNFCCC, I will lay the NDC in Parliament and will follow up with letters to relevant Select Committees.

[HCWS624]

DEFENCE

Armed Forces Covenant: Annual Report

The Secretary of State for Defence (Mr Ben Wallace): Today, I am laying before Parliament the Armed Forces Covenant Annual Report 2020. The pandemic has seen our armed forces once again step onto the frontline to protect our nation, from leading mass testing in Liverpool to constructing NHS Nightingale Hospitals. Such contribution demonstrates that the armed forces covenant is as important today as it was in 2011 and we are therefore proud to lay this report before Parliament.

The Government have built their support for armed forces families in 2020 with the launch of a wrap-around childcare pilot at test sites across the UK. The Armed Forces Covenant Fund Trust has also awarded £7.2 million to 60 projects for military families. As well as the MOD's investment of £123 million to service families accommodation, we have committed an extra £200 million to improve MOD accommodation to support the regeneration of the UK economy in the wake of the covid-19 pandemic. We have also extended the Forces Help to Buy scheme until December 2022, giving more service personnel and their families the opportunity to buy a home of their own.

Partners across the UK, in the public, private and charitable sectors, have been working hard to support those who serve or have served, and their families, throughout the covid-19 pandemic. The private sector has continued to demonstrate its support for the armed forces community, with the total number of armed forces covenant signings rising to over 5,800 by the end of September.

Ensuring that all veterans' healthcare needs are met remains crucial. The number of GP practices accredited as veteran friendly has more than tripled to over 800. The Defence recovery capability review made 42 recommendations about future Defence recovery pathways for our wounded, injured and sick personnel, and in April we launched HeadFIT, an important tool to support mental fitness in the armed forces and to promote the good management of mental health.

While progress has been made, both this year and in previous years, more still needs to be done. Next year, the Government will honour our manifesto commitment to further strengthen the covenant in law. The Government, with partners across all levels of Government in the UK, service charities and the private sector, will continue to mitigate disadvantage wherever it is found within the armed forces community, seeking special considerations where appropriate.

This report is a collaborative effort. I would like to thank colleagues across Government, the devolved Administrations and local authorities, and partners across the UK who are continuing to drive forward the work of the covenant. I am also grateful to the external members of the Covenant Reference Group for their involvement throughout the process and for their independent observations.

[HCWS626]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Spending Review: Local Government Finance

The Secretary of State for Housing, Communities and Local Government (Robert Jenrick): The spending review, announced by the Chancellor on 25 November, contained significant announcements for local government. The Government confirmed that councils' core spending power would rise by an estimated 4.5% in cash terms in 2021-22—worth £2.2 billion—a real-terms increase. This will support the services that the public relies on, including children's and adult social care.

Alongside this, we announced a package of measures to support local government in its response to the pandemic. For 2020-21, Government have delivered on their commitment to apportion irrecoverable tax losses from this year, by confirming that they will compensate councils for 75% of such losses. For 2021-22 we will provide un-ring-fenced grant funding of £1.55 billion; £670 million in recognition of the additional costs of providing local council tax support resulting from increased unemployment; and we will extend the existing sales, fees and charges scheme to include the first three months of 2021-22. We have good reasons to be optimistic about overcoming the spread of the virus. Nevertheless, we will continue to keep the covid-19 package under review.

I intend to bring forward proposals for the allocation of this funding in the provisional local government finance settlement, before the Christmas recess.

[HCWS627]

INTERNATIONAL TRADE

Free Trade Agreements: Transparency and Scrutiny Arrangements

The Secretary of State for International Trade (Elizabeth Truss): I am today setting out transparency and scrutiny arrangements for our new international trade deals with the United States, Australia, New Zealand and for the UK's proposed accession to the comprehensive and progressive agreement for trans-Pacific partnership (CPTPP). This includes a clear statement of intent by the Government and reflects our commitment to transparency and effective scrutiny of our trade agenda. Furthermore, my Department will continue to work closely with the International Trade Committee and the International Agreements Sub-Committee to review these intentions.

We have committed to publishing the objectives for new free trade agreements and scoping assessments at the outset of negotiations. The Government led a comprehensive public consultation before commencing its negotiations with Japan, the United States, Australia and New Zealand. Just as happens in the Canadian, Australian and New Zealand systems, the Government have kept Parliament updated on negotiations as they progress, including close engagement with relevant Select Committees.

The Government will continue to keep Parliament and the public informed of progress for these negotiations through the publication of "Round Reports". The

Government will also continue to hold regular briefings for parliamentarians so that they are kept informed and can ask questions of Ministers. We will work constructively with the relevant Select Committees to keep them apprised of negotiations, including through public and private briefings with Ministers and chief negotiators.

The Government have further built on commitments to transparency and scrutiny through the recent announcement of the extension of the Trade and Agriculture Commission. The Trade and Agriculture Commission will now be placed on a statutory footing in the Trade Bill. It will provide advice on the impacts on farming and animal welfare arising from these new free trade agreements before they are laid in Parliament, under the Constitutional Reform and Governance Act 2010 procedure.

In addition, the Government will work with the International Trade Committee and International Agreements Sub-Committee to ensure they have treaty text and other related documents or reports on a confidential basis, a reasonable time prior to them being laid or deposited in Parliament under the Constitutional Reform and Governance Act procedure. This is to enable the Committees, should they decide to do so, to produce a report on these new free trade agreements. As with the Japan agreement, this will provide parliamentarians with an additional reference point on which to scrutinise what we have negotiated.

When a signed treaty text is laid in Parliament, it will be accompanied by an explanatory memorandum and the Government will publish an independently verified impact assessment which will cover the economic and environmental impacts of the deal. Parliament will then have 21 sitting days to scrutinise the deal. Should the International Trade Committee or International Agreements Sub-Committee recommend a debate on the deal, the Government will seek to accommodate such a request subject to parliamentary time. The Government want these agreements to be examined by parliamentarians and effectively scrutinised.

Widespread prior consultation and the publication of detailed impact assessments and objectives upfront allow informed debate at the start of the negotiations. Extensive stakeholder engagement on the detail of the negotiations as they proceed, and confidential briefing of relevant Committees, combined with the confidential sharing of text at the end of negotiations mean the Government will have provided Parliament with the information to provide effective scrutiny at all stages of the negotiations. This approach to transparency and openness to scrutiny by Parliament and other stakeholders is at least as strong as any other Westminster-style democracies such as Canada, Australia and New Zealand.

These arrangements are appropriate to the UK's constitutional make-up and separation of powers. Ultimately, if Parliament is not content with a trade deal, it can raise concerns by resolving against ratification and delay any implementing legislation indefinitely.

This Government are committed to ensuring that no trade deal undermines key industries or lowers standards for consumers. The Government are concluding free trade agreements that benefit all parts of the UK by creating opportunities for our world-leading industries, and maintaining high standards while increasing choice for consumers.

To ensure that the arrangements set out today remain fit for purpose and enable the International Trade Committee and the International Agreements Sub-Committee to conduct their important scrutiny role effectively, the Government will work with the Committees to review further the detail behind these arrangements. For trade agreements beyond the scope of this statement, the Government will always ensure that the appropriate transparency and scrutiny procedures are put in place and will provide further clarification at the appropriate time.

[HCWS623]

JUSTICE

Independent Human Rights Act Review

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): I am today announcing the creation of the independent Human Rights Act review. This review extends from our manifesto commitment and will take the form of an independent advisory panel which will provide the Government with options for updating the Human Rights Act (HRA). As Lord Chancellor, I am committed to upholding the UK's stature on human rights. The UK contribution to human rights law is immense and founded in the common law tradition. We will continue to champion human rights both at home and abroad, and we remain committed to the European convention on human rights.

The HRA has been in force for 20 years, and therefore it is timely to undertake a review into its operation. The UK's constitutional framework has always evolved incrementally over time, and it will continue evolving. We need to make sure that our human rights framework, as with the rest of our legal framework, develops and is refined to ensure it continues to meet the needs of the society it serves. The review will examine two key areas outlined in detail in the terms of reference, which will be deposited in the Libraries of each House. Broadly, the panel will consider the following themes:

The relationship between domestic courts and the European Court of Human Rights (ECtHR).

The impact of the HRA on the relationship between the judiciary, the executive and the legislature.

The examination of the Act will consider the approach taken by domestic courts to jurisprudence of the ECtHR, and whether the HRA currently strikes the correct balance between the roles of the courts, Government and Parliament.

As part of its work, the review will also examine the circumstances in which the HRA applies to acts of public authorities taking place outside the territory of the UK, with consideration of the implications of the current position, and whether there is a case for change. The review is limited to consideration of the HRA, which is a protected enactment under the devolution settlements.

It is my intention that the panel shall consider these questions independently, thoroughly, and put forward options for reform to be considered by myself. The panel will report back in summer 2021 and their report will be published, as will the Government's response.

The following people will become members of the panel. They have been selected on the basis of their wealth of experience, coming from senior legal and academic backgrounds. They have the breadth and depth of expertise required to consider the issues highlighted within the terms of reference effectively. The panel members are:

Sir Peter Gross—Panel Chair

Simon Davis

Baroness O'Loan

Sir Stephen Laws, QC

Professor Tom Mullen

Professor Maria Cahill

Lisa Giovannetti, QC

Alan Bates

[HCWS625]

Petitions

Monday 7 December 2020

OBSERVATIONS

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Hunterston B Nuclear Power Station

The petition of residents of the North Ayrshire & Arran constituency,

Declares that there is an urgent need to support inward investment in North Ayrshire; notes the announcement of the complete cessation of energy production at Hunterston B Nuclear Power Station in January 2022; further notes the £54 million annual contribution the station makes to the North Ayrshire economy; and further declares that, while there is no immediate threat to the jobs of approximately 520 staff and 250 contractors working on the site, action needs to be taken now to ensure the sustainability of the local economy once the defueling of Hunterston B has concluded.

The petitioners therefore request that the House of Commons urges the UK Government to work in partnership with the Scottish Government and North Ayrshire Council to deliver investment in green, clean energy production in North Ayrshire as a matter of urgency.

And the petitioners remain, etc.—[Presented by Patricia Gibson, *Official Report*, 9 September 2020; Vol. 679, c. 738.]

[P002597]

Observations from the Minister for Business, Energy and Clean Growth (Kwasi Kwarteng):

The Department for Business, Energy and Industrial Strategy (BEIS) is working with EDF Energy (EDF) and the Nuclear Decommissioning Authority to consider how efficient and cost-effective decommissioning of EDF's stations can be planned for and delivered. This work includes consideration of how the stations will be owned and managed in the future. As the current owner and operator of Hunterston B, EDF is responsible for engaging and consulting its workforce on plans for the closure and then the decommissioning of this site.

On 19 November, the transformational Ayrshire Growth Deal was signed, securing £251 million investment in the region. The deal will galvanise efforts to develop key strategic sites and sectors in Ayrshire. It will help leverage private sector investment of more than £300 million, with the potential of creating up to 7,000 new jobs. The UK Government are investing £103 million into eight projects including regeneration, research and innovation, infrastructure, marine science and aerospace technology. The Scottish Government are also investing £103 million with local partners contributing the rest.

The deal includes up to £18 million for a Centre for Research into Low Carbon Energy and Circular Economy (CECE) at the Hunterston Strategic West Scotland Industrial Hub. Hunterston is a national strategic site and home to Scotland's largest strategic deep-water port, with direct rail and grid connections. The site has a critical role in Scotland's Energy, Blue Economy,

Offshore Wind and the Circular Economy futures. Partners in the project include: Peel Ports, Scottish Enterprise, Crown Estates, Nuclear Decommissioning Authority.

Both Governments will each invest £3.5 million in the HALO Kilmarnock regeneration project. Work is already well underway to transform the former Johnnie Walker bottling site into a dynamic commercial, educational and advanced training hub, with a focus on sustainability and low carbon energy. Earlier this month HALO announced it would also be participating in the UK Government's £1 billion kickstart scheme to create 200 cybersecurity job placement opportunities for young people.

The projects represent a tremendous opportunity to improve the well-being of communities and the economy. Signing this deal will allow partners to progress plans to support recovery and renewal post covid-19, and transform Ayrshire into a 21st century powerhouse for growth.

On 17 November, The Prime Minister also set out his ambitious ten-point plan for a green industrial revolution—an innovative and ambitious programme of job creation that will support the Government's mission to level up across the country. The plan will mobilise £12 billion of Government investment to support up to 250,000 highly-skilled green jobs in the UK, and spur up to three times as much private sector investment by 2030.

Covering clean energy, transport, nature and innovation technologies, this plan will enable the UK to forge ahead of delivering its target of net zero—ending its contribution to climate change by 2050—and building back better.

EDUCATION

Funding for Purbeck Schools

The petition of residents of the United Kingdom,

Declares that schools in Purbeck are currently facing significant funding cuts leaving numerous schools underfunded; notes that over three thousand residents of Dorset signed a petition to save Purbeck schools from funding cuts; and further that every child in Dorset has the right to a good, well-funded education.

The petitioners therefore request that the House of Commons urges the Government to reverse all funding cuts to Dorset Schools, and support the reallocation of funding to ensure schools in Dorset are well-funded and able to perform effectively.

And the petitioners remain, etc.—[Presented by Richard Drax, *Official Report*, 6 October 2020; Vol. 681, c. 875.]

[P002605]

Observations from the Minister for School Standards (Nick Gibb):

At the 2019 spending round the Government announced that we are increasing core schools funding by £2.6 billion this year, and £4.8 billion and £7.1 billion by 2021-22 and 2022-23 respectively, compared to 2019-20, including significant additional funding for children with special educational needs and disabilities. This is in addition to the £1.5 billion per year we will continue to provide to fund additional pension costs for teachers over three years. The table below shows the funding settlement, as

set out at the 2019 spending round. The 2020 spending review last week reiterated the Governments' commitment to this funding settlement.

	2019-20	2020-21	2021-22	2022-23
Schools RDEL excluding depreciation	£44.4 billion	£47.6 billion	£49.8 billion	£52.3 billion
Of which pensions funding	£0.9 billion	£1.5 billion	£1.5 billion	£1.5 billion
Of which SR19 cash uplift compared to 2019-20	n/a	£2.6 billion	£4.8 billion	£7.1 billion

This investment means we are giving schools the largest cash increase in a decade, which will give every school more money for every child and has enabled us to increase school funding by 5% in 2020-21 alone. We have continued to distribute this funding through the National Funding Formula (NFF), which ensures that funding is based on schools' and pupils' needs and characteristics, not accidents of location or past spending. On average, schools are attracting 4.2% more per pupil in 2020-21 compared to 2019-20. Schools in Dorset are attracting 5.5% more per pupil this year, or a total of £9.4 million more, taking their total cash funding to £203.4 million.

In July 2020, we published provisional school and high needs funding allocations for 2021-22 to give schools certainty of future funding. Next year, mainstream school funding will increase by 4% overall and, on average, schools are attracting 3.1% more per pupil in 2021-22 compared to in 2020-21. Dorset is attracting an extra £7.3 million for schools next year (2021-22) through the NFF—a like-for-like increase of 4.1% per pupil, taking their total funding to £220.2 million, based on current pupil numbers. This includes funding previously distributed through separate teachers' pay and pension grants which have been brought into the NFF to simplify their allocation. More information on 2021-22 NFF allocations can be found here: DfE external document template (publishing.service.gov.uk).

In 2021-22 we have specifically increased the extra support the NFF provides for small and remote schools, primarily serving rural communities. Primary schools attracting this funding will be allocated up to £45,000 through the NFF's sparsity factor— a significant increase from £26,000 this year. This will be the first step towards further expanding the support the NFF offers small and remote schools from 2022-23.

As part of this investment, we have announced an additional £730 million into high needs next year, coming on top of the additional £780 million in 2020-21, which means high needs budgets will have grown by over £1.5 billion, nearly a quarter, in just two years. Dorset's provisional high needs allocation for 2021-22 will be £42.2 million, an 8% per head increase on the amount of high needs funding allocated in 2020-21. This will support children and young people with the most complex needs, helping schools and local authorities ensure that they can provide an excellent education for every child.

As we deliver the biggest funding increase for schools in a decade, our school resource management programme has a crucial role to play in ensuring the additional

investment is being used as effectively and efficiently as possible. This includes practical support and guidance for schools and academies to help reduce costs on regular purchases and recruitment, so they can invest their resources into areas that improve pupil outcomes.

TREASURY

Financial support for the self-employed during COVID-19

The petition of residents of the constituency of Glasgow East,

Declares that the economic consequences of the Coronavirus pandemic has had a particularly harsh impact on those individuals who are self-employed or run small businesses; expresses concern that the Chancellor's recent Winter Economic Plan means the Self Employment Income Support Scheme is to be wound down; and further expresses concern over the many gaps already existing in the previous scheme, which was inadequate for millions of people who considered themselves excluded from Government support.

The petitioners therefore request that the House of Commons urge the Government to bring forward additional measures to support those self-employed and freelance workers.

And the petitioners remain, etc.—[Presented by David Linden, *Official Report*, 6 October 2020; Vol. 681, c. 875.]

[P002606]

Petitions in the same terms were presented by the hon. Member for Kilmarnock and Loudoun (Alan Brown) [P002608] and by the hon. Member for Linlithgow and East Falkirk (Martyn Day) [P002626].

Observations from the Financial Secretary to the Treasury (Jesse Norman):

Throughout the crisis, the Government's priority has been to protect lives and livelihoods. This is why, on 5 November, the Government announced an increase in the third self-employment income support scheme (SEISS) grant to 80% of average trading profits covering November 2020 to January 2021.

The third SEISS grant will cover the three-month period from November 2020 until January 2021. This will be a taxable grant calculated at 80% of three months' average monthly trading profits, paid out in a single instalment and capped at £7,500 in total. This provides equivalent support to the self-employed as is being provided for employees through the Government contribution in the coronavirus job retention scheme.

The new grant, combined with up to £14,070 worth of support for each individual from the first and second grants, places the SEISS among the most generous schemes for the self-employed in the world. Overall, it will provide an estimated £7.3 billion of support to the self-employed through the period of November 2020 to January 2021. There will also be a fourth grant covering February to April 2021. The Government will set out further details, including the level of the fourth grant, in due course.

In designing and delivering the SEISS, the Government have prioritised delivering support to as many people as possible as quickly as possible, while guarding against the risk of fraud or abuse. This meant making difficult

decisions, and the Chancellor has acknowledged that it has not been possible to support everyone as they might want. However, as the National Audit Office report recognises, the Government were right to introduce SEISS—which has helped protect the livelihoods of almost 2.7 million people and is just one part of a comprehensive £280 billion package of unprecedented support. The scheme was targeted to help those most in need. All those who applied had to confirm they had been adversely affected by the pandemic, and the vast majority of those who did not qualify either earned more than half their income from another source or had trading profits of over £50,000.

Those ineligible for the SEISS grant extension may still be eligible for other elements of the wider support package available. The Government have announced support for the self-employed through the enhancement to HMRC's Time to Pay "self-service" facility. This scheme will enable the self-employed and other self-assessment taxpayers more time to pay taxes due in January 2021, building on the self-assessment deferral provided in July 2020. Businesses may also be able to benefit from other support such as VAT reductions and rental support.

Announcements made at the spending review build on this support, confirming £519 million of funding in 2021-22 to support the continued delivery of covid-19 loans, including paying for the 12-months interest free period on the BBLS and CBILS. In addition, the application deadline for all loan schemes has been extended to end of January 2021. On business rates, the Government have frozen the business rates multiplier in 2021-22, saving businesses in England £575 million in the next five years. It is also considering options for future business rates relief and, to ensure that any reliefs best meet the evolving challenges presented by covid-19, will outline plans for 2021-22 in the New Year.

The Government have introduced a package of additional welfare measures to provide further support to those who are relying on the welfare system. This is

worth £7.4 billion to claimants this year. The temporary £20 per week increase to the universal credit standard allowance and working tax credit basic element remains in place until April 2021. In addition, the suspension of the universal credit minimum income floor has been extended to the end of April 2021, so that where self-employed claimants earnings have fallen significantly, their universal credit awards will continue to reflect their lower earnings.

The Government have also increased the local housing allowance rates for universal credit and housing benefit claimants so that they cover the lowest 30th percentile of local rents. This increase will mean nearly £1 billion of additional support for private renters claiming universal credit or housing benefit in 2020-21, and means over 1.5 million households will gain an average of £600, including those in work. The Government have confirmed that local housing allowance rates will be maintained at the same cash level in 2021-22 to ensure that claimants continue to benefit from this increase.

Individuals may also be eligible for further support in the form of a mortgage payment holiday. The application window for which has been extended until 31 March 2021. The Government have extended statutory sick pay to those self-isolating due to covid-19 and made it payable from day one. They have also introduced £500 self-isolation support payments to help those on low incomes to self-isolate.

Notably, while much of their coronavirus response is UK-wide, the Government are also providing £2.6 billion in 2021-22 to support the devolved administrations in Scotland, Wales and Northern Ireland. This is on top of at least £16 billion in upfront funding guaranteed in 2020-21.

During this difficult time the Treasury will continue to work closely with employers, industry groups, key stakeholders and other Government Departments in order to address the long-term effects of covid-19 and the challenges it poses to the wider economy.

Ministerial Correction

Monday 7 December 2020

DEFENCE

Defence Procurement and Supply Chains

The following is an extract from the debate in Westminster Hall on defence procurement and supply chains on 1 December 2020.

Jeremy Quin: I hope to encourage the hon. Member for Liverpool, Riverside (Kim Johnson), who is keen to see us committing to programmes. The announcement

that the Prime Minister made confirmed our order of eight Type 26 and five Type 35 frigates.

[Official Report, 1 December 2020, Vol. 685, c. 129WH.]

Letter of correction from the Minister for Defence Procurement:

An error has been identified in my response to the debate.

The correct response should have been:

Jeremy Quin: I hope to encourage the hon. Member for Liverpool, Riverside (Kim Johnson), who is keen to see us committing to programmes. The announcement that the Prime Minister made confirmed our order of eight Type 26 and five **Type 31** frigates.

ORAL ANSWERS

Monday 7 December 2020

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DEFENCE	20WS	INTERNATIONAL TRADE	21WS
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Funding for Purbeck Schools	2P		

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	<i>Col. No.</i>
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**not later than
Monday 14 December 2020**

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