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15 December 2020**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Tuesday 15 December 2020

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

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

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

Oral Answers to Questions

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

The Secretary of State was asked—

Hydrogen Energy

Dr James Davies (Vale of Clwyd) (Con): What steps his Department is taking to support the development of hydrogen energy. [910294]

Duncan Baker (North Norfolk) (Con): What steps his Department is taking to support the development of hydrogen energy. [910309]

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): Both the Prime Minister's 10-point plan and our energy White Paper, which we published yesterday, set out our bold ambition for the UK to be a world leader in low-carbon hydrogen. As is set out in the White Paper, we are determined to make tangible progress in this important sector, including by investing £240 million through the net zero hydrogen fund and supporting industry to begin a hydrogen heating trial in an entire neighbourhood by 2023. We will publish a comprehensive hydrogen strategy early next year.

Dr James Davies: The development of hydrogen energy can lead to thousands of new jobs UK-wide, including an estimated 6,000 in my region through the HyNet project. Will my right hon. Friend do all he can to help HyNet access industrial decarbonisation challenge funding to allow it to progress?

Alok Sharma: My hon. Friend is absolutely right: this is all about jobs—high-value-added jobs. He, along with other colleagues in the House, makes the case at every opportunity for the HyNet project, and it is very lucky to have him as a champion. As he will know, HyNet has already received funding through phase 1 of the industrial decarbonisation challenge, as well as £13 million of support through the Department for Business, Energy and Industrial Strategy energy innovation programme. We will announce the winners of the next phase of the industrial decarbonisation challenge in spring next year.

Duncan Baker: Bacton gas terminal in my constituency harbours a significant percentage of the natural gas intake into the UK. What assessment has my right

hon. Friend made of the potential opportunities presented for the manufacture of blue hydrogen at Bacton, creating low-carbon jobs for the east of England?

Alok Sharma: My hon. Friend again raises the issue of jobs. Of course, creating these low-carbon jobs across the country is a priority for the Government. As I have said, in our 10-point plan and the energy White Paper we have put forward policies for the creation of a significant number of jobs. The Oil and Gas Authority is currently conducting an in-depth feasibility study of blue hydrogen at the Bacton gas terminal. I very much welcome that work, and my officials and, indeed, Ministers would be very happy to engage further with my hon. Friend on this matter.

Dr Alan Whitehead (Southampton, Test) (Lab): I am pleased to see that the net zero hydrogen fund that the Secretary of State just mentioned will support, among other things, the production of hydrogen. Will he commit today to using that fund to prioritise the production of green hydrogen, as opposed to blue hydrogen, in the future?

Alok Sharma: We will have to look at what bids come in in respect of how that funding is used, but I say again—I made this point yesterday at the Dispatch Box—that it is not just public money; we are also talking about private sector money coming alongside it. The hon. Gentleman will know that Hydrogen Strategy Now, a campaign group of more than 50 companies, has said that it is ready to invest £3 billion in hydrogen projects, and that was after the publication of the 10-point plan.

Low-Carbon Industries: Employment Growth

Peter Aldous (Waveney) (Con): What steps his Department is taking to support employment growth in low-carbon industries. [910295]

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): Our 10-point plan for a green industrial revolution, which we set out last month, has an ambition to support 250,000 highly skilled green jobs across the UK by 2030. The plans we published yesterday in the energy White Paper will further position the UK as a global leader in the future energy industry, not least by supporting the development of jobs and green infrastructure in low-carbon energy such as hydrogen, carbon capture, usage and storage, and of course nuclear.

Peter Aldous: I am grateful to the Secretary of State for that answer. The scale of the opportunity for employment growth in low-carbon industries is immense. If the right approach is adopted, there can be enormous benefits to coastal communities such as Lowestoft and Waveney. How does the Secretary of State intend to transform the UK's approach to energy skills in order to capitalise on these great opportunities?

Alok Sharma: Once again, a Conservative colleague talks about jobs, which is what the energy White Paper and the 10-point plan are all about. My hon. Friend is a tireless champion for offshore wind, and for jobs and growth, in supporting his constituency. He will know that we have set up the green jobs taskforce, which was launched in November and is led by the Minister for Business, Energy and Clean Growth, my right hon.

Friend the Member for Spelthorne (Kwasi Kwarteng). The taskforce brings together businesses and trade unions to assess how our jobs and skills should adapt to allow us to build back greener, and how the Government can support people in transitioning industries.

Covid-19: Hospitality

James Daly (Bury North) (Con): What steps his Department is taking to support hospitality businesses in areas under tier 3 covid-19 restrictions. [R] [910296]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): I commend my hon. Friend for his work as the voice of the hospitality sector in Bury and the surrounding area. The Government have provided an unprecedented package of support to hospitality businesses, including almost £10 billion in rates relief. Those under tier 3 may be eligible for a local restrictions support grant of up to £3,000 per month and the additional restrictions grant.

James Daly: Hospitality businesses in Bury, Ramsbottom and Tottington have spent thousands of pounds to make their premises covid-secure. If Bury remains in tier 3 during the Christmas period, many of them will face financial ruin. Will my hon. Friend therefore work with the Treasury to ensure that adequate financial support is given to those otherwise viable businesses? If we do not act now, these important community assets will be lost forever, with the devastating loss of thousands of jobs. Please save our pubs.

Paul Scully: I am grateful to all the hospitality businesses across the country, including those in Bury, that have done so much work to become covid-secure. I am in contact with Treasury colleagues who know that businesses need support in those higher tiers, which is why we are giving additional support for wet-led pubs worth up to £40 million in grants.

Covid-19: Support for the Self-employed

Wendy Chamberlain (North East Fife) (LD): What steps he is taking to support the self-employed during the covid-19 outbreak. [910297]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): The Government have already paid £13.5 billion through the self-employment income support scheme. In November, we announced an increase in the overall level of the SEISS grant, equivalent to an additional £7.3 billion of support to the self-employed through November to January alone. This scheme is among the most generous in the world.

Wendy Chamberlain: As the pandemic continues, the flaws of the original self-employment income support scheme have become clear. One of my constituents lost out on thousands of pounds in a potential grant because, for the best part of the year in 2019, he was injured, unable to work, and therefore could not evidence his usual income. When the pandemic started, we all appreciated the fact that these schemes were put into place very quickly to provide support, but in the months since, there has not even been recognition. Does the

Minister agree that now is the time to look back at schemes to ensure that those who are excluded are supported, too?

Paul Scully: I thank the hon. Lady for her question. We will always look for and listen to suggestions on how we can improve schemes, and I will continue to work with Treasury colleagues to reflect that.

Covid-19: Effect on Business

Mrs Emma Lewell-Buck (South Shields) (Lab): What assessment his Department has made of the effect of tiered covid-19 public health restrictions on businesses' ability to trade. [910298]

Alex Norris (Nottingham North) (Lab/Co-op): What assessment his Department has made of the effect of tiered covid-19 public health restrictions on businesses' ability to trade. [910323]

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): We know that certain areas of the economy have faced enormous challenges this year, and that is why the Government have provided an unprecedented range of support packages to help businesses to continue trading.

Mrs Lewell-Buck: Wet pubs in South Shields spent money making themselves covid-secure, only to have an arbitrary curfew imposed on them and then to be forced to close completely, yet there is no evidence at all that they are contributing to the spread of the virus. This was a policy, not a health decision. I heard the Minister's earlier response, but if the Government really do not want to see our pub doors closed forever, why have they not listened to the requests from the British Beer and Pub Association and uplifted the current grants on offer?

Kwasi Kwarteng: As the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Sutton and Cheam (Paul Scully), has suggested, there is a considerable measure of support for pubs that are suffering at the moment. As my right hon. Friend the Secretary of State for Health and Social Care said, there is a clear medical, epidemiological reason for pursuing the policies that we have pursued.

Alex Norris: In a letter to the Prime Minister, the BBPA said that the so-called support for pubs and brewers in the winter plan was met with "utter dismay and incredulity" among publicans. Many hostelry businesses crucial to life in Nottingham and across the country are not going to survive the winter with what is currently on offer. When is the Minister going to come forward with proper support?

Kwasi Kwarteng: I do not recognise what the hon. Gentleman is saying. We are in constant dialogue with the pub industry and many people—publicans—certainly in my constituency, who have spoken to me are grateful for the measure of support that has been supplied.

Climate Action

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): What steps he is taking to promote climate action ahead of the COP26 summit. [910299]

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): As conference of the parties president, I have held bilateral meetings with over 40 countries and spoken at about 50 international events over the past months. Throughout, I have called for world leaders to be as ambitious as possible with the climate action targets. The UK is showing real leadership in this area. On 4 December we announced our new, ambitious nationally determined contribution and on 12 December we co-hosted the climate ambition summit, which saw 75 world leaders coming forward with 45 NDCs, 24 net zero commitments and 20 adaptation resilience plans.

John Lamont: The eyes of the world will be on Glasgow next year as the UK hosts the UN climate change conference. This is a huge moment in our fight to stop climate change, so how will the UK Government engage with schools in Scotland and across the whole United Kingdom to promote this important event?

Alok Sharma: My hon. Friend is right: it will be a big moment for the UK in Glasgow next year and, of course, in the lead-up to it as well. I have been very encouraged and impressed by the commitment that young people are showing in tackling climate change. They have a vital part to play in ensuring that we deliver an inclusive and diverse COP26. In the run-up to the summit, we will be working closely with schools and young people, including by co-hosting the COP youth event, which will bring together 400 youth delegates from around the world to discuss a range of climate topics.

Matthew Pennycook (Greenwich and Woolwich) (Lab): According to Climate Action Tracker, the national net zero pledges that have been put forward today could, if achieved across the board, limit global heating to around 2.1°, but in terms of actual policies, the world remains on course for catastrophic warming of over 3°. Given the gulf between what Governments, including this Government, have promised on climate action and what they are on course to achieve, does the Secretary of State agree that it is incumbent on the UK as COP26 host to demonstrate to the world that it actually has a plan to deliver net zero? If he does agree, will he assure the House that the Government will publish a comprehensive and fully costed net zero strategy well in advance of November next year?

Alok Sharma: The hon. Gentleman makes an important point. I said that at the climate ambition summit. Leaders from around the world have come forward with ambitions, but we definitely need to go further. I agree with the hon. Gentleman, and I think there is consensus in the House. With regard to his question on a net zero strategy, of course we will publish one. I also just want to make the point that, when we were talking about clean energy and hydrogen earlier, I said that the Hydrogen Strategy Now group had made a commitment on the £3 billion after the 10-point plan, but in fact it came before that.

UK Internal Market Bill: Devolved Administrations

Gavin Newlands (Paisley and Renfrewshire North) (SNP): What recent discussions he has had with the devolved Administrations on the United Kingdom Internal Market Bill. [910300]

Patrick Grady (Glasgow North) (SNP): What recent discussions he has had with the devolved Administrations on the United Kingdom Internal Market Bill. [910308]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): The Government have sought to engage constructively with the devolved Administrations throughout the passage of the United Kingdom Internal Market Bill. The recent fruits of that continuing commitment include several amendments tabled by the Government strengthening a role for the devolved Administrations.

Gavin Newlands: Of course, Rolls-Royce operates its own internal market in which plant is often set against plant, but more and more it relies on third-party suppliers rather than on in-house manufacture. Inchinnan has already seen some 700 jobs go, and despite favourable production statistics, we now know that there will be further redundancies, with the aero shafts line closing and work being transferred to Derby, as well as other UK Rolls-Royce jobs being offshored to Spain. The Scottish Government's Rolls-Royce working group was set up to protect jobs at Inchinnan. If the Government's power-grabbing Bill is passed, will the Minister ensure that the Government will work with the Scottish Government to protect Scottish Rolls-Royce jobs?

Paul Scully: The hon. Gentleman talks about grabbing powers back, but Scotland will be gaining powers in more than 100 areas that are at the moment controlled by the EU. Of course we will continue to work with important industries such as the aerospace sector and with companies such as Rolls-Royce to protect jobs.

Patrick Grady: Those of us who are paying attention will have seen that the House of Lords has passed amendments to the UKIM Bill to try to salvage what might be left of the devolution settlement, which the Government have explicitly rejected. If Members look at the Order Paper, they will see that it states:

"The Scottish Parliament and Senedd Cymru have each decided not to approve a Legislative Consent Motion relating to this Bill."

How is this respecting the devolution settlement? This Government legislated to protect Sewel on statute, but now they are riding roughshod all over it.

Paul Scully: The Sewel convention envisages situations such as this, where the UK Parliament may need to legislate without consent. We regret the fact that the Scottish Parliament has chosen to do that, but the Bill is essential for protecting businesses and citizens across Scotland, and across the whole of the UK, as the transition period ends.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Since the Scottish Parliament was reconvened in 1999, Scottish productivity has rocketed by more than a third, way above the 24% for the UK as a whole. Our Parliament has been a gift to business, whether under Scottish National party or Labour and Liberal Governments. This Bill extends Westminster's

bony hand into the control of devolved spending across health, food safety, the environment and much more. Is it too late for a festive miracle, with a Tory Minister actually listening to the wise men and women across Scottish society, industry, organisations and law and in Scotland's democratically elected Parliament and Government, and scrapping this assault on Scotland's democracy and business productivity?

Paul Scully: Spending powers in the UK internal market are in addition to the spending that the Scottish Government already make. These are issues that have up to now been dealt with by the EU, and we will continue to work with the devolved Administrations throughout this process.

Drew Hendry: The Minister talks about spending powers. This Bill allows UK Ministers to control spending in the devolved areas of economic development, infrastructure, cultural activities, regional development, education, water, power, gas, telecoms, railways, health, housing and justice. Given the track record of the Tories, for Scotland this really is the nightmare before Christmas. Can he see why, after 16 opinion polls in a row, Scottish people do not want his rotten gifts but instead are looking to protect their Parliament and their rights through Scotland's becoming a normal independent nation?

Paul Scully: I regret that the Scottish Government have not continued their discussions with the UK Government about an internal market Bill specifically, whereas they have continued them on the common frameworks. On the United Kingdom Internal Market Bill, we have made amendments in the other place that reflect conversations with the Welsh Senedd and Northern Ireland Assembly. I just wish the Scottish Government would come back with productive conversations so that we can push this through and give certainty to business.

Covid-19: Support for Businesses

Harriett Baldwin (West Worcestershire) (Con): What steps his Department is taking to support businesses during the covid-19 outbreak. [910301]

Paul Holmes (Eastleigh) (Con): What steps his Department is taking to support businesses during the covid-19 outbreak. [910315]

Joy Morrissey (Beaconsfield) (Con): What steps his Department is taking to support businesses during the covid-19 outbreak. [910317]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Nadhim Zahawi): My Department continues to deliver a wide range of measures to support UK businesses. We have extended our loan schemes, which have already delivered more than £65 billion of finance, until the end of January.

Harriett Baldwin: That level of support is impressive, and I also thank the Minister for all he is doing on the vaccine roll-out. There are sections of the UK economy that are going to grow rapidly, not least the green industrial revolution, thanks to the energy White Paper announced yesterday. What steps is he taking to make

sure that it is UK-based businesses that grow the workforce and benefit from the job creation as a result of the green industrial revolution?

Nadhim Zahawi: I am grateful to my hon. Friend for her excellent question. The 10-point plan will build on the nearly half a million green jobs that already exist in the UK economy, supporting up to 250,000 further high-skilled jobs. The House will be interested to know that we are talking about 60,000 in offshore wind, 10,000 or more in nuclear, 50,000 in green and comfortable homes, 8,000 in hydrogen, 53,000 in carbon capture utilisation and storage and 40,000 in accelerating the shift to zero-emission vehicles.

Paul Holmes: The weekend before last, I was pleased finally to start my Christmas shopping in Botley High Street, as part of Small Business Saturday, which included visiting Wardrobe at 24 and Mermaids deli. This crucial campaign highlights the important role that businesses and entrepreneurs play. Does my hon. Friend agree that it is more important than ever to support our high streets and shop local this Christmas? Will he assure me that this Government will continue to stand by our town centres and high streets as we recover from covid?

Nadhim Zahawi: I absolutely agree with my hon. Friend; now more than ever it is vital that we continue to help our local economy by supporting our town centres and high streets. That is why we have delivered one of the most generous comprehensive packages of support, with a total financial package of £200 billion.

Joy Morrissey: Does my hon. Friend agree on what a success the recent Small Business Saturday events were and how important small businesses are to local communities across my constituency in Gerrards Cross, Beaconsfield and Marlow? Does he agree that we must continue to fight for small businesses during this pandemic, so that we do not risk undermining the economic foundation of our country?

Nadhim Zahawi: The recent Small Business Saturday event meant that the spend from the Great British public rose to £1.1 billion this year, which is a 38% rise on last year. The Government will continue to champion small businesses, through our unprecedented support schemes, as they begin to recover from the impact of covid-19. As the Secretary of State has just reminded me, the spend is not £200 billion—it is £280 billion of support for small business.

Chi Onwurah (Newcastle upon Tyne Central) (Lab [V]): Of the £5 billion of new online spend resulting from the pandemic, 40% has gone to one website, Amazon. Many small businesses are afraid that they will not make it through the winter because of a lack of Government support, and they have Brexit and climate and technological change to deal with too. So I want to ask the Minister this: what is the plan for small businesses to survive covid and build back smarter and greener? I am talking not about vague promises, but about firm commitments to help businesses invest in new technologies, which Make UK has called for, or to target procurement to support net zero businesses, as the Institution of Civil Engineers proposes. Or are the Government just going to let business down again?

Nadhim Zahawi: As a fellow engineer, the hon. Lady will know that the Made Smarter initiative has been a tremendous pilot in the north-west. We recently announced a further expansion, with £300 million—£147 million coming from the Government and the balance coming from the private sector—to support the adoption of technology in manufacturing. I hope the hon. Lady will continue to support Government initiatives such as Made Smarter.

Green Homes Grant

Andrew Rosindell (Romford) (Con): What steps he is taking to ensure that the green homes grant scheme delivers (a) value for money and (b) environmental benefits. [910302]

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): The Prime Minister has made it clear that energy efficiency is a top Government priority. The green homes grant provides economic stimulus, supporting more than 80,000 jobs, and through it households could save up to £600 a year on energy bills.

Andrew Rosindell: I thank the Minister for his answer, but will he explain what assessment his Department has made of the benefits of individual products when deciding what to include in the green homes grant scheme, and why solar thermal systems are included but not solar PV panels, which are not only more cost-effective but much better for the environment?

Kwasi Kwarteng: As my hon. Friend will know, the list of technologies currently included reflects the Department's assessment of the best balance between economic stimulus and maximising value for householders and taxpayers. In respect of solar PV, the particular emphasis in the green homes grant was on the energy efficiency of homes and not necessarily on electrification per se or the use of electricity.

Hydrogen Energy

Christian Matheson (City of Chester) (Lab): What steps the Government have taken to support the introduction of hydrogen energy networks in the UK. [910303]

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): The 10-point plan set out a comprehensive package to underpin our ambition for 5 GW of hydrogen production capacity by 2030. We have also announced a £240 million net zero housing fund and will publish a UK hydrogen strategy next year.

Christian Matheson: The GMB union has pointed out that one of the simple benefits of the hydrogen strategy is that there is an existing gas network with 24 million homes connected to it, and thousands of jobs can be retained without any retraining schemes. When the Minister brings forward his hydrogen strategy next year, will he bear in mind that the HyNet system in the north-west will be able to deliver 80% of the entire UK target of 5 GW by 2030? Will he resist the temptation, which I mentioned to the Secretary of State yesterday, to play one region off against another, and perhaps increase the amount of money so that we can all share in the benefits?

Kwasi Kwarteng: The hon. Gentleman is absolutely right. The whole point of a hydrogen strategy is to dovetail nicely with the levelling-up agenda. I know many of the people in the HyNet cluster, which is an excellent cluster doing great work. We hope that those benefits and that innovation can be spread throughout the country and create opportunity the width and breadth of our country.

Small Modular Nuclear Reactors

Bob Blackman (Harrow East) (Con): What recent progress he has made on the (a) development and (b) introduction of small modular nuclear reactors. [910304]

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): My hon. Friend will know that small modular reactor technology is very much at the centre of what the Prime Minister outlined in the 10-point plan; in fact, the nuclear segment of that plan was the third item on the agenda and is extremely important. SMRs will certainly play a part in our nuclear future.

Mr Speaker: Let us land the next question from Bob Blackman.

Bob Blackman [V]: Thank you, Mr Speaker.

As my right hon. Friend the Minister rightly says, small modular nuclear reactors can be developed quickly and provide green energy at very low costs. They can also be located at a range of sites throughout the UK to enable easy connection to the national grid. Will my right hon. Friend bring forward proposals to accelerate the roll-out of this exciting new opportunity to provide clean energy and create more employment in the UK, putting us ahead of the rest of the world?

Kwasi Kwarteng: My hon. Friend is absolutely right. SMRs represent a huge opportunity for precisely the reasons he gives: they are flexible and can be operated in plenty of geographical areas. Next year, we will undertake a comprehensive assessment of the siting requirements for SMRs and advanced modular reactors so that we can develop this exciting technology.

Covid-19: Green Economic Recovery

Ben Bradley (Mansfield) (Con): What steps his Department is taking to help ensure a green economic recovery from the covid-19 outbreak. [910305]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Amanda Solloway): We are delivering on our ambitious commitment to build back greener from covid-19. The Prime Minister's 10-point plan for a green industrial revolution will be instrumental, creating long-term advantages for the UK in low-carbon industries and supporting up to a quarter of a million green jobs while continuing to drive down our emissions.

Ben Bradley: I thank my hon. Friend for that answer. I know that, in the long term, the green element of this plan will be hugely important for our whole country, but in the short term, in the current economic climate, I know that many of my constituents will be focused on job creation and employment. Can she assure me that these investments will create opportunities for the most left behind parts of this country, and tell me how my constituents in Mansfield will directly benefit from that investment?

Amanda Solloway: The 10-point plan is crucial to a part of the Prime Minister's mission to level up the country and to revitalise the towns and regions of places such as the east midlands, from where my hon. Friend and I hail, and which is also the birthplace of the first industrial revolution. I can tell him that green recovery will support highly skilled jobs in towns such as Mansfield across a range of green industries from electric vehicle technicians to those installing low-carbon heating to make our homes warmer and fitter for the future.

Renewable Energy: Capacity

Caroline Ansell (Eastbourne) (Con): What steps his Department is taking to increase the capacity of renewable energy in the UK. [910311]

Mick Whitley (Birkenhead) (Lab): What steps he is taking to develop the renewable energy sector in the UK. [910320]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Amanda Solloway): The UK is a world leader in offshore wind and proud to be the home of the world's largest offshore wind farm. That is why we have increased our target to deliver 40 GW of offshore wind, quadrupling capacity by 2030, and announced £160 million to support ports and infrastructure enabling the sector to support up to 60,000 jobs.

Caroline Ansell: Off the Sussex coast, the Rampion wind farm has plans to triple its output. It is already powering local homes, but it could also be key to developing green hydrogen to power heavy transport, including buses. Does my hon. Friend agree that this technology needs to be scaled up and at pace? What support is being given by her Department to bring partners together to deliver this green hydrogen fuel across the network so that, for instance, my home town of Eastbourne can see an improvement in its air quality and meet its 2030 carbon neutral ambition?

Amanda Solloway: My hon. Friend is absolutely right. Green hydrogen, coupled with our abundant offshore wind resources, could play a vital role in decarbonising crucial parts of the economy, including heavy transport. The energy White Paper sets out our ambition for 5 GW of low-carbon hydrogen production capacity by 2030. The £23 million hydrogen for transport programme has already helped grow the number of publicly accessible hydrogen refuelling stations across the UK.

Mick Whitley: The tidal energy industry has a hugely important role to play in meeting increased demand for electricity and achieving net zero carbon emissions. The Mersey tidal project has the potential to transform Merseyside, generating enough power for 1 million homes across the north-west, while creating thousands of jobs and positioning our region as a world leader in tidal energy. What practical steps are the Government taking in the immediate term to support the development of this much-needed project?

Amanda Solloway: I thank the hon. Member for his question. The Government have funded the north-west energy hub to develop renewable opportunities in the region and are open to considering well-developed proposals

with strongly demonstratable value for money and for the environment. He will also know that our officials have been in communication with the Mersey tidal power team, and I ask that they continue their engagement.

Employers: Dismiss and Re-engage Tactics

Mike Amesbury (Weaver Vale) (Lab): What steps his Department is taking to reduce the use of dismiss and re-engage tactics by employers. [910307]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): The Government appreciate the difficulties that many people are currently facing and are sympathetic to those who are worried about their jobs. We are clear that using threats about firing and rehiring as a negotiating tactic is unacceptable. However, businesses in real financial difficulty need flexibility to offer new terms and conditions in order to save as many jobs as they can.

Mike Amesbury: First it was British Airways, and now British Gas/Centrica has threatened thousands of employees with fire and rehire tactics, including a number of my constituents, such as Wayne and Paul. Such people have many decades of experience working for these British companies and our society. Will the Minister join me in condemning the companies' actions? What action is the Department taking to ensure that these deplorable approaches are dealt with? Write to them!

Paul Scully: It is not acceptable for employers to use unacceptable negotiating tactics, including fire and rehire. I understand that it is a difficult situation for employees to find themselves in. There are commercial matters between employers and employees, but we expect employers to treat their staff in the spirit of partnership. In the vast majority of cases—unlike the ones that have just been outlined—employers do want to do the right thing, and there are processes in place to prevent abuse.

Andy McDonald (Middlesbrough) (Lab): Heathrow, British Airways and British Gas—all flagship companies—have used abusive fire and rehire tactics to cut the pay and conditions of their loyal work forces. Rolls-Royce in Barnoldswick is the home of the jet engine and the Battle of Britain aircraft. Hundreds of staff there are being made redundant and their jobs offshored to Singapore, Spain and Japan. These iconic companies have received billions of pounds of taxpayers' cash, so why did the Government not make retaining jobs a condition of that financial help? Does the Minister recognise that by providing no-strings-attached support, the Government have facilitated UK jobs being either downgraded or moved out of the country at taxpayers' expense?

Paul Scully: We have worked with and supported the aviation sector in a number of different ways. We have also made it clear that when companies want to make redundancies, they should follow the correct consultation process. It is important that we get the balance right to protect jobs for those companies.

Covid-19: Hospitality

Rosie Cooper (West Lancashire) (Lab): What assessment he has made of the effectiveness of covid-19 financial relief in supporting growth in the hospitality sector. [910310]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): We have engaged with businesses to understand their needs at this challenging time. We are providing an unprecedented support package, including an extension of the coronavirus job retention scheme until 31 March 2021, grants, loans, rates relief and a VAT cut.

Rosie Cooper [V]: Many plumbers, electricians and other self-employed people, including sole traders, have been left out of Government support. What can the Minister say to people who have worked hard all their lives and paid their taxes, and have seen their businesses collapse through no fault of their own? This includes the hospitality sector. Can the Government commit to providing further support, as local publicans in my area say that the tiny grant they got does not even get close to covering their overheads?

Paul Scully: I was self-employed, running companies, for most of the 25 years that I was working before I was elected to this place; there but for the grace of God go I. I will continue to reflect the views of the self-employed in conversations with the Treasury. I also speak to the hospitality sector every single week and will be doing so later today. We have allocated £40 million extra to wet-led pubs, in addition to extending the moratorium on rent evictions and legal processes facing tenants, the VAT cut and the business rates relief.

Greenhouse Gas Emissions: Imports and Exports

Bill Esterson (Sefton Central) (Lab): What assessment he has made of the level of greenhouse gas emissions generated by (a) imports to and (b) exports from the UK. [910312]

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): The Government publish estimates of consumption emissions every year. The latest figures show that UK emissions on a consumption basis fell by nearly 25% between 2007 and last year.

Bill Esterson [V]: When emissions from the production of imports and from sea and air transport are included—minus those from exports—the UK has reduced its greenhouse gas emissions by 0.6% a year, not the 1.5% that the Government quote for territorial emissions alone. This country depends on imports, including the emissions that they produce. Ministers can kid themselves all they like, but is it not the case that unless the UK cuts the emissions that we are responsible for around the world, we are not going to make the contribution that we need to in order to deal with the climate emergency?

Kwasi Kwarteng: The hon. Gentleman is right to point out that we have to take into account the carbon emissions that we are responsible for through trade, but he will also recognise that this is part of an international movement. There is no country in the world, including the EU, that is properly accounting for carbon emissions in this way. I point out that we were the first G20 country to mandate disclosures under the TCFD—Task Force on Climate-related Financial Disclosures—framework across the economy, and we are leaders in terms of carbon accounting.

Review of Alcohol Duty

Jim Shannon (Strangford) (DUP): What discussions he has had with the Chancellor of the Exchequer on the Government's proposed review of alcohol duty; and if he will make a statement. [910313]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): We are in regular contact with the Chancellor on measures to support hospitality businesses. The alcohol duty review aims to improve the current system to make it simpler, more economically rational, and less administratively burdensome on businesses and Her Majesty's Revenue and Customs.

Jim Shannon: I thank the Minister for his response, but can he outline what steps have been taken to address the binge culture, which has been enhanced by supermarket offers, especially in these times when we all need to have our wits about us?

Paul Scully: We looked at the curfew, for example, when there were stories coming back to us about people coming out of pubs and going straight into supermarkets to buy more drinks. That was an unintended consequence, so it is good that we reviewed that and changed it. The alcohol duty review will take into account the balance between supermarkets and hospitality.

Covid-19: Support for Business

Chris Loder (West Dorset) (Con): What steps he is taking to support small businesses in areas under tier 2 covid-19 restrictions. [910316]

Grahame Morris (Easington) (Lab): What assessment he has made of the availability of the local restrictions support grant (open) to businesses in areas under tier 2 covid-19 restrictions. [910321]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Nadhim Zahawi): Businesses in tier 2 that are required to close can access payments of up to £1,500 per 14 days of closure. We are giving additional financial support of £1.1 billion to local authorities to support other businesses severely affected by restrictions even though open.

Chris Loder: May I gently suggest to the Minister that one of the best ways he will be able to support small businesses in my constituency of West Dorset is to use his influence in discussions within Government tomorrow to reduce West Dorset from tier 2 to tier 1? In the event of that not being possible, could he outline more specifically what the Government will be doing to support the 97% of businesses that are small or micro-sized?

Nadhim Zahawi: I recognise that the winter months will continue to be extremely tough on many businesses in my hon. Friend's constituency, but I am confident that the grant programme that we have in place, alongside other measures like the job retention scheme and the support for the self-employed that have been so widely discussed this morning, will continue to deliver that support. An estimated 90% of small and medium-sized business premises in closed retail, hospitality and leisure sectors should, broadly, have their monthly rent covered by the business grant programme.

Grahame Morris: It is essential that the local restrictions support grant is available promptly to businesses and is not subject to a prolonged application process. In anticipation of some areas—hopefully my own in the north-east—moving into tier 2 this week, will the Secretary of State ensure that grants are paid quickly to businesses, including the retrospective grants, particularly to pubs?

Nadhim Zahawi: The local restrictions support grants, additional restriction grants and Christmas support payments are all available for businesses now through their local authority. I know that the Secretary of State takes these businesses very seriously. Throughout this whole process, since back in March, he has made sure that all his Ministers talk to local government to make sure that we get those payments out promptly.

Life Sciences Sector

Chris Green (Bolton West) (Con): What steps his Department is taking to support the life sciences sector. [910318]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Nadhim Zahawi): The Government have invested approximately £1 billion through two life sciences sector deals, helping to generate significant industry investment in the UK. Last year the industry had a turnover in the UK of £80.7 billion.

Chris Green: The life sciences sector is a truly international endeavour, as can be clearly seen with the recent vaccine research efforts. With worries in the sector about our ongoing relationship with European countries and the European Union, would my hon. Friend confirm that the concerns of the life sciences sector are of paramount importance in the ongoing negotiations?

Nadhim Zahawi: Clearly the UK's relationship with the EU is subject to ongoing negotiations, but as we leave the EU the life sciences sector will be supported through the life sciences sector deals that I mentioned, and a new, innovative regulatory framework. The Medicines and Healthcare products Regulatory Agency has proved itself globally to be one of the finest regulators in the world, and new international regulatory collaborations are on the way too.

Green Deal Loans: Mis-selling

Anne McLaughlin (Glasgow North East) (SNP): What steps his Department is taking to support people who were mis-sold a green deal loan more than six years ago. [910319]

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): The hon. Lady will be aware that too many people have suffered from mis-selling by a small number of green deal providers. We are doing all we can to provide redress where appropriate, as enabled by the green deal regulations.

Anne McLaughlin [V]: If someone is mis-sold something, there is a six-year time bar for redress, unless they were not aware of it at the time, in which case they have three more years from when they became aware. There are a significant number of victims of green deal mis-selling, many of whom were very elderly and thought they must have misunderstood, but they did not; they were duped. Why are they, after all they have been through, being denied that extra three-year rule and access to justice?

Kwasi Kwarteng: It is correct that a complaint must be made within six years of the date of the breach, as we would expect mis-selling to become evident within six years, but we have to take everything, as the hon. Lady knows, on a case-by-case basis. We will explore the relevant facts of each case, and then we can work out whether an eligible complaint can be made within the relevant timeframe. I am very happy to meet her to discuss cases individually as they arise.

Topical Questions

[910354] **Jeff Smith** (Manchester, Withington) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): At this last Department for Business, Energy and Industrial Strategy oral questions session of the year, I take the opportunity to thank my brilliant ministerial team, our brilliant Parliamentary Private Secretaries, our fabulous Whip and the outstanding civil servants for the huge effort they have made this year to support business and procure 357 million doses of the most promising vaccine candidates.

Since the previous oral questions last month, the Department has led on the Prime Minister's 10-point plan, which is our blueprint for a green industrial revolution, and the energy White Paper. We have also been central in setting the UK's ambitious nationally determined contribution, as well as helping to organise the climate ambition summit on 12 December. The pace and energy of delivery will continue in the new year, because our businesses and people across the United Kingdom deserve no less at this challenging time.

Jeff Smith: Rate relief for hospitality venues is welcome, but many are racking up huge rent debts while they are closed and getting only a third of the support they got earlier in the year. Have the Government had any discussions about a model of sharing the rental debt burden among tenants, landlords, banks and the Government, because without more help, many of these businesses will close?

Alok Sharma: The hon. Gentleman raises an important point, and of course we have dialogues with landlords and tenants. As he will have heard, the rent moratorium has been extended to 31 March, and he will also know that because the rates holiday continues, that is money that does not have to go out, which can be used for other purposes.

[910359] **Cherilyn Mackrory** (Truro and Falmouth) (Con): The Government are leading the way with the green revolution, and in Cornwall we are teeming with green potential. Will my right hon. Friend work with my Cornish colleagues and me to help put Cornwall at the heart of the green industry, unleashing geothermal energy, lithium, floating offshore wind and their vital supply chains, and creating long-lasting jobs in Cornwall?

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): My hon. Friend and I have had a number of conversations about the green industrial revolution. I am very excited about the opportunities in

her wonderful county, and I look forward to visiting, when restrictions permit me, some of these wonderful projects.

Edward Miliband (Doncaster North) (Lab): Businesses face a double whammy from the ongoing economic crisis and potential Brexit disruption. They want the Business Secretary to stand up for them. Some 61% of the country will be in tier 3 from tomorrow, and the situation for many pubs, restaurants and bars is catastrophic, as this morning's record redundancy figures show. Will the Secretary of State now finally recognise what he has been told repeatedly by Members across the House—and again today—and by industry, namely that support for the hospitality sector is hopelessly inadequate if many of these businesses are to survive through the winter?

Alok Sharma: I completely accept that it is a very difficult time for many businesses, particularly in the hospitality sector right now, but as the right hon. Gentleman will know, support is being provided. Businesses that are required to be closed can get grants of up to £3,000 a month. I also point him in the direction of the International Monetary Fund, which said that the support the UK Government are providing is

“one of the best examples of coordinated action globally”.

Edward Miliband: I am afraid that the Secretary of State is failing to stand up for the hospitality sector. Let us talk about the 150,000 businesses that, even with a trade deal, will have to fill in customs forms for the first time from 1 January. The ports are struggling, the IT systems are not ready, the customs agents are not in place, and businesses still do not know the rules that will exist in just 16 days' time. Are these firms not entitled to conclude that they are being badly let down by a Government who have left them totally in the lurch and a Business Secretary who seems asleep at the wheel?

Alok Sharma: I will refrain from coming back on that jibe. As a Government, we have been working incredibly hard to support businesses. I know that it is very difficult. The right hon. Gentleman talks about the end of the transition period. Of course, there are many changes that businesses can already put in place and, as he knows, we are communicating with businesses to ensure that that happens. I think that businesses do want us to continue talking to the European Union, and that is precisely what we are doing.

[910360] **Nigel Mills** (Amber Valley) (Con) [V]: Last week Swanwick Hayes conference centre in my constituency was forced to make redundancies, having had practically no turnover since March. Is there more that we can do to support the events industry, which may face many more months before it can start earning anything like its normal levels?

Alok Sharma: As my hon. Friend knows, we are providing support. It is difficult for a lot of businesses right now. The furlough scheme has been extended until the end of March, and I know that my right hon. Friend the Secretary of State for Digital, Culture, Media and Sport is working closely with the sector, as is the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Sutton and Cheam (Paul Scully).

[910355] **Mohammad Yasin** (Bedford) (Lab) [V]: My constituent Mark, a publisher, sells 60% of his specialist books outside the UK. He wrote to me to say that the prospect of Brexit is bad enough for business, but the increased costs to post overseas could be the nail in the coffin for his business and many SME exporters. What discussions has the Secretary of State had with Royal Mail about recent price hikes, and can he tell my constituent when the temporary air carrier surcharge will end?

Alok Sharma: We are in regular dialogue with Royal Mail and others. I am happy to take up the point that the hon. Gentleman raised separately, and I know that my hon. Friend the Member for Sutton and Cheam, who is responsible for Royal Mail, will be happy to follow it up with him.

[910363] **Mark Jenkinson** (Workington) (Con): My right hon. Friend may have seen me pushing the Prime Minister to support a 26-hectare renewable energy manufacturing facility at Oldside in the port of Workington. There is potentially around 100 hectares available. Does he agree that, alongside the larger sites of over 200 hectares, we need a number of smaller sites around the coast with good access to road, rail and sea routes, such as our offer in Workington?

Kwasi Kwarteng: My hon. Friend is right to say that renewable energy manufacturing of all sizes has huge potential, not least in his constituency. At this stage, our initial focus is to establish a first-of-its-kind, large-scale manufacturing site of over 200 hectares, and after we have established that, we can look at strengthening the supply chain.

[910356] **Debbie Abrahams** (Oldham East and Saddleworth) (Lab) [V]: I am sure that I am not the only one whose heart sang when I heard about the Oxford University covid vaccine, developed in partnership with AstraZeneca. Yesterday's "Panorama" programme about the research team made me immensely proud of this unique British achievement that will benefit not only the UK but the world at large. Our life sciences sector has always punched above its weight, but progress in medical research is being hampered because of its issues with fundraising this year. Will the Business Secretary congratulate my constituent Kevin Sinfield on running seven marathons in seven days to raise over £2.5 million for the Motor Neurone Disease Association, and will he commit to properly investing in research that could see the next breakthroughs in treatments and even cures for diseases including dementia, MND and cancer?

Mr Speaker: It was a major achievement, and it shows what a family there is in rugby league.

Alok Sharma: I congratulate the hon. Lady's constituent, Kevin Sinfield. We have a good settlement in the spending review for R&D: we are committed to reaching £22 billion a year by 2024-25.

[910364] **Robert Lorgan** (High Peak) (Con): In High Peak, we are lucky to have the best pubs, restaurants, hotels and small businesses anywhere in the country. However, these businesses, by their very nature, are highly seasonal and many of them depend heavily on the busy Christmas period. Unfortunately, despite having a case rate lower

than the national average, High Peak is in tier 3. Can my hon. Friend make representations to his ministerial colleagues about getting High Peak out of tier 3 as fast as possible, and make certain that as much support as possible is provided to the affected businesses?

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): I thank my hon. Friend for that. He is a big champion of his local pubs, for which I know there will be a lot of competition. Yes, the review will be in the next couple of days, and I hope we will see a number of pubs being able to open at that point, because that is what they want. Government support has been welcomed, but customers coming back through the doors, especially in the busiest months, is what we all want to see.

[910357] **David Linden** (Glasgow East) (SNP): The Secretary of State will know that not all businesses need to re-furlough staff, and many that do not were counting on the £1,000 per employee job retention bonus. However, this has been scrapped, blasting a black hole in the books of countless businesses across the UK. The Treasury will not say when or how the scheme will be replaced, so can his Department perhaps give businesses some certainty over the billions in support that have been snatched away from them without warning?

Alok Sharma: I would just point out to the hon. Gentleman that, on support for businesses, what we have done is to look at the requirements and increase that support. As he will have heard, the level of support is now £280 billion. We have extended furlough and we have extended the self-employment scheme, and businesses that are now required to be closed because of restrictions can get up to £3,000 a month.

[910365] **Dr Luke Evans** (Bosworth) (Con): The Government are focused on supporting the NHS, opening schools, getting businesses back to work, and getting gyms open and leisure facilities going again, but of course the last lever is hospitality and socialising. With the advent of a vaccine, will my hon. Friend have a meeting with the Treasury to put together a pathway and a package of support for those industries most affected, such as the weddings, events, office, conference and travel industry?

Paul Scully: I thank my hon. Friend, who has raised the issue about weddings and events with me on a number of occasions. We continue to work with the Treasury to see what more we can do to support the hospitality sector as a whole. I am looking forward to working with the UK weddings taskforce, which has been set up by the sector itself, to see what a covid-19 secure wedding looks like and how we can introduce that when the health science allows.

[910358] **Stephen Kinnock** (Aberavon) (Lab) [V]: The GMB, Unite and Unison trade unions are fighting hard for workers who are being fired and then rehired on worse terms and conditions. What is the Secretary of State doing to ensure that companies such as British Gas are negotiating in good faith with the workforce, not imposing these completely unacceptable practices on them?

Paul Scully: We call out British Gas and other employers if and when they are using unfair pressure in negotiations, but we do say that we need to retain flexibility as well, so that big companies can save as many jobs as possible in difficult times.

[910367] **Julian Sturdy** (York Outer) (Con) [V]: With the imminent review of tiers, can Ministers reassure me that they are pushing firmly within Government on the fact that many businesses, especially in places such as York, where the virus level is very low, are at the stage where they can no longer be subsidised for low footfall or to stay closed, but need to be able to trade as normally as possible ultimately to survive?

Paul Scully: I know the hospitality business in York has been affected, as it has around the country. Yes, we will continue to look at this and, when the data allows, we will move York and other areas into more forgiving tiers. For the hospitality sector—as I say, it welcomes Government support, largely, but wants customers—this is what is going to help the pubs, bars and restaurants in York and beyond to be able to survive and thrive.

[910361] **Bill Esterson** (Sefton Central) (Lab) [V]: Many freelancers and self-employed people have had little or no financial support. They do not qualify for furlough, for the self-employment scheme or for business grants. With billions of pounds being returned in tax relief for business rates by the major retailers, why are Ministers not using that money, as the retailers are suggesting, to support those hundreds of thousands of people who have had little or no financial support so far?

Alok Sharma: As the hon. Gentleman knows, a range of support is available. I completely accept that not everyone will feel they have got precisely the amount of support that they would have liked, but a significant amount of support is available and, of course, all this is always kept under review.

[910368] **Dr Jamie Wallis** (Bridgend) (Con): Many businesses are linked to the NHS supply chain, such as Zimmer Biomet, one of the largest employers in my constituency. What discussions has my right hon. Friend had with ministerial colleagues about getting NHS non-urgent, non-critical procedures back up to pre-covid levels?

Alok Sharma: My hon. Friend raises an important point, and my right hon. Friend the Health and Social Care Secretary is working very hard to help NHS trusts return to pre-covid levels of elective care as soon as possible. I have been impressed over the past months, throughout this pandemic, by the way in which businesses, both within the medical field and outside, have come together to support the NHS.

[910370] **Paul Girvan** (South Antrim) (DUP) [V]: What measures can the Minister take to ensure that GB businesses do not use the Northern Ireland protocol as an excuse to refuse to do business with companies in Northern Ireland? Some are already saying that after 31 December they can no longer supply goods to those companies, and some are using the situation as an opportunity, because of the additional bureaucracy and paperwork, to increase prices.

Paul Scully: If the hon. Gentleman has specific examples, I will be very interested to hear about them, but the United Kingdom Internal Market Bill is there to provide certainty—to provide access for Northern Ireland to GB and vice versa.

[910372] **Mary Robinson** (Cheadle) (Con): Whistleblowing is valuable to organisations and society. What steps is my right hon. Friend taking to prepare for ISO 37002, the new international standard for whistleblowing, and can he reassure my constituents that whistleblowers in the UK will enjoy enhanced protection to the same degree as, or greater than, that provided by the forthcoming EU directive?

Alok Sharma: I assure my hon. Friend that the Government are committed to ensuring that whistleblowers enjoy high standards of protection under UK law. The international standard to which she refers is for employers wanting to introduce their own whistleblowing policies, which is already encouraged by our code of practice.

Nick Smith (Blaenau Gwent) (Lab): The furlough scheme is really important for young workers—for young people—but many are worried that when it ends we will see large-scale youth unemployment, so what is the Department's input into the kickstart scheme and exactly how many jobs will be created by March next year to help young people?

Alok Sharma: As the hon. Gentleman knows, the kickstart scheme is a Government initiative, and the Treasury and the Department for Work and Pensions have led on this. I have had discussions with the Secretary of State for Work and Pensions on the issue, and of course we want to make sure we continue to support young people at this crucial time. We know that when unemployment is going up, it is new workers who find it particularly difficult to get jobs.

David Johnston (Wantage) (Con): On Thursday, I had the pleasure of taking my hon. Friend the Member for Derby North (Amanda Solloway), the Minister for science, research and innovation, to Greencore's Springfield Meadow development in my constituency, where it is building not just net-zero homes but carbon-positive homes and selling them to Sovereign Housing at precisely the same cost as for any other kind of home. Will my right hon. Friend join me in congratulating

Greencore on this innovation, and does he agree that it is exactly the sort of thing we need more of to hit our 2050 goal?

Kwasi Kwarteng: My hon. Friend is exactly right. I am delighted to report that our joint hon. Friend the Member for Derby North (Amanda Solloway) had a very successful visit and thoroughly enjoyed her trip to Greencore Construction, and obviously we heartily welcome Greencore's excellent work in sustainable construction.

Jon Trickett (Hemsworth) (Lab): After 10 years of this Government, before covid, constituents of mine were averaging £100 a week less in earnings than the average for the rest of the country; now a third of them are on furlough, which means a further £100 less per week—£10,000 a year less than the average. Will the Minister understand that when the Government talk about levelling up, in an area like mine people will say it is time that Ministers got out of their privileged bubbles and did something for communities all over this country, where millions of people are living very precarious lives?

Alok Sharma: I know it is a very difficult time for very many families, and that they will feel that particularly acutely as we get to Christmas. I would just say that across the country we have protected 9 million jobs—households up and down our country, who have been supported by the measures that the Government have put forward—and that that will extend until the end of March, as well as the other support that has been provided.

Given that we have now come to the end of questions, Mr Speaker, I thank you and your staff for all the support that you have provided to all Members in a very challenging year. I thank all Members—including the right hon. Member for Doncaster North (Edward Miliband)—for all their support, and I hope that they will have an opportunity to get some rest over the festive period.

Mr Speaker: May I just say thank you to the Secretary of State for completing the list? In order to allow the safe exit of hon. Members participating in this item of business and the safe arrival of those participating in the next, I am suspending the House for three minutes.

12.36 pm

Sitting suspended.

Personal Statement

12.41 pm

Chris Bryant (Rhondda) (Lab): Mr Speaker, I am utterly mortified by the events of last week when my heckling interrupted proceedings during Prime Minister's questions and when I challenged the authority of the Chair. I entered into an altercation with the Chair and I did not treat the Chair with due respect. That is unacceptable. I apologise unreservedly to the House and to you personally, Mr Speaker. I really wish none of this had ever occurred and I fully accept that my conduct was unacceptable.

Mr Speaker: May I say that I accept the hon. Member's apology? I am content that that draws a line under the matter.

Business of the House

12.42 pm

The Leader of the House of Commons (Mr Jacob Rees-Mogg): I should like to make a short business statement.

WEDNESDAY 16 DECEMBER—Consideration of a business of the House motion, followed by all stages of the Trade (Disclosure of Information) Bill, followed by, if necessary, consideration of Lords message, followed by a motion relating to the appointment of board members to the Independent Parliamentary Standards Authority.

The business for Thursday remains unchanged and as previously announced. I shall provide a further update to the House regarding future business on Thursday. For hon. Members wishing to participate in tomorrow's debate on the Trade (Disclosure of Information) Bill, Mr Speaker has made arrangements for the call list to remain open until 3 o'clock today.

Mr Speaker: I will be calling only the shadow Leader of the House and the SNP Chief Whip to ask a question on the statement.

Valerie Vaz (Walsall South) (Lab): I want to ask just a couple of short questions. It is absolutely wonderful to see that the Trade Bill is still alive; this is a small part of it. Can the Leader of the House confirm that it is coming back to the House and, if so, when?

Mr Rees-Mogg: Yes, the Trade Bill is with their lordships and is on Report in the other place. It will come back when it has completed consideration in their lordships' House. The bit that we are bringing forward tomorrow has already passed through this House unamended.

Patrick Grady (Glasgow North) (SNP): I just wonder if this is what the Leader of the House has campaigned for all these years and if this is what parliamentary sovereignty and taking back control are supposed to look like—legislative chaos and bouncing stuff through the House without any notice whatever. The Government are supposed to have a majority of 80, yet they cannot get their business done.

When the Leader of the House tables the orders for tomorrow, he has to include the restoration of the right of all Members of the House to take part in business remotely. The Secretary of State for Health and Social Care stood at the Dispatch Box yesterday and said that there was a new strain of covid and that people should not travel to tier 3 areas, to a room full of people who had done exactly that. If there is any possibility of the House sitting next week or being recalled over Christmas, there has to be virtual participation for everyone because it is not safe to travel. Given that the east coast main line will be closed, it will not be possible for most people to travel either.

Mr Speaker: Order. May I just say that we are meant to stick to the business statement? The hon. Gentleman drew a line, and that railway went a long way.

Mr Rees-Mogg: One of the most remarkable things about this House is that the most charming Members on the SNP Benches are always the most furious whenever

they appear before it. I must say, as we get near to the spirit of Christmas, I begin to think that the fury is somewhat confected.

In terms of the legislative programme, we are ensuring that the legislation is brought through. I warned hon. Members last Thursday, as I thought it only fair to do, that we might have to act flexibly in response to developments in what was going on. These clauses could have been introduced in the Trade Bill that we might need if we get a deal with the European Union, but the late stage of that means that it is necessary to bring them forward early. This is exactly what one would expect, given the deadline of 31 December for the negotiations with the European Union, of a trade Bill.

Regarding remote participation, we have discussed that at length in the House. We provided more than two hours of Government time to debate people's ability to appear remotely, but regrettably the measure was talked out by Opposition Members, making it impossible for the extremely clinically vulnerable to appear remotely. I think that is a great shame.

Mr Speaker: That concludes the business statement.

Online Harms Consultation

12.46 pm

The Secretary of State for Digital, Culture, Media and Sport (Oliver Dowden): With permission, Mr Speaker, I will make a statement on our online harms consultation. We now conduct a huge proportion of our lives online. People in the UK spend an average of four hours and two minutes on the internet every day, and we know that for children it is even longer. That technology has improved our lives in countless ways but, as hon. Members on both sides of the House know, too many people are still exposed to the worst elements of the web: illegal content, racist and misogynistic abuse, and dangerous disinformation.

Those interactions may be virtual, but they are causing real harm. More than three quarters of UK adults express concerns about logging on, while a declining number of parents believe the benefits for their children of being online outweigh the risks. Trust in tech is falling. That is bad for the public and bad for the tech companies, so today the Government are taking decisive action to protect people online.

Through our full response to the online harms White Paper, we are proposing groundbreaking regulations that will make tech companies legally responsible for the online safety of their users. That world-leading regime will rebuild public trust and restore public confidence in the tech that has not only powered us through the pandemic, but will power us into the recovery.

I know that this legislation is keenly anticipated on both sides of the House. I want to reassure hon. Members that, when drafting our proposals, I sought to strike a very important balance between shielding people, particularly children, from harm and ensuring a proportionate regime that preserves one of the cornerstones of our democracy—freedom of expression. I am confident that our response strikes that balance.

Under our proposals, online companies will face a new and binding duty of care to their users, overseen by Ofcom. If those platforms fail in that duty of care, they will face steep fines of up to £18 million or 10% of annual global turnover. A number of people, including Ian Russell, the father of Molly Russell, have expressed concerns about that point; I want to reassure him and Members of this House that the maximum fine will be the higher of those two numbers, and platforms will no longer be able to mark their own homework.

To hold major platforms to their responsibilities, I can also announce to the House that they will be required to publish annual transparency reports to track their progress, which could include the number of reports of harmful content received and the action taken as a result. This will be a robust regime, requiring those at the top to take responsibility. I can therefore confirm that we will legislate to introduce criminal sanctions for senior managers, with Parliament taking the final decision on whether to introduce them. Of course, we hope not to use those powers, and for tech companies to engineer the harm out of their platforms from the outset, but people should have no doubt that they remain an option and we will use them if we need to.

Together, those measures make this the toughest and most comprehensive online safety regime in the world. They will have a clear and immediate effect: a 13-year-old should no longer be able to access pornographic images

[*Oliver Dowden*]

on Twitter; YouTube will not be allowed to recommend videos promoting terrorist ideologies; and antisemitic hate crime will need to be removed without delay. Those are just a few examples, but the House will take a keen interest in the details of the legislation, so I shall lay out a few key areas of action.

Our first focus is on illegal content, including child sexual abuse, terrorism and posts that incite violence and hatred. Sadly, many Members present today have been the target of online abuse, some of which might have been illegal, such as threats of violence. Unfortunately, that is particularly true for female Members of the House. This is not a problem suffered only by people in the public eye; close to half of adults in the United Kingdom say that they have been exposed to hateful content online in the past year.

Under the new laws, all companies in scope will need to take swift and effective action to remove criminal posts—if it is illegal offline, it is illegal online. Users will be better able to report this abhorrent content and can expect to receive more support from platforms. Crucially, the duty of care will apply even when communications are end-to-end encrypted. Encryption cannot serve as a protection blanket for criminals. Given the severity of certain threats, Ofcom will also be given powers to require companies to use technology proactively to identify and remove illegal content involving child sexual abuse or terrorism—that is a power of last resort.

Of course, not all harmful content is illegal. Every day, people are exposed to posts, images and videos that do not break any laws, but still cause a significant amount of harm. We all know that cyber-bullying can ruin a child's life, but I want first to address one particularly horrific form of legal content. Sadly, too many Members present will be aware of cases in which children are drawn into watching videos that can encourage self-harm. Some find themselves bombarded with that content, sometimes ending ultimately in tragedy. It is unforgivable that that sort of content should be circulating unchecked on social media. Given the severity of its consequences, I believe that there is a strong case for making it illegal.

I can therefore announce that the Government have asked the Law Commission to examine how the criminal law will address the encouragement or assistance of self-harm. This is an incredibly sensitive area. We need to take careful steps to ensure that we do not inadvertently punish vulnerable people, but we need to act now to prevent future tragedies.

Many Members are particularly concerned about the effect online harm has on children. We have reserved our strongest and toughest protections for them. All companies will need to consider seriously the risks their platforms may pose to children and to take action. They will no longer be able to abdicate responsibility by claiming that children do not use their services when that is manifestly untrue—we all know examples of that—and we also expect them to prevent children from accessing services that pose the highest risk of harm, including online pornography. Cutting-edge age assurance or verification technologies will be a vital part of keeping children safe online.

At the same time, we are going further than any other country to tackle other categories of legal but harmful content accessed by adults. Major platforms will face additional obligations to enforce their own terms and

conditions against things such as dangerous vaccine misinformation and cyber-bullying. Where the platforms fall short, they will face the legal consequences.

I know that some hon. Members are worried that the regulations may impose undue burdens on smaller, low-risk companies, so I can reassure them that we have included exemptions for such companies. As a result, less than 3% of UK businesses will fall within the scope of the legislation.

In this House we have always ardently championed freedom of expression. Robust and free debate is what gives our democracy its historic strength. So let me be clear: the purpose of the proposed regime is not to stop adults accessing content with which they disagree. It is not our job to protect people against being offended. I will not allow this legislation to become a weapon against free debate. Therefore, we will not prevent adults from accessing or posting legal content. Companies will not be able arbitrarily to remove controversial viewpoints, and users will be able to seek redress if they feel that content has been removed unfairly.

Nor will I allow this legislation to stifle media freedoms or become a charter to impose our world view and suppress that of others. I can confirm that news publishers' own content on their sites is not in scope, nor are the comments of users on that content. This legislation is targeted exactly where it needs to be and tightly focused on delivering our core manifesto pledge to empower adult users to stay safe online while ensuring that children are protected.

We have engaged extensively to get to this point and this process is by no means over. We want all parliamentarians to feed into this significant piece of work and will continue to listen to their concerns as we go through pre-legislative scrutiny and beyond. However, I am confident that today's measures mark a significant step in the continual evolution of our approach to life online, and it is fitting that this should be a step that our country takes. The world wide web was, of course, invented by a Brit, and now the UK is setting a safety standard for the rest of the world to follow. I commend this statement to the House.

12.55 pm

Jo Stevens (Cardiff Central) (Lab): I thank the Secretary of State for advance sight of his statement. Let me start by saying that the Opposition welcome any moves to protect children and the vulnerable online. There are plenty of questions about gaps in the Government's response relating to protecting children online, but the emphasis on children in this statement is very welcome.

We have been calling on the Government to introduce this legislation for almost two years. The publication of the online harms White Paper seems almost a lifetime ago. The legislation is long overdue, and I would like the Secretary of State to tell us when in 2021 the House can expect to see the Bill, because until it is on the statute book, the real harm that he has just described, which has been able to flourish online through a lack of regulation, will continue. Ireland has already published its legislation. France has produced legislation dealing with hate speech. Germany has had legislation in place since 2018, and the European Commission is expected to publish its proposed Digital Services Act today.

The Secretary of State has said that the UK will lead the way with this legislation, but I am afraid that the response today is lacking in ambition. It feels like a

missed opportunity. This is a once-in-a-generation chance to legislate for the kind of internet we want to see that keeps both children and adult citizens safe and allows people to control what kind of content they see online. Instead, the Government have been timid, or maybe the Secretary of State was persuaded by Sheryl Sandberg and Nick Clegg in his meeting with them last month to water down the original proposals. Social media platforms have failed for years to self-regulate. The Secretary of State knows that, everyone in this House knows that, and the public know that.

On legal but harmful material, why are companies being left to set their own terms and conditions and then judged on their own enforcement of those terms and conditions? It is exactly the wrong incentive. It will actively encourage less strict terms and conditions, so the platforms can more easily say that they are being properly enforced. When the Secretary of State says that companies will no longer be marking their own homework, I am afraid that he is wrong, because that is exactly what they will be doing.

The financial penalties described are welcome, but the Government have given in to big tech lobbying on criminal liability for senior executives for repeated breaches being properly built into the forthcoming legislation and implemented straight away. Rather, that will be left hanging to a possible future date through additional secondary legislation. Ireland's legislation will include criminal sanctions rather than the vague threat that the Secretary of State has decided on. Will he explain what is to be gained by waiting? Never mind one last chance—repeat offenders have had chance after chance after chance.

The Secretary of State has referred to the novel concept of age assurance. Is that the same as age verification—the age verification that has been accepted by both the platforms and users as being unenforceable—or is it something different?

We know that online harms can easily become real harm. Encouragement and assistance of self-harm is one example, as the Secretary of State has mentioned. Harmful anti-vaccination disinformation impacting on public health is another. The Government have said today that they are asking the Law Commission to examine how criminal law will address the issue of encouragement or assistance of self-harm, but the Government could have asked the Law Commission to do that nearly two years ago when the White Paper was published. They have not done the hard work of deciding what should perhaps be illegal, which would have made their response today a better one.

There are other notable absences from the response, including reference to financial harm and online scams. This is a growing area of concern for millions of people across the United Kingdom, so why has it been ignored in the response? The Secretary of State has referred to failing public trust in tech. He says that he wants to rebuild it, but, sadly, today's statement does not live up to that aspiration.

Oliver Dowden: I am rather sorry that the hon. Lady seems intent on seeing the negative in everything. This is a groundbreaking piece of legislation. Let me go through some of the points that she raises. She talks about our being timid in the face of tech lobbying. First of all, I can assure her that, although I have discussed end-to-end encryption in respect of national security issues, I have

not discussed with Sheryl Sandberg or Nick Clegg any online harm provisions. That is simply not the case. Indeed I think that she will find from the reaction of some tech firms that they are struck by the scale of the fines that we are proposing. These would be some of the largest fines ever imposed—up to 10% of the global revenue of a company such as Facebook, which shows how enormous the maximum fine could be.

On criminal liability, I want tech firms to comply with this, and if they do not do so, they will face steep fines. If they still do not comply, Members should be in no doubt that their senior managers will face criminal sanction. We will take the power in this Bill—we will not have to come back to the House for primary legislation—and enact it through secondary legislation.

The hon. Lady asks about what we have been doing so far. We have taken many steps already to protect people online. For example, just a couple of months ago, the Information Commissioner's age appropriate design code was put before Parliament. Today, alongside this full response to the White Paper, we are publishing, through the Home Office, an interim code of practice on online child sexual exploitation and abuse, and we will do so similarly in relation to terrorist content and activity online. We will expect tech firms to start complying with that now. It is clear what the Government's intent is and if those firms fail to comply, we will have the powers through this legislation to ensure that that happens.

The hon. Lady asks about letting tech firms mark their own homework. We are empowering Ofcom to hold these tech firms to account. First of all, we will make sure that the terms and conditions are robust, and if they are not, those firms will face consequences. If they do not enforce those terms and conditions, they will face consequences, and the House will set out what those legal but harmful things are through secondary legislation. We will propose the sort of harms that those tech firms should guard against. Members will be able to vote on them, and those firms will have to take action appropriately. I believe that this marks a significant step forward, and Opposition Members should welcome this important step in protecting children, particularly online.

Mr Speaker: I call the Chair of the Digital, Culture, Media and Sport Committee, Julian Knight.

Julian Knight (Solihull) (Con): It has been two long years since the Digital, Culture, Media and Sport Committee's report on fake news, and it is welcome that, at long last, the Government have moved to appoint a regulator, to impose a duty of care and to put in place a substantial fines regime. However, there are still areas of concern. Can the Secretary of State outline his thinking on these? Does he accept that the number of priority categories defined as online harm needs to be broadened from what is currently envisaged to include things such as misinformation? The Secretary of State rightly focused on children, but this is about more than children; it is about the very status of our society and about looking after adults.

The Secretary of State mentioned transparency reports. How can we ensure that these transparency reports do not become another exercise in public relations for the tech firms? Will there be independent outside academic oversight? When it comes to news publishing exemptions, will that also apply to video sharing?

[*Julian Knight*]

Finally, does the Secretary of State recognise that a system of dynamic, ongoing enforcement through a financial services-style compliance regime in tier 1 social media companies provides a good belt and braces for retrospective enforcement action on what prelegislative scrutiny is planned?

Oliver Dowden: My hon. Friend the Chairman of the Select Committee asks about the involvement of the Committee; we will of course seek to involve the Committee extensively in the prelegislative scrutiny. He has already made an important suggestion about dynamic monitoring, which we will of course consider as we firm up the legislation.

My hon. Friend talks about video sharing; the exemption for news publishers to protect freedom of speech will apply to all their output and will include that.

My hon. Friend asks about disinformation; if disinformation—for example, anti-vax content—causes harm to individuals, it will be covered by the legislation, and I very much expect to set that out as one of the priority areas that would have to be addressed in secondary legislation.

John Nicolson (Ochil and South Perthshire) (SNP) [V]: I thank the Secretary of State for the advance copy of his speech, much of which we SNP Members agree with.

At a time when anti-vax disinformation floods social media, when hate is spouted at minority groups under the cowardly veil of anonymity, often without consequence for the perpetrators, and when more children than ever before are using the internet and need to be shielded from harmful content, the proposed online harms Bill is welcome.

We welcome, too, the requirement that companies must accept a duty of care, and the fact that Ofcom will be the independent regulator—but it must be a regulator with teeth. As Dame Melanie Dawes, Ofcom's boss, told the Digital, Culture, Media and Sport Committee a short while ago, Ofcom needs much-enhanced powers to be effective; what additional powers will she have?

To enjoy maximum support in the House, the Bill must, while balancing the right to free expression, tackle illegal content as well as content that is potentially harmful but not illegal. In particular, companies must protect all children from harm, and the Government are right to recognise that.

The covid epidemic and lockdown have seen a surge in homophobia and transphobia online. The TIE—Time for Inclusive Education—campaign stated that 72% of LGBT+ young people had reported attacks or cyber-bullying, with organisations such as the so-called LGB Alliance leading the onslaught. In that context, surely there is a case for looking again at social media anonymity. Noms de plume are fine, but we believe that users' identities should be known to the social media publishers—they should not be completely anonymous in all circumstances. Does the Secretary of State agree with that?

Social media disinformation has been especially pernicious during the covid pandemic. Experts tell us that the disinformation during this crisis is unparalleled

in the internet era, and the consequences of online harm can be catastrophic, undermining public trust, faith in health officials and acceptance of the value of the vaccine now being rolled out.

In principle, we welcome much in the proposals. Of course, the proof of the pudding will be in the eating—exactly how tough the Government are prepared to be in reality, how hard they will be on the social media companies, and whether they will enforce some of the proposals—but we welcome it.

Oliver Dowden: I am grateful for the hon. Gentleman's welcome for the legislation. He raised some important points. We have not taken powers to remove anonymity, because it is very important for some people—for example, victims fleeing domestic violence and children who have questions about their sexuality that they do not want their families to know they are exploring. There are many reasons to protect that anonymity.

The hon. Gentleman talked about Ofcom; over the years, we have seen Ofcom rise to the challenge of increased responsibilities, and I am confident that it will continue to do so. We will of course look to Ofcom to bring in independent expertise to help it in that process. It will clearly require a step change from Ofcom, but Dame Melanie Dawes and others are very much alert to that.

The hon. Gentleman talked about misinformation and disinformation. There are three things that we have to do to address those. First, we have to rely on trusted sources. We are so fortunate in this country to have well-established newspapers and broadcasters that are committed to public service information. We have seen that through the covid crisis, which is why we have supported them through this period. Secondly, we have to rebut false information. Through the Cabinet Office, we are working 24/7 to do that. Finally, we have to work with the tech companies themselves. For example, the Health Secretary and I have recently secured commitments to remove misinformation and disinformation within 48 hours and, crucially, not to profit from it.

As for hon. Gentleman's central concern, I think these measures really do mark a step change in our approach to tech firms. The old certainties are changing, and we are taking decisive action.

Jeremy Wright (Kenilworth and Southam) (Con): I welcome the progress that the Government are making in this area, and my right hon. Friend's personal commitment and determination to deliver it, but, as he said, there is further progress to be made. That progress will only really be made when we see legislation, which I urge him again to introduce as soon as possible. In the meantime, I understand the Government's focus on the larger platforms where the greatest harms are likely to be concentrated, but may I urge him, in the design and architecture of the regulatory system that he is putting in place, to ensure that it can deal with smaller platforms that grow fast or host particularly damaging material, and, of course, that it can deal with the ever-changing nature of the harms themselves?

Oliver Dowden: I pay tribute to my right hon. and learned Friend and other former Culture Secretaries who are present, all of whom have played a decisive role in helping to shape this important legislation. My right hon. and learned Friend rightly raises the point about

smaller platforms. What we have sought to do with these proposals is to exclude very small enterprises—for example, a cheese retailer that allows its customers to leave comments on its site. Strictly speaking, that is user-generated material, but I think we would all agree that we would not want that to be within scope. However, at the same time, some smaller sites can be used as a back route—for example, for paedophiles to exchange information. We will design the legislation proportionately so that we can upscale the regulation in cases of that sort.

Clive Efford (Eltham) (Lab) [V]: I welcome the legislation as far as it goes, and agree with the Secretary of State that it is landmark legislation, rather like the Gambling Act 2005, which was passed by the Labour Government. I remind him that it was largely the things that were not covered by that legislation that came back to be the most challenging issues to confront us all. Given that, let me ask the Secretary of State about the scope of the legislation: will it cover online harms such as the advertising of gambling targeted at young people, gambling through social media or even loot boxes in online gaming, whereby young people are asked to pay for boxes of which they do not know the content?

Oliver Dowden: As the hon. Gentleman may know, we have already issued a call for evidence in respect of loot boxes, and will take appropriate action in response. Many of the issues that he has raised are covered by our call for evidence on gambling. The scope of this legislation will cover any platform that allows self-generated content to be on it; to the extent that gambling websites have user-generated content on them, they will fall within the scope of this legislation, potentially.

Sajid Javid (Bromsgrove) (Con): I welcome my right hon. Friend's statement. He has said that at the heart of these measures is the protection of our children—something with which the whole House will agree. He may know that I am leading an investigation with the Centre for Social Justice on the epidemic of child sexual abuse and exploitation that is taking place in our country. I therefore particularly welcome what he said today about the publication of the interim code of conduct on online child sexual abuse. But for it to have any effect, it must have teeth; it must be legally binding. Will he assure the House that when the online safety Bill becomes an Act, this code will be a statutory obligation?

Oliver Dowden: I pay tribute to the work that my right hon. Friend is doing, both on this and through the important work of the Centre for Social Justice. Yes, I can certainly give him that assurance. As I said, I would expect tech firms to abide by these codes of practice now—they have been published in interim form—because it is in the interests of tech firms to clean up their act, and this gives them a way of doing so. That has been the point across our approach. Of course, if they fail to do so, we will take the power in legislation to make it binding regardless, but I hope that the firms will abide by the codes of practice and I do not have to use those powers.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Clearly, regulations alone will not be strong enough to tackle the challenges of the internet. I am sure every single one of us in this place regards the safety of our

children as paramount, so may I suggest to the Secretary of State that the education of our children might empower them to take down or zap harmful stuff online? What consideration is he giving to improving the education of children to give them that ability? Will he also have discussions with his colleague the Secretary of State for Education to that end, and might he further extend those discussions to the equivalent Ministers in the devolved Administrations?

Oliver Dowden: The hon. Gentleman makes an important point, and of course I will be happy to extend that discussion. I am already doing so with my right hon. Friend the Education Secretary, but I would be happy to do so with representatives of the devolved Governments. The hon. Gentleman is absolutely right to highlight the importance of education, and that applies not just to children but to parents. The more that parents, particularly those who have not grown up with the internet, understand the risks involved for their children, the better equipped they are to take action. Probably the single most important thing that parents can do is better understand the risks. That is why, in respect of children, we will be publishing the online media literacy strategy in the spring to address exactly that.

Damian Collins (Folkestone and Hythe) (Con): I thank the Secretary of State for his important and long-awaited statement on this piece of legislation. I have a few questions, though. He mentioned that social media companies would be required to produce transparency reports on their effectiveness in dealing with harmful content. Will Ofcom be able to audit those reports and request data and information from the companies? Otherwise, those reports will not be very transparent at all. He also said that there would be a carve-out exemption for news providers. I agree with that, but how is he defining a news provider? Some of the most egregious spreaders of disinformation pretend to be news providers but are actually fake news websites. It is important that we know that. He also said that if companies' terms and conditions did not come up to standard and they did not meet their duty of care obligations, they would "face the legal consequences". Can he say what those consequences will be?

Oliver Dowden: As ever, my hon. Friend raises some very pertinent questions. On the powers for Ofcom, it will be able to interrogate companies on data and equipment. The question of the definition of news publishers is a challenging one, for the reasons that he sets out. Essentially, we want to avoid the situation whereby a harmful source of information sets up as if it were a news publisher. That will be an important part of our engagement with Members through the pre-legislative scrutiny, so I hope I will be able to reassure him on those points.

Carla Lockhart (Upper Bann) (DUP) [V]: I welcome today's announcement and trust that it represents progress towards making the internet a safer place for my constituents. In protecting our children, the vulnerable and wider society online, there can be no half measures. In that regard, I have a number of areas of concern. The Secretary of State referred to cutting-edge age assurance or verification technologies. Can he explain what exactly is meant by age assurance and the practicalities

[Carla Lockhart]

of that process? How does it differ from age verification? What evidence is there that it is more effective in protecting children from harmful content? Does he agree that the prevalence of online scams—and the thousands of lives across the UK impacted by such scams—makes their omission from the Government's response significant? Will he outline how the Government will address this increasingly widespread online harm?

Oliver Dowden: On age assurance, we are looking at the sort of emerging technology whereby, for example, one can look at how children type and use artificial intelligence to see that it is a child rather than an adult. Just yesterday, I was at a company called SafeToNet, which is doing fantastic work—for example, building into social media platforms through the electronic device that a child is using, whether that is an iPad or a phone, safety features that would block pornographic images and so on. The hon. Lady also asked me about further powers that we are taking. Forgive me; I have temporarily forgotten the point that she raised, but I am happy to write to her on that point.

David Johnston (Wantage) (Con): I welcome my right hon. Friend's statement. Large tech platforms build incredibly complicated models to track our every move, profile us and suggest products that we might want to buy. They now even read our messages and suggest how we might like to reply, and yet when it comes to removing harmful content, they suggest that it is too difficult for them. Does he agree that what he is setting out is well within their capabilities, as long as they have the will?

Oliver Dowden: My hon. Friend makes a very important point. Too often, tech firms say that they cannot do such things, but strangely, when it is in their commercial interest to do so, they find a way of doing it. This legislation is setting a clear direction of travel from Government, so that they know that we will be willing to take that action to force them to take measures in the public interest.

Alison Thewliss (Glasgow Central) (SNP): First Steps Nutrition Trust has launched a study this month which shows the impact of online marketing of infant formula. I am all for impartial information, but that is not what is happening. Baby clubs, carelines and online influencers have free rein, and they are undermining breastfeeding and pushing parents to buy more expensive formula than they can afford. Will the Secretary of State protect our youngest citizens and prohibit all infant formula advertising online?

Oliver Dowden: The hon. Lady raises a very important point. The purpose of this legislation is to deal with user-generated content. If that sort of thing is being promoted by users, which we can all see is a popular marketing device, it will fall within scope. It is similar to the point raised by the hon. Member for Upper Bann (Carla Lockhart) about fraud. If fraud is being promoted through user generation, that is a harm that can be addressed, but it does not extend to the whole scale of advertising, which is beyond the intent of the legislation.

Jo Gideon (Stoke-on-Trent Central) (Con): I welcome my right hon. Friend's statement. Earlier this year, Staffordshire police, Stoke-on-Trent City Council and

Staffordshire County Council launched an operation to crack down on gangs exploiting children through county lines, drug dealing and other criminality. These children are often groomed and recruited on online platforms and messaging services. Can my right hon. Friend confirm that, under the rules outlined in the online harms consultation, technology firms will be required to build technology into their platforms that can prevent that sort of activity?

Oliver Dowden: Yes, I am happy to give my hon. Friend exactly that assurance. Companies must tackle illegal content on their platforms and protect children from harmful content and activity online. They really do need to build the right systems. As I said in answer to an earlier question, I have seen the technology; there is no excuse anymore not to use it.

Darren Jones (Bristol North West) (Lab): I want to ask the Secretary of State two questions on the issue of how we understand what is harmful but perhaps legal. First, will Ofcom be given the powers that it already has for other regulated sectors to demand access to information about how a service is being used and what content is on it? Secondly, why has the Secretary of State abandoned age verification?

Oliver Dowden: On age verification, we are moving it from what we previously had, which was not dealing with user-generated content. Most pornography that children access is on sites that have user-generated content. Usually, that is the way that children stumble across it by mistake. It is really important that we broaden the scope of what we are doing, and that is precisely what we are addressing through this legislation.

Christian Wakeford (Bury South) (Con) [V]: Earlier this year, we witnessed the Wiley scandal, which saw an antisemitic rant over numerous posts. It took 72 hours and a mass boycott of social media by the Jewish community and its supporters before any action was taken by the platforms. Does my right hon. Friend agree that the law should apply online as it does offline and that online platforms must do more to stop the spread of hate speech and illegal content?

Mr Speaker: I think the hon. Gentleman forgot to put on his tie and jacket.

Oliver Dowden: Sadly that will not be addressed by this legislation, Mr Speaker. [Interruption.] Not that I could—I believe that is a matter for the House.

My hon. Friend makes a very important point about antisemitic abuse. I have met organisations to discuss that in framing the legislation. Most antisemitism is illegal and should be addressed through the provisions made for illegality. Beyond that, we will be setting out, as a priority, harms to be addressed through this legislation.

Dame Margaret Hodge (Barking) (Lab) [V]: I, too, welcome the statement. In the past two months, Community Security Trust has identified 90,000 posts mentioning me. Most were hostile, antisemitic, misogynistic and ageist. Many were anonymous and, through disinformation, aimed to undermine my credibility and so silence me. I ask the Secretary of State to think again. Does he not agree that anonymity on social media can no longer be

universally protected, although it should be protected for groups such as whistleblowers and victims of domestic violence? Will he not agree that when users post illegal content or harmful abuse, social media companies should be required to collect and pass on information on the identity of the user to regulatory bodies and to the police?

Oliver Dowden: The right hon. Lady raises a very important point. As a Member of Parliament who proudly represents a very large Jewish community, I know the challenges of antisemitism, and that has been at the front of my mind in framing this legislation. It is a challenging area, this point about anonymity. Of course, if there is criminal conduct that the police and law enforcement agencies are investigating, they have ways of dealing with that anonymity in order to bring criminal cases. The reluctance I have had, and the Government have had, to introduce provision across the board is about how we lift the veil of anonymity while at the same time protecting some very vulnerable people who rely on it. But of course we will continue to keep it under review.

Karen Bradley (Staffordshire Moorlands) (Con): I fear that we on the Government Benches look a little like the ghost of Secretaries of State past to my right hon. Friend. I welcome this statement and the moves that the Government have made. Taking him back to the issue of age assurance and age verification, I am pleased to hear that he is looking at different types of technology to protect children, but will he please not let the perfect be the enemy of the good and do something about age verification as soon as possible?

Oliver Dowden: My right hon. Friend is absolutely correct. I should pay tribute to all her work in this area. Of course we will not allow the best to be the enemy of the good. We will not be mandating the use of specific technological approaches. We know that those technological approaches are available, and Ofcom will be holding tech companies to account to make sure that they take advantage of them in order to provide protection for children.

Liz Twist (Blaydon) (Lab): As the Secretary of State will be aware, Wikipedia, while not a social network, is edited by its users. It includes highly dangerous instructional information on suicide generated by those users. How will that be covered by the forthcoming legislation, and how will he deal with the international aspect of preventing harm online?

Oliver Dowden: I thank the hon. Lady for her question; she raises an important point. We are looking to legislate to make self-harm illegal—to push it into that category. On international engagement, there is a coalition of nations around the world that are now moving in this direction, including the US. The hon. Member for Cardiff Central (Jo Stevens) mentioned steps taken in Ireland and elsewhere. We have constantly led this debate. We started this debate with these proposals and we are delivering them at a faster pace than other countries around the world.

Mrs Maria Miller (Basingstoke) (Con) [V]: I warmly welcome my right hon. Friend's statement. However, we have to be very clear that the duty of care and the

regulator that he is proposing will not look at or resolve individual complaints. What is more, we are already seeing some of the smart movers in the online world starting to change their practices so that they will evade the regulation that he is talking about. So, to be really effective this Bill has to sit alongside stronger and clearer laws that protect the individual from dreadful online abuse, such as image-based abuse which the Secretary of State and I have talked about, and which I know he cares as deeply as I do about resolving. He cannot introduce one without the other, so can he give me an assurance today that he will put reforms, particularly with regard to online image-based abuse, on the same time footing as the Bill he is talking about today?

Oliver Dowden: My right hon Friend, another former Culture Secretary, makes an important point. She and I have discussed this at length. It is essential that, alongside the duties of care, we specifically outlaw certain things: she has made important points about deep fakes, cyber-flashing and so on. I can confirm that, working with the Law Commission, we will be looking through this legislation specifically to outlaw that kind of activity and make it illegal.

Chris Elmore (Ogmore) (Lab): As the Secretary of State will undoubtedly be aware, I really welcome this Bill; I honestly believe that it is well intended, but I fear it is rather muddled and jumbled. I would like to know when the Bill is coming to the Floor of the House—not pre-legislative scrutiny, which the Secretary of State has mentioned in answer to several other Members, but when the Bill is coming—because we have been waiting two years for just this statement. I would also like to know why culpability has been delayed; self-governance has not worked for 15 years, so why delay it? Finally, why not deal with the issues around economic crime? That is increasing, and I believe it is a mistake not to deal with the problems of economic crime in society through platforms.

Oliver Dowden: I welcome the hon. Gentleman's overall support. He asked when this is coming; the legislation will be brought before the House in 2021. He asked about economic crime, and other Members also raised that. [*Interruption.*] Well, to the extent that this comes from user-generated content, of course it will fall within scope, but if we seek to make the Bill deal with every harm on the internet, it will quickly become very unwieldy. Most fraud comes as a result of activities such as online advertising. We must try to have some sort of a scope around this.

The hon. Gentleman asked why we are delaying taking powers. We are not delaying taking powers: from the get-go, these enormous fines of up to 10% of global turnover will be imposed. If that is still not effective, we will have taken the power to use criminal sanctions for senior managers, and it will simply be a case of passing secondary legislation to bring that into force. As it is such a big step to have criminal liability, if we can avoid criminal liability I would like to do so. I believe the fines will be sufficient, but if they are not, then we will have taken those powers.

Tim Loughton (East Worthing and Shoreham) (Con): I welcome these robust proposals, particularly the focus on children, but they need to lead to robust legislation

[Tim Loughton]

and robust practice. I particularly welcome the referral to the Law Commission about self-harm sites; will my right hon. Friend make sure they include so-called self-help sites on eating disorders, which are nothing of the sort and just promote those sorts of behaviour?

May I also return to the point made by the right hon. Member for Barking (Dame Margaret Hodge) about anonymity, because it is key? Whether it is hate speech, extremism, antisemitism or grooming sites, the perpetrators hide behind anonymity. When they get taken down, they reappear under a different name. Is it not possible for them to have to reveal their identity, and prove their identity to the platform providers only, so it does not involve whistleblowers revealing themselves, so that they cannot get away with it, they cannot keep reposting, and they can be referred to the police where necessary?

Oliver Dowden: I hear my hon. Friend's points about anonymity, and, as he said, they were made very powerfully by the right hon. Member for Barking (Dame Margaret Hodge). We are seeking to get the balance right so that we protect victims of domestic violence and others who rely on anonymity; of course, there are the law enforcement powers, but we genuinely keep an open mind, and if we can find a way of doing this that is proportionate, we will continue to consider whether there are measures we can take as we go through pre-legislative scrutiny. We are grappling with that challenge.

Stephen Timms (East Ham) (Lab): The Work and Pensions Committee is inquiring into pension scams. Much of that problem is online, boosting the profits of tech firms and causing immense hardship. Martin Lewis, Which?, my hon. Friend the Member for Cardiff Central (Jo Stevens) on the Front Bench and others have called for such scams to be in scope here. The right hon. Gentleman says they will be if they are "user-generated", so can he explain how these measures will address the very serious problem of financial online harms?

Oliver Dowden: Through secondary legislation, we will set out priority harms. I will not go into every last harm, because that will be a process for scrutiny. On the broader point about financial fraud and so on, the right hon. Gentleman raises very important points, and of course we will seek to address that as a Government; I am just not convinced that this is the appropriate legislative vehicle for doing so.

Craig Whittaker (Calder Valley) (Con) [V]: Whether it is on promoting illegal content, anti-vaccine content, covid denial or conspiracy theories in general, for far too long now social media platforms have failed to get their own houses in order, and trust in the industry has fallen. Does my right hon. Friend agree that the measures he is proposing today will ensure a new age of accountability for tech that in turn will restore trust in the industry?

Oliver Dowden: As ever, my hon. Friend is absolutely correct. This marks a watershed and introduces that new age of accountability. For too long, tech firms have considered that because of the novelty of their technology,

they are not subject to the same norms as others—broadcasters and so on. This starts to redress that balance.

Navendu Mishra (Stockport) (Lab): This is a global problem that requires a global response. Will the Secretary of State confirm what co-operation protocols are in place to block offending platforms across multiple countries?

Oliver Dowden: First, on blocking offending platforms, we will reserve that power in this legislation; it is a power that will be available to Ofcom. Of course, we engage on exactly those points through various international forums, and we continue to work together.

Dr Kieran Mullan (Crewe and Nantwich) (Con): Even the most vigilant parents struggle to keep up with the latest apps, websites and ways to get around parental controls. While parental responsibility will always remain key, these proposals help parents to deliver that. However, I think people will be anxious to know that the proposals have teeth, especially when it comes to the very wealthy companies that are involved. Can the Secretary assure us that they do have teeth, and that he will be able to act in a way that means something to these companies?

Oliver Dowden: Yes, my hon. Friend is absolutely right. There seems to be a degree of complacency among some Opposition Members about the scale of the fines we are proposing. We have never before proposed fining tech firms up to 10% of global turnover. That is an enormous sum for them, and it gives real teeth and credibility to what we are doing.

Stephen Flynn (Aberdeen South) (SNP): A constituent of mine in Aberdeen has been in contact to say that in recent months they have had to respond to three instances of children in primary school accessing Pornhub on mobile phones. I am sure the Secretary of State shares my profound concern about that, but we do not want warm words; we want action, so will he tell us whether and when online age verification checks will finally be put in place?

Oliver Dowden: As a father of primary-age children, I share the hon. Gentleman's complete outrage that that is possible. This legislation will address exactly that. A site like Pornhub will fall within the scope of this legislation, because it has a large amount of user-generated content, and we will expect it to take appropriate measures to safeguard children from accessing the site. If it fails to do so, it will face severe consequences.

Dame Cheryl Gillan (Chesham and Amersham) (Con) [V]: I welcome the statement. Bearing in mind that the perpetrators of online harms and abuse know no international boundaries, does the Secretary of State agree that, as a member of the Council of Europe, which is a key pillar for the protection of human rights online, we have an important ally in the ECHR, which rules on applications alleging violations? What plans does he have to work with our international partners? Particularly given the speed at which technology moves, how can he be sure that his proposals will keep pace with technological advances and escalating international activity? Bearing in mind the high-profile international

cases involving people with autism, can he offer better international protection for individuals caught up inadvertently in incidents?

Oliver Dowden: My right hon. Friend is absolutely right. As I make this announcement to the House, I am writing to my counterparts around the world to inform them of what the British Government are doing; it is world-leading. There is a lot of interest from my counterparts around the world and I shall be working with them because although, as we all know, the UK is a significant country in terms of market share for tech firms, we cannot operate in isolation. It is important to work with major markets, such as the US and the EU, to achieve a co-ordinated approach. We are all trying to move in this direction, so the more we can join up our approach, the more effective we can be.

Ms Angela Eagle (Wallasey) (Lab): Online activity is important to extremists of all kinds in furthering their aims. Fake news—disinformation—is the currency of authoritarian forces, undermining our democracy; and on their business models, currently tech companies profit from that. What action would the Bill take to defend our democratic values if it was on the statute book now? How would it solve this threat?

Oliver Dowden: This legislation is specifically aimed at harm caused to individuals, so of course, to the extent that there is harm to individuals, such material will fall within the scope of this legislation. But remember: this sits alongside other action by the Government. For example, the Cabinet Office is leading work on the cross-Government defending democracy programme, to deal with the wider challenges to our democratic values.

Greg Smith (Buckingham) (Con): I very much welcome my right hon. Friend's statement today. Organisations like the Internet Watch Foundation have over 24 years' experience in tackling threats to children online; indeed, the foundation played a huge role in reducing the percentage of vile, indecent images of children from 18% of such images held on UK servers across the globe, down to 1% today. Can my right hon. Friend assure me that organisations like the foundation will be fully involved, so that we may harness their expertise in the regulatory framework that he brings forward?

Oliver Dowden: Yes, I can give my hon. Friend that assurance. I have, of course, met the Internet Watch Foundation. Ofcom will need to draw on expert advice, and I would expect that to include that of the foundation.

Joanna Cherry (Edinburgh South West) (SNP): I was very pleased to hear the Minister mention misogynistic abuse. In October 2019, the Joint Committee on Human Rights published a report on democracy, freedom of expression and freedom of association, in which we found that in relation to its hateful conduct policy, Twitter has omitted sex from the list of protected characteristics; that means that shocking misogynistic images and violent abuse and threats against women are often found not to be in violation of Twitter's policies.

Does the Minister agree with the Committee's recommendation that Twitter should remedy that omission, so that the protected characteristic of sex is protected

by its hateful conduct policy? Does he agree that all the protected characteristics deserve equal protection in any online harms legislation?

Oliver Dowden: The short answer is yes. I agree with the hon. and learned Lady; misogyny should and will be addressed. The point of the legislation is that Ofcom will hold tech companies to account, to make sure that they have policies that deal effectively with misogyny, that they enforce those policies, and that if they fail to do so they will face the financial consequences. We reserve criminal powers to act as well.

Ben Lake (Ceredigion) (PC): Diolch, Madam Deputy Speaker. Unfortunately, hate speech and harmful content are not static entities and are constantly changing and adapting. How will the legislation be future-proofed to ensure that regulations remain effective in tackling harmful content as its nature inevitably evolves?

Oliver Dowden: The hon. Gentleman makes an important point. Several other hon. Members have raised the point about future-proofing, and I apologise for not addressing it in my answers so far. Ofcom will be given the discretion to deal with emerging threats, through codes of conduct and so on, but we will also use secondary legislation and identification of priority harms. We are not including those in primary legislation to enable us, over time, to update them as new threats emerge.

Felicity Buchan (Kensington) (Con): Does my right hon. Friend agree that senior managers of social media companies must be held responsible if they fail to protect children and vulnerable people?

Oliver Dowden: Yes, I do, and I thank my hon. Friend for her question. The financial penalties we are proposing will cause all senior executives to sit up and think. The last thing one would want to do in a senior management position in such a company is to expose it to such a high level of fine, but we will still, ultimately, reserve the criminal sanction as well, in the way I have set out.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Select Committee on Home Affairs has spent many years being deeply frustrated by the weak responses of social media companies to our urging them to take action against hateful extremism and online child abuse, so I welcome the measures the Secretary of State has announced. The Government response states that

"the regulator will have the power to require companies to use automated technology...to identify illegal child sexual exploitation and abuse content or activity on their services, including, where proportionate, on private channels."

Will he confirm that that means major platforms will need to use this automated technology on the end-to-end encrypted private channels? What proportionality test is he applying here, given that child sexual abuse is clearly so abhorrent and wrong in all circumstances? When will it ever be disproportionate to pursue this?

Oliver Dowden: The right hon. Lady raises important points. On private channels, companies will be expected to use emergent technology to check for this sort of thing happening. The point about proportionality is that clearly we cannot expect them to individually,

[*Oliver Dowden*]

through human activity, spot this kind of thing; they will have to rely on artificial intelligence and so on. As the regulator becomes confident that those technologies work, it will expect the firms in question to use it. There is a slightly separate issue about end-to-end encryption, and the right hon. Lady will be familiar with the sort of conversations the Home Secretary and I are having with Facebook, for example, on that. Encryption cannot be used as an excuse to get out of being subject to this legislation, and we would expect firms that use end-to-end encryption still to take measures to protect against child abuse and exploitation, for precisely the reasons the right hon. Lady sets out.

John Howell (Henley) (Con): In 2007, the Council of Europe produced a convention, which I understand we have signed, that deals with the online abuse of children. Will my right hon. Friend work with me and other members of the Council of Europe to strengthen that convention, in order to make sure that the regulators are genuinely robust and can deal with this problem?

Oliver Dowden: Yes, of course I would be delighted to do so. As Members will know, child abuse, sadly, knows no boundaries—the child abuse viewed by people in this country is often generated around the world—so it is important that we have a co-ordinated approach.

Peter Kyle (Hove) (Lab): Will this Bill tackle the website craigslist, which profits from perpetrators who place adverts that sexually exploit young people? If they are acting like pimps, is it not about time we started treating them as such?

Oliver Dowden: Yes, of course the scope of this Bill covers any websites that host user-generated content. Within that, all sites that are subject to this legislation will have to take measures to protect children—this is across the board, not just the category 1 providers—so I would expect that to happen.

Damian Hinds (East Hampshire) (Con): This is world-leading, and I very much welcome what the Secretary of State has had to say today. Ultimately, I suspect we will need to move towards global norms and even global institutions, but today I am particularly encouraged by what he has said about so-called “legal but harmful” material, confirming that this is not just about platforms setting their own terms and conditions. I welcome the role he outlined for Parliament in the secondary legislation. As the Government set that secondary legislation, may I encourage him to have in mind harms such as self-harm and eating disorders, which are growing so rapidly among young people? I am talking about not only the active encouragement and assistance of those things, but the prevalence of normalisation of them on the internet and therefore in young people’s lives.

Oliver Dowden: I can give my right hon. Friend that assurance, and he is right in what he says. The nub of the proposed legislation is to deal with that legal but harmful issue and ensure that those duties of care are in place. On the law and children, we would expect companies to do this already, but the legislation will ensure that they take action to enforce the law as it

stands. The new area of regulation being created is in respect of “legal but harmful”, and of course we will engage extensively with hon. Members in identifying that in secondary legislation.

Olivia Blake (Sheffield, Hallam) (Lab): Many problems are down to systems, not individual posts, when sharing disinformation. How will the legislation deal with the systems? What responsibility will cross-posting sites have for the content propagated through their channels?

Oliver Dowden: The hon. Lady has hit on the essence of the problem and what we have sought to do through the legislation. We are imposing a duty of care precisely because we know that such things evolve over time and that each company needs to take appropriate steps. Clearly, we cannot individually identify every single harm or every single action. Instead, we are setting it out as a duty of care to ensure that flexibility.

Ruth Edwards (Rushcliffe) (Con) [V]: I welcome the new regulations and my right hon. Friend’s reassurance that smaller businesses and new entrants to the market will not be disadvantaged. Can he tell me what criteria will be used to determine when a business meets the threshold for the new regulations to apply?

Oliver Dowden: My hon. Friend is entirely correct to raise that point. Essentially, the criterion will be that the purpose of the website is not in any way related to user-generated content, but that is just a small by-product. I used the example—it might be seen as slightly frivolous, but it is a way to illustrate it—of the online cheese retailer. Many small businesses, which are essentially retail or other activities, may allow reviews and so on. It is perfectly reasonable that we should say from the start that they are not subject to the regulation. In practice, they would not be anyway because they will not fall within the codes of conduct. It is my experience with regulation that the more we can exclude from the beginning, the better, because it removes that worry, which frequently comes from small businesses that have one or two people, not massive compliance departments that can deal with it.

Mr Alistair Carmichael (Orkney and Shetland) (LD) [V]: May I welcome the return of pre-legislative scrutiny? If ever there were an instance that required it, this is certainly it. Can I press the Secretary of State on the duty of care that he has outlined in relation to private messaging? From what he said a few minutes ago to the Chair of the Select Committee, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), he seems to expect companies such as Facebook to police content and behaviour on apps such as WhatsApp. I do not see how they can do that without undermining the idea of end-to-end encryption, which is very important for people’s privacy and security. How will he do that in practice without relying on technology that has not yet been invented?

Oliver Dowden: The right hon. Gentleman makes an important point about privacy. Clearly, if it was up to individuals within those companies to identify content on private channels, that would not be acceptable—that would be a clear breach of privacy. That is why we will rely on technology and AI and so on to identify

trends that can be used to spot that kind of thing, I urge him to go along to some of these tech companies and see the advances that they are making, because it is very instructive.

As I said to the Chair of the Select Committee, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), end-to-end encryption takes a whole other level of challenge. The Home Secretary and I are actively engaging with Facebook, for example, to discourage it from using end-to-end encryption unless it can put appropriate protections in place. Those conversations are ongoing.

Saqib Bhatti (Meriden) (Con): Earlier this year I participated in a roundtable with the Board of Deputies of British Jews, and I advocated for this legislation, so I welcome the statement, especially the immediate removal of antisemitic material. There are those who would consider that it might be a slippery slope to an attack on our freedom of speech, but does my right hon. Friend agree that instead it creates a framework to ensure that our fundamental right to freedom of speech is protected from those who seek to corrupt or even abuse it?

Oliver Dowden: My hon. Friend is absolutely right. We are taking measures to guard against things such as antisemitic abuse, but we have taken two very clear decisions. First, we are protecting press and journalistic freedom; they will not be subject to this legislation for exactly the reasons he outlines. Secondly, we will ensure when we draft the legislation that it does not create a situation whereby Government or social media companies can start putting their world-view on to their output. There must be reasonable grounds for taking content down—they cannot just take it down because it does not cohere with their world-view.

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

Point of Order

1.55 pm

Karen Bradley (Staffordshire Moorlands) (Con): On a point of order, Madam Deputy Speaker. May I seek your advice? Further to the exchange between the Leader of the House and the hon. Member for Glasgow North (Patrick Grady) on the business statement earlier, I worry that the House may have been left with an unduly pessimistic impression of the prospects for further debate on the Government's motion on virtual participation. All that would be required, as I understand it, is a motion from the Leader of the House governing debate and decision on the motion and any amendments. May I ask whether it is usual for the Government not to seek to conclude a debate of their own initiation in this way? Failing that, Madam Deputy Speaker, can you think of any other steps that could be taken to give the House a greater say in how it conducts its own affairs?

Madam Deputy Speaker (Dame Rosie Winterton): I am grateful to the right hon. Member, who is the Chair of the Procedure Committee, for her point of order and for giving me notice of it. I am sure that she will appreciate that I cannot give a running commentary on how the Government manage their business in the House, including when a debate is started but not brought to a conclusion. If the Government do wish to bring the motion back to the Floor of the House, I am sure the Leader of the House, in his usual courteous way, will give the House proper notice, and I am sure the Front Bench will have heard the point the right hon. Lady has made about the issue of virtual proceedings.

On the right hon. Lady's last question, perhaps that is something that the Procedure Committee itself might like to look into. The only other thing I can say, is that there are business questions on the business Thursday, and that might be a way that she could raise it. I am not sure whether she has done a report, but the House can always debate Select Committee reports, so that is also something that she might like to consider.

We will have a three-minute suspension to allow the safe exit and entry of right hon. and hon. Members.

1.57 pm

Sitting suspended.

BILL PRESENTED

TRADE (DISCLOSURE OF INFORMATION)

Presentation and First Reading (Standing Order No. 57)

Secretary Elizabeth Truss, supported by the Prime Minister, the Chancellor of the Exchequer, Michael Gove, Secretary Alok Sharma, Secretary George Eustice, Secretary Alister Jack, Secretary Simon Hart and Secretary Brandon Lewis, presented a Bill to make provision about the disclosure of information relating to trade.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 232) with explanatory notes (Bill 232-EN).

Virginity Testing (Prohibition)

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

2.1 pm

Mr Richard Holden (North West Durham) (Con): I beg to move,

That leave be given to bring in a Bill to prohibit virginity testing procedures; to make associated provision about education; and for connected purposes.

When I mention to hon. Members and my constituents that so-called virginity testing still takes place, their reaction has universally been the same: how? How is this medieval practice still taking place in modern Britain? It was brought to my attention recently by a superb piece of work by BBC “Newsbeat”, which uncovered the fact that it still takes place across the country, and it has been picked up more recently by *The Sun*, the *Sunday Express* and *The Northern Echo*.

Those conversations usually move swiftly on to people asking how the practice has been permitted all this time, especially when the World Health Organisation and the United Nations want to see it banned. President Macron and the French Government are also moving in that direction. Although the President of the Republic and I, along with many Members of this House, may disagree on some things, clearly this is another issue that highlights a common cause with our friends in Europe—we agree on it and should work together on it for the betterment of the world.

The United Kingdom has an enviable record on programmes to support women and girls worldwide, especially in education. They have been supported by former Prime Minister David Cameron and my right hon. Friend the Member for Maidenhead (Mrs May) when she was in that post, and by Lord Hague as Foreign Secretary, the Prime Minister when he was in that role, and its current incumbent. A huge amount of work has been done in this area by my friend Baroness Sugg, who recently left her post. Recently, the work has been reaffirmed by the Prime Minister with his support for the education of women and girls worldwide. How then are we in a position where virginity testing still takes place in the UK? Britain has shown a strong lead on other issues internationally, such as female genital mutilation, and I pay tribute to Nimco Ali and others for their work in this area.

I suppose two questions need to be answered. First, does so-called virginity testing have any basis in science at all? Secondly, if it does, do we even want it? On the first question, the World Health Organisation is clear:

“As shown in a systematic review on virginity testing, the examination has no scientific merit or clinical indication”.

That could not be clearer: there is no scientific evidence at all. At a cost of between £150 and £300, according to the BBC investigation revealing the 21 clinics still doing the tests in this country, the practice should be banned on the basis of fraud alone.

The second, bigger question is what it says about us as a society if we allow the practice to continue. What does it say about our attitude towards what is acceptable to women? Women are not objects to be examined, tested and selected by men. Crucially, there is an impact of the tests on those affected. Reading from the WHO report, there are

“immediate and long-term consequences that are detrimental to...physical, psychological and social well-being... The harmful practice of virginity testing is a social, cultural and political issue, and its elimination will require a comprehensive societal response supported by the public health community and health professionals.”

I was delighted yesterday to receive an email from some of those public health professionals in the UK. It was from two nurses who work in sexual health and specialist sexual violence work, and they are working with the Royal College of Nursing to push for this change as well.

It is not just about the impact this has on individual people; it is also about the impact this has on us and what it says about us as a society. According to the WHO report,

“It further reinforces socio-cultural norms that perpetuate women’s inequality, including stereotyped views of female morality and sexuality, and serves to exercise control over women and girls. Virginity testing violates well-established human rights...such as the right to be protected from discrimination based on sex”—

because it always happens to women—

“the right to life, liberty and security of person [including physical integrity]; the right to the highest attainable standard of health; and the rights of the child”,

because this often happens to children and young women.

This pseudo-scientific practice is also clearly linked to forced marriages and so-called honour killings. I am not quite sure what is honourable about people killing their own children. It should just be called the murdering of young people, but I am digressing. This is clearly a practice that needs to end. Ending this practice is our duty to women in this country and is our duty if we are to continue to show leadership globally on this issue.

Question put and agreed to.

Ordered,

That Richard Holden, Mrs Maria Miller, Ms Nusrat Ghani, Meg Hillier, Sarah Champion, Sara Britcliffe, Nicola Richards, Fay Jones, Siobhan Baillie, Joy Morrissey, Dehenna Davison and Jeremy Hunt, and present the Bill.

Richard Holden accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 8 January 2021, and to be printed (Bill 233).

Mr Mark Harper (Forest of Dean) (Con): On a point of order, Madam Deputy Speaker. You will be aware that there is much debate outside the House about the provisions for the Christmas period and the relaxation of the coronavirus regulations. Am I right in thinking, given that the regulations governing Christmas were voted on explicitly by the House, that if there were any proposal to change them, that decision should not be one just for Ministers, but should be brought back to the House for a vote to take place on it before Christmas?

Madam Deputy Speaker (Dame Rosie Winterton): I thank the right hon. Gentleman for that point of order. As I understand it, Ministers may well have the power to change the Christmas regulations without coming back to the House. They have taken that power. Obviously, he has expressed a point of view that it would be desirable if they were to come back, but as I understand it, they do have the power to vary them if they feel it is appropriate. If I find that that is in any way incorrect, I can assure the right hon. Gentleman that I will inform him about any difference there might be from what I have said already.

United Kingdom Internal Market Bill

Consideration of Lords message

Madam Deputy Speaker (Dame Rosie Winterton):

Before I call the Minister, I should tell right hon. and hon. Members that, as they will see, we have one hour for this debate and a fair number of speakers, so it is likely that I will have to put a time limit on Back-Bench speeches of about four minutes.

After Clause 10

FURTHER EXCLUSIONS FROM MARKET ACCESS PRINCIPLES

2.10 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 amendments 1F, 1G, 1H, 1K, 1L and 8M.

I am pleased that we continue to make positive progress on the Bill and that both Houses have continued to find agreement on a number of issues. In large part, this is due to colleagues from across both Houses continuing to have constructive and positive discussions with the Government. I want to put on record my thanks to colleagues on the Opposition Benches in this place, and the other place, in particular, for their engagement.

There are still a few outstanding areas, which have gone back and forth between the Houses, and I will outline the Government's rationale for why we cannot accept the proposals as drafted. I will begin by speaking about the approach to exclusions taken by the Bill, which is a shared point across amendments 1F, 1G, 1H, 1J, 1K, 1L and 8M. I will then address the specifics of the common frameworks amendments and wider market access exclusions.

As I said last week, and as my noble friends Lord Callanan and Lord True said in the other place yesterday, the Government have been clear throughout these debates that we agree that there is a need for an exclusions regime. However, it has to be carefully drafted and provide certainty for business. In drafting the Bill, and clauses 10 and 17 specifically, the Government have designed an exclusions approach that achieves a careful balance. Both Lord Hope and Lord Stevenson have narrowed the scope of their amendments, and I thank them both for their continued dialogue with the Government on those. Our assessment remains, however, that the approach in both sets of amendments goes too far both in the breadth of exclusions that it would require the Secretary of State to create and in the uncertainty that it would lead to. These amendments would be detrimental to the clarity, simplicity and certainty that the Bill intends to provide.

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind): My reading of the amendments is that they are extremely watered down from what we would want. They essentially still give the Westminster Government a veto over the ability of the devolved Governments to legislate within devolved competency, so these are very meagre proposals. In the refusal to accept even these proposals, is not the true nature of the Bill revealing itself? It is the British Government's intention to use the Bill to impose uniformity over Wales and Scotland.

Paul Scully: The purpose of the Bill has been from the start and remains to give businesses certainty as we leave the transition phase—to have one single internal market.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Minister spoke about certainty for business. Can he give an example of something that he thinks would fall in these exclusions that would cause widespread panic in businesses in the UK?

Paul Scully: The hon. Gentleman needs to speak to Scottish businesses more to see that they are concerned. They want to have the Bill in place to have the certainty, with 17 days to go until the end of the transition phase.

It is important to reiterate that the common frameworks are processes, not outcomes, and therefore broad exclusions are not suitable in this legislation. That leads me to amendments 1F, 1G, 1H, 1J, 1K and 1L. The common frameworks programme facilitates a conversation about a common approach and thus provides for consensus-based decision making in sectoral areas of the economy. However, it is neither the purpose nor in the purview of common frameworks to determine whether matters should or should not be in the scope of the market access principles. It is only right that the UK Parliament and parliamentarians from across the UK have the final say on this matter.

The Government also believe that the system that they have designed creates a proper balance between the independent operation of devolved powers and the automatic application of the principles that protect the market and give certainty.

Sir William Cash (Stone) (Con): My hon. Friend has quite properly said that it is a matter for Parliament to make these judgments. As Chair of the European Scrutiny Committee, I had hoped that the Chancellor of the Duchy of Lancaster would come before my Committee. The Standing Orders clearly give us the right to examine questions relating to matters that are politically or legally important, and to report to Parliament accordingly. The problem that we have is that he has declined to do so three times in response to our written requests, and now this morning I have heard that he is not going to appear before the Committee. Would the Minister be kind enough to take that back where it belongs?

2.15 pm

Paul Scully: I am sure that my right hon. Friend the Chancellor of the Duchy of Lancaster will have heard the message from the Chair of the Committee, and his clear steer. It has been said many times in this House and in the other place, but it is worth stating again the Government's commitment to the common frameworks programme. We attach enormous value to the forums that they provide for collaborative working with the devolved Administrations.

Pete Wishart (Perth and North Perthshire) (SNP): The Minister talks about consensus and involving the devolved Administrations. This is the opposite of consensus and agreement; it is imposition and constraint. These Lords amendments were his last chance to get this right. He has failed to do so. Will he now impose his will on the devolved Assemblies of the United Kingdom and force this Bill through the House?

Paul Scully: I am glad that the hon. Gentleman thinks I can force my will through both this House and the other place. What we have done throughout is seek to collaborate. We continue to seek to collaborate on both the common frameworks and the internal market as we move forward. I hope that the Scottish Government will come with us on that journey, but the common frameworks process is just that—a process for agreeing and managing policy divergence in a variety of specific policy areas. As such, the programme is primarily concerned with ways of working, rather than determining policy outcomes.

The common frameworks programme will put in place durable arrangements for the intergovernmental working between the Government and the devolved Administrations in the policy areas covered by individual common frameworks. Those clearly defined ways of working will lend themselves to the common frameworks programme, and the individual common frameworks of which it is comprised are being considered as part of the business as usual discussions that will take place in our future intergovernmental relations infrastructure, and will benefit accordingly. Our intention is that these mechanisms for sector-specific co-operation will allow for coherent policy making between the UK Government and the devolved Administrations in those policy areas. I therefore ask the House to disagree with amendments 1F, 1G, 1H, 1J, 1K and 1L, and to vote instead to provide certainty for businesses.

Amendment 8M would cut across the Government's objectives, and leave businesses exposed to new burdens and barriers. Despite a reduced list of aims, very broad areas of public policy could be excluded from the market access principles. Alongside the problems posed by the areas suggested for exclusion, there is a more fundamental issue with the approach taken. To be excluded under the approach proposed in the amendment, a requirement must only "make a contribution to" the achievement of one of the aims from the list, meaning that a policy need only have a tangential relationship with a social policy objective to be taken out of scope. The amendment would also lead to uncertainty as to when the market access principles apply, not least by a very unusual use of the term "proportionate". It would fall to the courts to determine the relative extent to which different policies meet one of the aims, with no consideration of the burdens introduced. This will not deliver the certainty that business needs.

In addition, I want to stress one point that I feel has sometimes been overlooked. Market access principles do not prevent the devolved Administrations from introducing innovative policies designed to meet their own goals and objectives, including those relating to the environment and public health. They can do so in the context of mutual recognition, which is necessary to protect the free flow of goods around the UK. Without this, we would see a decrease in consumer choice, increased prices and additional costs for businesses. I do not believe that anyone in either House would support such an outcome, nor is it in the interests of business or our constituents. I have constantly heard claims in this House and the other place that the Bill would prevent charges on single-use plastics in Wales, for example. That is categorically not true, as the Government have repeatedly made clear across both Houses.

Manner of sales policies, which have typically been the most innovative types of policies, will not be impacted by the market access principles, as long as they do not discriminate and are not designed artificially to circumvent mutual recognition. This covers innovative policies such as plastic bag charging and minimum unit alcohol pricing. The Bill also makes clear that the devolved Administrations will no longer need to notify and justify new measures to the EU Commission when they want to innovate and try new policies. What they will not be able to do is erect harmful and unwanted trade barriers between other parts of the UK. I therefore call on the House to support the Government and disagree with amendment 8M.

I end by saying that the other place, as is its right as a revising Chamber, asked the Government and the House to reflect on their approach. The Government have carefully considered the arguments put forward by hon. Members, right hon. Members and Lords across both Houses, and we have come to agreement on reasonable proposals in some areas. However, the Government cannot agree to these amendments as they stand.

I appreciate the constructive approach that peers in the other place have taken in discussions with the Government, and we will continue to engage and find common ground. However, I am afraid that these amendments, as drafted, still do not provide the certainty that businesses need. I therefore call upon the House to support the Government and provide the clarity that our businesses need, and, ultimately, preserve the UK internal market, which has been the engine of growth and prosperity for centuries.

Lucy Powell (Manchester Central) (Lab/Co-op): I rise to uphold the Lords amendments. It is a pleasure to be back at the Dispatch Box, given that I have been cooped up at home self-isolating, having been pinged. I was not pinged as part of this ping-pong though; I was in fact pinged by the coronavirus app, so I was not here last week. I put on record my thanks to my boss, my right hon. Friend the Member for Doncaster North (Edward Miliband), who deputised for me on these occasions last week—and did so incredibly well, I hasten to add.

As ever, my right hon. Friend made a strong case against the Government's United Kingdom Internal Market Bill, which has been poorly drafted from the outset. Without the Lords amendments that we are debating today, the Bill poses a real threat to the future of our United Kingdom. Even though I was not here last week, it seems to me that we have been in suspended animation with this Bill. I appreciate there have been welcome changes in the meantime as a result of the Government dropping part 5, but it still, I am afraid, feels a bit like groundhog day. Here we are, yet again asking where the oven-ready deal is for Brexit. We are still asking the same questions on market access principles. We are still seeking the same recognition in the Bill of the devolution settlement through the common frameworks process. As with every other groundhog day when we have been debating this Bill, we will soon be hearing from the hon. Member for Stone (Sir William Cash).

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I am sure that the shadow Minister agrees that the Bill is a disaster for devolution, but let us just focus on financial powers and state aids, because Labour abstained on those amendments in the Lords yesterday, despite there

being no meaningful safeguards in the Bill. How does she explain why her party in the other place saw fit to throw the Labour Welsh Government under the proverbial Tory bus, rather than seek even minimum safeguards to devolved powers in these areas?

Lucy Powell: I disagree with the point that the right hon. Lady makes. We have been making the weather on the Bill, both in this place and the other place, which I will come on to discuss. We have been seeking safeguards for consent from the devolved Administrations when it comes to financial assistance powers. Now that we are trapped in groundhog day, perhaps today and tomorrow will be the moment when the Government listen and take on board some of the amendments from the other place.

Sir William Cash: The question of state aids lies at the heart of many of these debates. Does the hon. Lady accept that the EU state aid rules are a racket? I know very well the areas around Sheffield, Yorkshire and the midlands, where the coal and steel communities were destroyed, effectively, by the application and the discrimination that was made against—*[Interruption.]* And in Scotland. Does she accept that is why we need our own sovereign state aid rules, as I said yesterday on the Floor of the House?

Lucy Powell: It would be nice if the Government used the powers that they already have, let alone those that it will soon acquire, to invest once and for all in British industry and British manufacturing. I am afraid that the Conservative Government do not have a great record when it comes to supporting our industrial heartlands, and that is plain for everyone to see.

I hope the Government will take on board the amendments from the other place, especially those in the name of Lord Hope and Lord Stevenson, which have received clear support on each occasion.

In normal times it would be Christmas party season—I am sure we will debate that again at some point—but the Government's hokey-cokey on the Bill really needs to end. We had part 5 in; now we have part 5 out. We were told the Bill would create a thriving internal market that would strengthen the Union and keep Scotland in, yet the reality is that it could lead to Scotland being out—something that Members on both sides of the House do not want to happen. The Government have been shaking it all about with the legislative games they have been playing in respect of the Bill, and I am not sure that has been good for anybody. I hope that we can now see the end to some of these shenanigans.

On the amendments, I will not rehearse the arguments: we have heard them put eloquently by their lordships and Members of this House on previous occasions. *[Interruption.]* Sorry, did somebody want to intervene? Or is the hon. and learned Member for Edinburgh South West (Joanna Cherry) just trying to sledge me from behind? Just the usual.

Joanna Cherry (Edinburgh South West) (SNP): Will the hon. Lady give way?

Lucy Powell: Yes, I will give way, if the hon. and learned Lady has something she wants to say.

Joanna Cherry: I have something useful to say: why did the Labour party abstain on the amendment in the House of Lords that would have re-reserved state aid?

Devolution is Labour's baby—it was the late Donald Dewar who devolved state aid—so why did her party abstain on that? I think the people of Scotland would like an answer.

Lucy Powell: We have worked incredibly hard to maintain the devolution settlement through the Bill; that is not something that the hon. and learned Lady's party want to do. The SNP wants to use measures in the Bill to break up the Union and seek independence in Scotland. That is not something that we agree with. We have tabled amendments and voted on them to ensure that the devolution settlement in this country is respected, and I hope that the Government will continue to talk to us about that.

We welcome the Government concessions so far, and are hopeful that with some more good will we can get some more recognition of common frameworks in the Bill in these late stages of ping-pong. The Lords amendments to strengthen the common frameworks approach and fair access to the market are good ones that we will vote to uphold today. I am grateful to Ministers and Lords colleagues, especially Lord Hope and others, for their continued engagement on this issue, because there is a lot of agreement between us. Ministers are rightly proud of the common frameworks process, which has brought about a number of areas of agreement on standards and market access because it involves the Government working with the devolved Administrations. It is an approach that both Front-Bench teams agree on.

We also agree—unlike the SNP—that the UK Parliament should be the ultimate arbiter of the internal market, and we agree that no one nation should be able to frustrate that process, that all must act in good faith before the UK Parliament intervenes, and that safeguards should be in place to make sure that that is the case. It really feels to me like the Government could move further on this issue, because there is a huge amount of common ground. We need to see in the Bill a recognition of the common frameworks process and the devolution settlement that it represents, which is why I hope and expect that in returning the Bill to the other place today, the Government will introduce some final amendments along those lines. If they do so, they could receive broad support. It did not need to take quite so many iterations and pleas from both Houses, had the Government not taken such a hostile, blunderbuss approach with the Bill in the first place.

Jonathan Edwards: Will the hon. Lady give way?

Lucy Powell: No, I am afraid I will not; I am finishing.

I sincerely hope that the Government will reflect on that approach in future.

Sir William Cash: I have already made my point about the European Scrutiny Committee. I would now like to turn quickly to the issues that face us in these negotiations, because what is going on in the Bill is mirrored by the negotiations. We have not yet had a draft treaty text in black and white. We need to see it. We wish the negotiators well. As far as I am concerned, along with my colleagues who support my propositions, it is essential that we get this right, because it is about our national interests and the future of this country.

2.30 pm

Under article 10 of the Northern Ireland protocol, the UK is forced to align to a dynamic list of EU state aid rules “as amended or replaced” in the future. The UK is not given any mechanism to address concerns about subsidies granted by EU member states to EU companies. This system is both unilateral and controlled by the EU alone. It is a racket. Under article 12 of the protocol, enforcement and supervision power is granted to the EU Commission and the European Court of Justice so that the UK-EU dispute resolution system, which is within the framework of the Joint Committee—the Committee is supposed to be run by the Chancellor of the Duchy of Lancaster, who I wish well, if he can only get this right; we will wait and see—would not be impartial, for only the EU’s Court would judge disputes, contrary to international practice. That means requiring the UK to follow current and future EU state aid rules made by the European Commission by an undemocratic vote in the Council of Ministers behind closed doors, with no transcript and without our even being at the seat of the Council. That is a direct infringement of UK sovereignty.

State aid rules under EU law are much wider than traditional subsidies and include anything conferring effectively a competitive advantage. They include tax, tax rules, tax reliefs, taxation measures for particular sectors or undertakings, bank bail-outs, gas tariffs for horticulture, structure of airport landing fees, private health insurance, the issuing of carbon trading emission certificates for free, failing to follow public procurement procedures—the list is endless.

Sammy Wilson (East Antrim) (DUP): I am glad that the hon. Member has highlighted the role that the EU would have in state aid, not only in Northern Ireland but in Scotland, Wales and England where those firms have any connection with Northern Ireland. Does he therefore find it surprising that, while Opposition parties have been complaining about state aid rules not being devolved to them, they are quite happy to for the EU to plunder any support given to industries in their own country?

Sir William Cash: They do not have a clue. They are going to get clobbered—they really are—and they do not get it. They just want to go on about devolution without regard to the effect that all this will have. I entirely agree with the right hon. Gentleman.

The Bill itself defines aid with reference to EU law—it refers to article 107 of the treaty on the functioning of the European Union. This is something that we will be affected by, because that amendment is not sufficient to enable us to maintain our sovereignty on all the matters relating to state aid rules. I look to the Prime Minister, I look to the Chancellor of the Duchy of Lancaster, and I look to the Government and the negotiators to get this right. This is the moment to do it. We are at a crucial moment. I trust the Prime Minister. I believe he will deliver. He said he would, and we will hold him to that promise.

It would go against UK national interest to accept EU demands for agreement to legally binding commitments to mirror the EU state aid regime, given that EU state aid rules are created on the basis of objectives of common interest of EU member states, which no longer includes the UK, and are tested by the Commission on

the basis of compatibility criteria that it has developed. They are non-binding guidelines, and therefore they can be changed at will. Under article 132 of the protocol and article 174 of the withdrawal agreement, provisions of the withdrawal agreement and the protocol referring to EU law or to EU law concepts or provisions are to be “interpreted in conformity with the relevant case law of the Court of Justice of the European Union.”

That duty continues beyond the end of the transition period on 31 December and includes European case law handed down after the end of that period.

There is a real problem here. This is down to the negotiators as well as those who are responsible for this Bill. We are faced with a very difficult situation, which impinges on our sovereignty and on our necessity to avoid, indeed to prevent, EU state aid rules from continuing to apply to the United Kingdom. This is a crucial moment in our economic, political and constitutional history. We must maintain the sovereignty of the United Kingdom. That is the message that I send to the Government and I trust that the Government and the Prime Minister will deliver it.

Madam Deputy Speaker (Dame Rosie Winterton): Order. This is what is going to happen. The debate has to finish at 3.10. I want to bring in the Minister at 3.06 to wind up. A lot of hon. and right hon. Members have been sitting in the Chamber from the beginning of the debate. If others come in and intervene, it does take time from those who have been trying to participate and have put their names down to participate. Before I bring in the SNP spokesperson, I have to say that I will now have to reduce the time limit to three minutes and, with that, I still may not get everybody in, so if colleagues want to take fewer than three minutes, I am sure that it would be appreciated by others.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Thank you, Madam Deputy Speaker. I will do my utmost to whizz through what I have to say.

We welcome the Lords amendments seeking to protect both the devolved settlements and the policy divergence across the nations of the UK, but we also know that the Prime Minister and his Tory Government simply detest devolution. All pretence otherwise has been swept away by this Bill, as it puts into action the casual contempt that they have.

The Prime Minister, as we know, believes that devolution is a disaster. Well, we think the same about him. Last night, however, in the Lords, Labour opened the door for the Tories as they hollowed out devolution, withdrawing support for Lord Thomas’s amendments that challenged the UK Government’s clauses on direct spending in devolved areas. Equally disappointing was Labour’s abstention on the vote for the amendment of Baroness Llandaff to halt the brazen power grab on re-reserving state aid. This is not currently reserved. It is not listed in the reserved powers under schedule 5 to the Scotland Act 1998. It is a devolved power being grabbed back, along with the measures in this Bill in place to overrule decisions taken in Scotland.

I have been quoting absolutely committed Unionists in the other place throughout this debate, and I am grateful for the opportunity to quote them again today. Lord Thomas said:

“The power to control state aid is not reserved. If it were, these amendments would be unnecessary...I ask why the UK Government would not work together with them, consult them before the Bill was produced and try to find a common solution...I fear it is an example of Westminster saying that it knows best, rather than working with the devolved Administrations.”—[*Official Report, House of Lords*, 14 December 2020; Vol. 808, c. 1486.]

But once again, the Labour Front-Bench team took weak words from the Government as assurances and chose to abstain on that important measure.

Lord Stevenson’s amendment alters schedule 1 so that environmental standards and public health are exempt from market access principles. He warned the UK Government not to make

“the market access principles, which operate automatically, too narrow and too prescriptive. That would fatally undermine the opportunities for devolved Administrations to diverge”.—[*Official Report, House of Lords*, 14 December 2020; Vol. 808, c. 1457.]

Baroness Bennett highlighted that much leadership on climate change has actually originated from the devolved Governments. Lord Hope explained that his amendments seek to ensure that the UK Government’s commitment to market access principles do not undermine the UK Government’s commitment on the common frameworks. On policy divergence, he warned:

“As the Bill stands, a measure that gives effect to an agreed decision to diverge can be ignored by traders bringing goods in from other areas. This undermines the opportunity to diverge, rendering it worthless and ineffective.”—[*Official Report, House of Lords*, 14 December 2020; Vol. 808, c. 1446.]

Baroness Hayter of Kentish Town provided this summary:

“When the case for Brexit was all about ‘taking back control’, we failed to understand that the Government meant taking control to themselves, even over issues that were fully devolved.”—[*Official Report, House of Lords*, 14 December 2020; Vol. 808, c. 1447.]

Time and again, across all the nations of the UK, across all parties and none, and across all the affected industries, trade bodies, academia and the legal profession, this Tory Government have been told that the Bill grabs power from devolution and places it here in Westminster. The Bill allows UK Ministers to control spending in devolved areas of economic development, infrastructure, cultural activities, regional development, education, water, power, gas, telecoms, railways, health, housing and justice. The people of Scotland did not vote for the Tories to make these decisions at Westminster. Madam Deputy Speaker, you are far too young to remember the last time the people of Scotland did that, although your grandparents might just have—but only just!

This Bill was born bad to the bone, setting to break international law and break devolution. The Government have been forced to drop some of it, but it remains an aberration and continues its assault on devolution, Scottish public services and public life. The Scottish public, unlike this Government, are listening and watching. They will choose their own path to protect their Parliament and democracy in the near future.

Wendy Chamberlain (North East Fife) (LD): So here we are again. I am glad that the Lords have continued to press their points on the common frameworks and the impact of the Bill on the devolved Administrations. The Lords seem to understand that the Bill poses a great threat to the devolution settlement, so I cannot understand why the Government do not even accept the damage that this Bill has caused in the devolved nations. We are

told by the Minister that it is not a political Bill. This is almost laughable. I wish the Government would just be honest with us. If they want to have a debate about the merits of devolution, many Members, not just on this side of the House, would be willing to argue in its favour. The Minister would also do well to remember that it was not the Scottish National party that brought about devolution in Scotland in the first place.

A case in point of the Government’s failure to own up to the impact of this Bill on devolution can be seen with the Lords amendments on the common frameworks. Last week, I raised the question of what the Bill was for, in situations where common frameworks were already in place. I again ask the Minister to address that question. There is a huge hole in the Government’s argument, and they have left that question unanswered. There is also a real question about the interaction of the Bill with any potential EU trade deal, and I urge the Minister to address this. If we reach agreement with the EU on regulatory standards, which I hope we do, what will become of those clauses of the Bill on standards and frameworks? Will they ever come into effect, or will they become obsolete, with future standards being the subject of regulatory alignment with the EU? If the answer is the latter, I hope the Government will reflect on what this has all been for, and whether it has been worth it.

The Bill had two main aspects. The first was the part that broke international law, which was removed last week. That part of the Bill has resulted in huge damage to our international standing. It was reported this weekend that the serious mistrust sown as a result of those clauses has been a significant barrier to getting the trade deal that the Government claim they want. It has caused huge disquiet among our allies, including President-elect Biden. All that, for clauses that will never even reach the statute book.

Then we have the parts of the Bill that impact the devolution settlement. Those clauses will reach the statute book, but if there is a deal, it is likely that they will have no practical effect. However, the damage has already been done. That has caused deep dismay to the people of Scotland, Wales and Northern Ireland and has given those SNP Members sitting around me grist to their mill. Congratulations! This is what you might call a PR nightmare for the United Kingdom and for the Union. Although in many respects it is already too late, I urge the Minister to accept the Lords amendments and finally deliver some form of limited consensus on this Bill,

Deidre Brock (Edinburgh North and Leith) (SNP): Most of us here in the Chamber recognise that Brexit is an exercise in self-harm, and this Bill is an attempt to ensure that no one escapes that harm, no matter how sensible they are. No one will be safe from English Government decisions—and they will be English Government decisions because, as Professor Michael Keating notes in his excellent paper on the United Kingdom Internal Market Bill:

“In the UK, England has 85 per cent of the population so...it will be English standards, set by the UK Government, that prevail.”

So no one will be safe from the English Government’s decision to impose lower safety standards on food, electrical appliances or kids’ bikes, or on personal protective

[Deidre Brock]

equipment for the NHS that has been produced by some ministerial crony with no experience in that field at all.

These Lords amendments, which are sadly everdiminishing in strength, will none the less provide some small protections, because the Bill as it stands allows a Prime Minister sitting in Downing Street to casually cast aside the concerns of the Scots and the Welsh as he sells out safety for the sake of some second-rate trade deal. Consumer protection is being discarded by the scorched-earth shenanigans being pursued by this UK Government. Perhaps it is more fire sale than scorched earth, with the protections that consumers—our constituents—value so highly being sold so cheaply.

Farmers already know that their livelihoods are being thrown into the gutter by the abandonment of any pretence of protecting food standards. They know that England's shift from farm subsidies for food production will adversely affect England's farmers and indirectly threaten Scotland's ability to support farmers. We all know that the courts will be busy with a procession of spivs seeking to remove protections so that they can make cash. What we can see will be disastrous; what we cannot yet see may be even worse.

The Governments of Scotland and Wales know that the Bill spells danger for the citizens of their countries. The Senedd and the Scottish Parliament have similarly made clear that it is not acceptable; both Parliaments withheld legislative consent and made clear that it will be damaging to them and to the people they serve.

2.45 pm

The Lords amendments bring some—just some—semblance of decency to the Bill, some recognition of the political landscape across these islands, and some indication that there are differing politics in the different nations. They allow a mechanism for divergence from the centralised control of market forces and the lowest common denominator approach that the Government have taken. The institution of a framework for agreeing divergence of standards would at least allow some hope of protection being maintained and of avoiding bleached chicken and GM crops. I suspect that will be a weak protection, but any protection against the vagaries of a windblown Prime Minister and Government would be a step in the right direction.

Alan Brown: The Lords have tried to improve the Bill, but it has been subject to only minor improvements. I wish that, during ping-pong, the Lords had done double insistence and brought down the whole rotten Bill. That is what is really needed—for it to go away and be brought back in a completely different form.

It is no wonder that the Government have been so pigheaded about rejecting these amendments. As we have heard, last night in the Lords, Labour—the self-styled party of devolution—gave up the key fundamentals and principles of devolution. It gave up on direct spending and on state aid, which drives a coach and horses through the whole devolution settlement. It gives Westminster carte blanche to do what it wants in Scotland and in Wales, where there is a Labour Government. Labour has given up on its own Government in Wales.

When summing up in last night's debate, Lord Thomas said that the one thing he was holding on to was the thought of

“the catastrophic result for our union if the Government did not adhere to the principles that have been explained”.—[*Official Report, House of Lords*, 14 December 2020; Vol. 808, c. 1480.]

Basically, he hopes that the Tory Government will do the right thing. If not, that will bring down his precious Union. It seems that Labour is now relying on this right-wing Tory Government to do the right thing with the precious Union—good luck there.

On Lords amendment 1F, the Government have already refused to adhere to the common frameworks principle and enshrine that in the Bill as a way for the devolved nations to co-operate. The amendment massively waters down that principle, but it would prevent divergence on harmonised rules that have been agreed through the common frameworks. Why do the Government want to reject that? If there is agreement between the nations, and common frameworks with agreed rules and regulations, why do the Government reject the idea that is something to be protected? That tells us everything we need to know about what they think of devolution.

It has been said many times, but it is worth repeating. The Prime Minister has said:

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

Who is kidding who if we think that this Tory Government, under that Prime Minister, are suddenly going to spend lots of money in Scotland and Wales for our benefit? It is a joke and it undermines their whole attitude to devolution.

On state aid and Lords amendment 8M, why do the Government want to reject protection of environmental standards and of public health? Why should those things be excluded from the simple protection of state aid? Again, that tells us all we need to know about what they think of devolution. What Lord Thomas says is going to happen: the Union will end.

Joanna Cherry: I support the Lords amendments because they seek to protect the devolved settlements and also policy divergence across the United Kingdom. Lord Hope's amendment attempts to salvage the common frameworks process and to prevent this UK Government from giving themselves the power to override policy divergence in devolved areas. As Lord Hope himself said,

“It was because of devolution that the common frameworks process, and the opportunity for policy divergence, was instituted with the encouragement of the UK Government in the first place. Their support for that process must involve support for policy divergence too.”—[*Official Report, House of Lords*, 14 December 2020; Vol. 808, c. 1446.]

He is quite right. Lord Stevenson's amendment exempts environmental standards and public health from market access principles. In so doing, it also seeks to protect policy divergence. As Baroness Bennett pointed out in the Lords, the smaller nations of the United Kingdom have often led the way on environmental policy divergence and it would be a shame if that was to stop.

I am speaking with a sense of weariness and inevitability because we have all been here before and we all know what is going to happen today. We know that these amendments will be defeated by a Tory majority that does not represent the political reality on the ground in

Scotland, or indeed Wales. Once more, the Minister will get to his feet and mouth meaningless platitudes about speaking to the devolved Administrations. Scotland did not vote for Brexit. Scotland did vote for devolution. It is anti-democratic that Brexit is being used to undermine devolution, and it is happening in breach of all the promises that were made to no voters in 2014, including the infamous vow, which included a promise from all three parties that the Scottish Parliament, as well as getting extensive new powers, would have the final say on spending in all devolved matters.

It is therefore a really sad state of affairs that the official Opposition could not field a single Back Bencher to speak up for devolution today. I know that they only have one hon. Member in Scotland, but they are not always averse to putting forward MPs from other parts of these islands to opine on Scottish affairs. Their no-show here today is not surprising, though, given that their colleagues in the Lords sat on their hands yesterday with regard to amendments seeking to keep state aid a devolved matter and Lord Thomas's amendment challenging the Government's clauses on direct spending in devolved areas. This is happening in direct breach of the vow that the then leader of the Labour party signed. But Labour does not care. It is happy to wheel out Gordon Brown to talk about federalism when independence is riding high, but when it comes to defending the existing devolved settlement, it is missing in action. This is a shameful state of affairs, and it falls to the SNP to defend devolution. We are doomed to fail, but that will simply further reinforce the case for independence.

Stephen Flynn (Aberdeen South) (SNP): I have to start by expressing my deepest sympathies to the shadow Minister, the hon. Member for Manchester Central (Lucy Powell), who has had to come to the House to try to defend the completely and utterly indefensible. *[Interruption.]* She says that she does not need my sympathy—well, she is getting it anyway. The reality is that the Labour party has once again turned its back on voters in Scotland. Last night Labour had the opportunity to stand up for the Scottish Parliament, to stand up for devolution and to block direct spending by this UK Government on devolved matters, and it sat on its hands. That is why there is not a single Labour Back Bencher here in the Chamber this afternoon.

But my sympathies do not stop there: they also extend to the Minister himself. He talks about business certainty—business certainty! Four and a half years after the Brexit vote, after three Prime Ministers and two general elections, it is 17 days to the end of the transition period and the Minister could not name, in any way, shape or form, what the trade status of the United Kingdom is going to be. I pity them all. This is why the people of Scotland will choose a different path in the very near future.

Let us look at the Bill as it stands in a little more detail. It remains—it utterly remains—a blatant attack on devolution. For me, that is extremely frustrating, because, like my hon. Friend the Member for Glasgow East (David Linden), I am young enough to have lived almost entirely under the Scottish Parliament. I do not remember a time when there was not a Scottish Parliament. It has been a positive, progressive force for Scotland that we are proud of. I am not going to come to this Chamber and let a party that has not won an election in

Scotland since the 1950s dictate to the Scottish Parliament what will happen. It is a complete and utter shambles, and the Government should be utterly ashamed.

Something that has been asked a lot in this Chamber—I have heard the shadow Scotland Office Minister say it as well—is, “Name a single power that is being grabbed. Name a single one”, but this is much bigger than that; this is a blatant, all-out attack on devolution itself. It seeks to undermine the very premise of devolution. To prove that very fact, *The Press and Journal* just four days ago said:

“The Secretary of State has been very clear he wants to deal direct with local authorities”—

not just going beyond the Scottish Parliament or the Convention of Scottish Local Authorities, but going straight to the local authorities themselves. That is absurd and a blatant attack on devolution, and we will not stand for it.

Tim Farron (Westmorland and Lonsdale) (LD): I am overwhelmed by a sense of déjà vu, with the Labour Front Bench getting more grief than the Treasury Bench, as happened back in the day. I am also overwhelmed with a sense of déjà vu because I have a great sense of this Government being in the same place—in my heart, in my mind—as the European Commission once was. Back in the days when we were not little Britain, I remember feeling enormous frustration and anger with the European Commission when it would do stupid things, in particular with agriculture, playing into the hands of separatists who only wanted the end of our relationship with the European Union.

I feel exactly the same about this Government now playing into the hands of my friends and colleagues around me on the SNP Benches—this is music to their ears—by undermining the Union and being cloth-eared in the process. The Minister has had every chance to accept Lords amendments and to do what he can to stand behind the integrity of the Union and of the devolution settlement.

I have another great concern. I mentioned agriculture a minute ago, and what is critical in the race to the bottom that is built into the Bill when it comes to standards of farming, animal welfare and the environment is something that is not restricted to the Bill alone; it is something that the Government are repeating in other areas of their approach. We have seen the failure of the Government to accept proposals from my party and others that the high standards of British animal welfare and our environmental standards should be written into all new trade deals, but those were refused at every turn—clearly preparing the way to sell out farmers in all corners of the United Kingdom at the first chance the Government get in any trade deal.

At the same time, although most of us in this House agree with the Government's direction in terms of the English changes to farm payments—from basic payments to the environmental land management scheme—the plan has been to underfund the scheme and to bodge it, getting rid of the basic payments before the new payments are in place, thereby killing off English family farms, which are the unit that allows us to have high-quality animal welfare and environmental standards. All those things together paint a picture of a Government who have lost touch with the countryside and with agriculture, and are prepared to set out a range of policies—almost

[Tim Farron]

a manifesto, a catalogue, of attacks on British farming—that undermine our standards, animal welfare and the quality of our produce, and to sell our farmers down the river.

I am proud of the quality of British farming, throughout these islands, and I want the standards that are the highest in any nation to be the highest across all four. I would love the Government to learn from the mistakes of the European Commission—not to play into the hands of separatists, but to make sure that they defend our Union and the devolution settlement.

Alison Thewliss (Glasgow Central) (SNP): We are clear on the SNP Benches that Scotland does not want this Bill and that it overrides powers within the Scotland Act 1998. The explanatory notes state:

“The Bill’s provisions replace the existing limits on the effect of legislation made in exercise of devolved legislative or executive competence”.

The Bill is clear about taking new powers.

We know that divergence will not be tolerated, because it is not tolerated currently. In immigration policy, Scotland has been refused any degree of control. On the control and sale of fireworks, we have been ignored in our request to regulate. In the treatment of drug law, an area close to my heart and that of my constituents, despite our crying out for years in the face of a drugs death crisis—a crisis which last year saw 1,264 souls lost—the UK Government say that Scotland will not be permitted, not allowed, not trusted to take further action to prevent the deaths of our citizens. Scotland accepts responsibility in the areas where we can act, and we know we must do more, but we do it with our hands tied behind our back. I do not trust this Government to behave any differently when they grasp with grubby hands Scotland’s powers over economic development and infrastructure, such as our water supply, our transport, our health or our education. The only way to protect the powers of our own Parliament is for Scotland to vote for independence.

3 pm

David Linden (Glasgow East) (SNP): It is an honour to follow my constituency neighbour, my hon. Friend the Member for Glasgow Central (Alison Thewliss). Like other hon. Members on the SNP Benches, I welcome the amendments from their lordships to try to protect the devolved settlements from policy divergence across the UK. However, it strikes me as a rather bizarre state of affairs that we are desperately relying on the unelected and democratically illegitimate House of Lords to defend devolution and democracy. The irony is not lost on me, but I will return to that just a little bit later.

I rise today to speak in favour of Lord Hope of Craighead’s amendment on the common framework; I remain enormously frustrated that the Government are opposing it in this House in order to protect their grubby power grab on the devolved legislatures. Of course, that should not come as a surprise to the House: not only did this British Tory Government campaign against devolution in 1997, but they actively loathe it even now, and make no attempt to hide that view.

We have a Prime Minister who told his Back Benchers that devolution was “a disaster” and that devolving power was Tony Blair’s “biggest mistake”, which will

certainly come as a surprise to those of us who opposed the war in Iraq. However, it is not just the Prime Minister who holds that anti-devolution view; it runs all the way through this Bill. The Leader of the House and Lord President of the Council is also on record as saying that,

“constitutional tinkering has weakened our Parliament and has helped to divide the United Kingdom”—[*Official Report*, 26 November 2020; Vol. 684, c. 989.].

I would argue that the Government do not need much help with that.

We are where we are, and that is why I support the amendment to the Bill made by Lord Hope. We should not be surprised by the Tories’ anti-devolution rhetoric, but I must say I was surprised and disappointed to see the British Labour party withdraw its support for Lord Thomas’s amendment, which challenged clauses on direct spending in devolved areas. Perhaps it is a sign of just how out of touch the Labour party has become that Lord Stevenson, speaking for his party in the Lords last night, said that

“the points made by the Minister on the shared prosperity fund were sufficient to ensure that we do not need to go back over this again. It is not our view, as Her Majesty’s loyal Opposition, that we need to divide the House on this issue again.”—[*Official Report, House of Lords*, 14 December 2020; Vol. 808, c. 1476.]

It is hard—really hard—to imagine a giant such as Donald Dewar, for example, uttering those words in Westminster, but they reaffirm my belief that this place and its two biggest parties cannot be trusted to protect our devolved institutions. Perhaps that is why, yesterday, we saw the 16th poll in a row showing majority support for Scottish independence. Alongside my colleagues this afternoon, I will vote for the amendments, but the only way to truly empower the Scottish Parliament is with independence, not with Lords amendments. Scottish independence is only a case of when, not if, and I suspect the Minister knows that too.

Paul Scully: I am grateful for the forbearance of colleagues who have brought this debate to a relatively short end. I will not detain them for too long; I just want to thank everybody who has spoken today.

It is a shame that a number of the speeches veered from the amendments that we are considering today, but it was somewhat predictable. We are debating devolution, but in reality a number of hon. Members talked about independence, without using the word—I think in SNP bingo the word independence came up only once. The sentiment was that they are using this Bill to further their ambitions for independence, rather than concentrating on respecting the devolved Administrations through devolution and common frameworks.

We have before us today’s amendments, which the Lords considered and voted on, yet much of the debate was about yesterday’s amendments and an attack on the Labour party. I appreciate the opening words from the hon. Member for Manchester Central (Lucy Powell): it is important that we keep on talking to get this important Bill through, so that we can give businesses certainty.

David Linden: I do not want to intervene on this love-in of the Better Together alliance, but the Minister spoke earlier about using the United Kingdom Internal Market Bill to divide the United Kingdom. Actually,

opinion polling has shown a clear trajectory in terms of Scottish independence—16 polls in a row. Why does he think that is?

Paul Scully: I am not sure which amendment the hon. Gentleman is speaking to, but I note that the result of the last poll was 52:48, which I am sure he will talk about; it seems to be a figure that keeps coming up.

Why do we need to give businesses certainty? This is not just about Northern Ireland, Wales and England; it is about Scottish business too. Some 60% of Scotland's trade—more than £50 billion—is with the rest of the UK. Up to half a million jobs are dependent on that internal trade.

Drew Hendry: On that statistic about Scotland's exports, will the Minister concede that 62% of manufactured exports from Scotland go outwith the UK, to the EU and the rest of the world?

Paul Scully: That refers to the 144,000 jobs, as I am sure the hon. Gentleman would say, which were considered by the same institute that came up with the half a million jobs dependent on internal trade. He talks about the manufacturing trade; that is why we are better together as a United Kingdom. We have the whole gamut of skills, whether it is in manufacturing, culture, financial services or legal services—all those areas that we can provide as the UK which will make us a force to be reckoned with as we come out as one global Britain, with the opportunities that we will afford ourselves, in 17 days' time.

Liz Saville Roberts: Will the Minister give way?

Paul Scully: I will not, because I need to bring my remarks to a close.

The Government will continue to be reasonable in discussions on the Bill. We have made great progress so far in both Houses on finding areas of agreement—on what brings us together as one UK as we look to leave. I appreciate the constructive approach that peers in the other place have taken in discussions with the Government. We will continue to engage and to find that common ground, but we assess at the moment that the amendments proposed by the other place continue to go too far and run counter to the certainty that the Bill provides and that businesses need.

As we have made clear before, this 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. I therefore call on the House to support the Government's motion.

Question put. That this House disagrees with Lords amendments 1F, 1G, 1H, 1K, 1L and 8M.

The House divided: Ayes 362, Noes 262.

Division No. 187]

[3.7 pm

AYES

Adams, Nigel	Amess, Sir David
Afolami, Bim	Anderson, Lee
Afriyie, Adam	Anderson, Stuart
Ahmad Khan, Imran	Andrew, Stuart
Aiken, Nickie	Ansell, Caroline
Aldous, Peter	Argar, Edward
Allan, Lucy	Atherton, Sarah

Atkins, Victoria	Davis, rh Mr David
Bacon, Gareth	Davison, Dehenna
Bacon, Mr Richard	Dinenage, Caroline
Badenoch, Kemi	Dines, Miss Sarah
Bailey, Shaun	Djanogly, Mr Jonathan
Baillie, Siobhan	Docherty, Leo
Baker, Duncan	Donaldson, rh Sir Jeffrey M.
Baker, Mr Steve	Donelan, Michelle
Baldwin, Harriett	Dorries, Ms Nadine
Barclay, rh Steve	Double, Steve
Baron, Mr John	Dowden, rh Oliver
Baynes, Simon	Drax, Richard
Bell, Aaron	Drummond, Mrs Flick
Benton, Scott	Duddridge, James
Beresford, Sir Paul	Duguid, David
Berry, rh Jake	Duncan Smith, rh Sir Iain
Bhatti, Saqib	Dunne, rh Philip
Blackman, Bob	Eastwood, Mark
Blunt, Crispin	Edwards, Ruth
Bone, Mr Peter	Ellis, rh Michael
Bottomley, Sir Peter	Ellwood, rh Mr Tobias
Bowie, Andrew	Elphicke, Mrs Natalie
Bradley, Ben	Eustice, rh George
Bradley, rh Karen	Evans, Dr Luke
Braverman, rh Suella	Evennett, rh Sir David
Brereton, Jack	Everitt, Ben
Bridgen, Andrew	Fabricant, Michael
Brine, Steve	Farris, Laura
Bristow, Paul	Fell, Simon
Britcliffe, Sara	Fletcher, Katherine
Brokenshire, rh James	Fletcher, Mark
Browne, Anthony	Fletcher, Nick
Bruce, Fiona	Ford, Vicky
Buchan, Felicity	Foster, Kevin
Buckland, rh Robert	Fox, rh Dr Liam
Burghart, Alex	Francois, rh Mr Mark
Burns, rh Conor	Frazer, Lucy
Butler, Rob	Freeman, George
Cairns, rh Alun	Freer, Mike
Campbell, Mr Gregory	Fuller, Richard
Carter, Andy	Fysh, Mr Marcus
Cartlidge, James	Gale, rh Sir Roger
Cash, Sir William	Garnier, Mark
Cates, Miriam	Ghani, Ms Nusrat
Caulfield, Maria	Gibb, rh Nick
Chalk, Alex	Gibson, Peter
Chishti, Rehman	Gideon, Jo
Chope, Sir Christopher	Gillan, rh Dame Cheryl
Churchill, Jo	Girvan, Paul
Clark, rh Greg	Glen, John
Clarke, Mr Simon	Goodwill, rh Mr Robert
Clarke, Theo	Gove, rh Michael
Clarke-Smith, Brendan	Graham, Richard
Clarkson, Chris	Grant, Mrs Helen
Cleverly, rh James	Grayling, rh Chris
Clifton-Brown, Sir Geoffrey	Green, Chris
Coffey, rh Dr Thérèse	Green, rh Damian
Colburn, Elliot	Griffith, Andrew
Collins, Damian	Griffiths, Kate
Costa, Alberto	Grundy, James
Courts, Robert	Gullis, Jonathan
Coutinho, Claire	Halfon, rh Robert
Cox, rh Mr Geoffrey	Hall, Luke
Crabb, rh Stephen	Hammond, Stephen
Crosbie, Virginia	Hancock, rh Matt
Crouch, Tracey	Hands, rh Greg
Daly, James	Harper, rh Mr Mark
Davies, David T. C.	Harris, Rebecca
Davies, Gareth	Harrison, Trudy
Davies, Dr James	Hart, Sally-Ann
Davies, Mims	Hart, rh Simon
Davies, Philip	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
 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
 May, rh Mrs Theresa
 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
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 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
 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, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 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
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura

Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Ayes:
Michael Tomlinson and
David Rutley

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
 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
 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
 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
 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
 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
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:

**Jeff Smith and
 Bambos Charalambous**

Question accordingly agreed to.

Resolved,

That this House disagrees with Lords amendments 1F, 1G, 1H, 1K, 1L and 8M.

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.

Ordered, That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments 1F, 1G, 1H, 1K, 1L and 8M;

That Paul Scully, Michael Tomlinson, Jo Gideon, Mark Fletcher, Gill Furniss, Lucy Powell 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.—(*Maria Caulfield.*)

Committee to withdraw immediately; reasons to be reported and communicated to the Lords.

Madam Deputy Speaker (Dame Rosie Winterton): In order to observe social distancing, the Reasons Committee will meet in Committee Room 12.

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.

3.20 pm

Sitting suspended.

Taxation (Post-transition Period) Bill

Consideration of Bill, not amended in the Public Bill Committee

[*Relevant documents: First Report of the Northern Ireland Affairs Committee, Unfettered Access: Customs Arrangements in Northern Ireland after Brexit, HC 161, and the Government response, HC 783; Oral evidence taken before the Northern Ireland Affairs Committee on 16 and 23 September and 2 December 2020, on Brexit and the Northern Ireland Protocol, HC 767.*]

New Clause 1

ACT TO HAVE EFFECT NOTWITHSTANDING ANY
INTERNATIONAL OR DOMESTIC LAW

(1) The provisions of this Act have effect notwithstanding any relevant international or domestic law with which they may be incompatible or inconsistent.

(2) In this section “relevant international or domestic law” includes—

- (a) any provision of the Northern Ireland Protocol;
- (b) any other provision of the EU withdrawal agreement;
- (c) any other EU law or international law;
- (d) any provision of the European Communities Act 1972;
- (e) any provision of the European Union (Withdrawal) Act 2018;
- (f) any retained EU law or relevant separation agreement law; and
- (g) any other legislation, convention or rule of international or domestic law whatsoever, including any order, judgment or decision of the European Court or of any other court or tribunal.—(*Sir William Cash.*)

Brought up, and read the First time.

3.23 pm

Sir William Cash (Stone) (Con): I beg to move, That the clause be read a Second time.

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

New clause 2—*Provisions of Act to have effect notwithstanding inconsistency or incompatibility with international or other domestic law*—

(1) The provisions of this Act have effect notwithstanding any relevant international or domestic law with which they may be incompatible or inconsistent.

(2) Accordingly (among other things)—

- (a) regulations under this Act are not to be regarded as unlawful on the grounds of any incompatibility or inconsistency with relevant international or domestic law (and section 6(1) of the Human Rights Act 1998 does not apply in relation to the making of regulations under this Act);
- (b) all rights, powers, liabilities, obligations, restrictions, remedies and procedures which are, in accordance with section 7A of the European Union (Withdrawal) Act 2018, to be recognised and available in domestic law, and enforced, allowed and followed accordingly, cease to be recognised and available in domestic law, or enforced, allowed and followed, so far and for as long as they are incompatible or inconsistent with any provision of this Act;
- (c) section 7C of that Act ceases to have effect so far and for as long as it would require any question as to the validity, meaning or effect of any relevant separation agreement law to be decided in a way which is incompatible or inconsistent with a provision of this Act; and

(d) any other provision or rule of domestic law that is relevant international or domestic law ceases to have effect so far and for as long as it is incompatible or inconsistent with a provision of this Act.

(3) Regulations under this Act are to be treated for the purposes of the Human Rights Act 1998 as if they were within the definition of “primary legislation” in section 21(1) of that Act.

(4) No court or tribunal may entertain any proceedings for questioning the validity or lawfulness of regulations under this Act other than proceedings on a relevant claim or application.

(5) The period mentioned in each of the following provisions (standard time limits for seeking judicial review), or any corresponding successor provision, may not be extended under any circumstances in relation to a relevant claim or application—

- (a) rule 54.5(1)(b) of the Civil Procedure Rules in relation to England and Wales;
- (b) section 27A(1)(a) of the Court of Session Act 1988 in relation to Scotland; and
- (c) rule 4(1) of Order 53 of the Rules of the Court of Judicature (Northern Ireland) 1980 (S.R. (N.I.) 1980 No. 346) in relation to Northern Ireland.

(6) The jurisdiction and powers of a court or tribunal in relation to a relevant claim or application are subject to subsections (1) and (2).

(7) In section 7A of the European Union (Withdrawal) Act 2018, in subsection (5)—

- (a) omit the “and” at the end of paragraph (e); and
- (b) at the end of the subsection insert “, and
- (g) the provisions of the Taxation (Post-transition Period) Act 2020 (provisions to which this section is subject).”

(8) In this section—

“relevant claim or application” means—

- (a) a claim for judicial review in relation to England and Wales,
- (b) an application to the supervisory jurisdiction of the Court of Session in relation to Scotland, or
- (c) an application for judicial review in relation to Northern Ireland, where the claim or application is for the purpose of questioning the validity or lawfulness of regulations under this Act;

“relevant international or domestic law” includes—

- (a) any provision of the Northern Ireland Protocol;
- (b) any other provision of the EU withdrawal agreement;
- (c) any other EU law or international law;
- (d) any provision of the European Communities Act 1972;
- (e) any provision of the European Union (Withdrawal) Act 2018;
- (f) any retained EU law or relevant separation agreement law; and
- (g) any other legislation, convention or rule of international or domestic law whatsoever, including any order, judgment or decision of the European Court or of any other court or tribunal, but does not include the Convention rights within the meaning of the Human Rights Act 1998 (see section 1(1) of that Act);

“relevant separation agreement law” has the meaning given by section 7C(3) of the European Union (Withdrawal) Act 2018.

New clause 3—*Treasury use of powers*—

(1) The Treasury must, within four working days of the day on which this Act is passed, publish a report setting out the timeframe within which it will use the powers to make regulations conferred by—

- (a) section 40A(2) of TCTA 2018;
- (b) section 40B(1) and (2) of TCTA 2018;
- (c) section 30A(4) of TCTA 2018;

- (d) section 30B(1) and (3) of TCTA 2018;
- (e) section 30C(5) of TCTA 2018; and
- (f) section 5(2) of this Act.

(2) The Treasury must publish an annual report setting out how it has made use of the powers referred to in subsection (1).

(3) Each report under subsection (2) must include an assessment of—

- (a) what considerations the Treasury made when deciding to use its powers, and
- (b) the impact of the regulations on individuals and businesses throughout the UK, and specifically in Northern Ireland.

Amendment 1, in clause 1, page 2, line 43, at end insert—

“(4A) The Treasury must publish guidance setting out its proposed approach to the reliefs, repayments and remissions referred to in subsection (3)(b) within four working days of this section coming into force.”

Amendment 2, in clause 2, page 4, line 24, at end insert—

“(5) The Treasury must publish guidance setting out its proposed approach to the reliefs, repayments and remissions referred to in subsection (4)(a) within four working days of this section coming into force.”

Sir William Cash: The clauses before us are directly related to what was originally in the United Kingdom Internal Market Bill, and they were there for a very good reason. They were there because it is absolutely essential that we maintain our sovereignty, and the decisions must be taken by Parliament, and should not be taken by the House of Lords, whose Members are unelected. We are the House of Commons, and that part of the House of Commons which is elected has a Government who were elected in December 2019, almost exactly one year ago. In that general election, it was made quite clear that the decision before the British people was effectively to be made in line with what was decided in the referendum. There are therefore two things joining together, in conjunction with one another: the referendum in 2016, followed by a whole series of enactments of Parliament. That includes the decision on the notification of withdrawal, which was accepted by the Labour party and was voted through in the House of Commons by 499 to around 120. It is not as if anybody could say that the supremacy of Parliament was not made manifest in the light of the referendum.

There was then a series of other enactments, and we eventually ended up with a confirmation of Acts of Parliament, including the European Union (Withdrawal Agreement) Act 2020, which was passed after the general election. Section 38 of that Act made it abundantly clear that we had the right to insist—as a matter of constitutional principle and through the enactment of an Act of Parliament—that the United Kingdom was sovereign, and, furthermore, that we would be allowed to override the withdrawal agreement. That was contained in section 38(2)(b), which specifically refers to section 7A and in turn therefore directly relates, through the use of the word “notwithstanding”, to the overriding direct effect. That is a very important point—a point that is conveniently overlooked by some people, who continually assert that somehow or other the Government have been out of order, breaking international law or breaking constitutional principles. But they never come forward with any arguments; as I said in a recent speech in the

House regarding the attitude of the House of Lords, they were basically strong on assertion and empty in argument.

John Redwood (Wokingham) (Con): Does my hon. Friend agree that those of us who could only vote for the withdrawal legislation because it contained clause 38 understood fully that it was a conditional agreement to the withdrawal agreement, because the EU always said that nothing is agreed until everything is agreed, and we wished to see the full package before deciding whether to allow it to be untrammelled?

Sir William Cash: Yes, indeed. I sometimes find that Lewis Carroll has some very useful ways of putting things. There is the famous exchange between Alice and Humpty Dumpty, in which Humpty Dumpty says: “Words mean what you choose them to mean. The question is who is to be master, that is all.” Words can be used in all kinds of different ways to try to justify propositions that are unsustainable.

I say with respect, but none the less very firmly, that in this particular case it is absolutely clear that when the decision has been taken by the British people—the voters—in the referendum and has then been endorsed by an Act of Parliament and a whole series of other Acts of Parliament, including section 38, it really is not down to the unelected House of Lords to resist it on the scale that they have, and to claim that they can override the House of Commons. We have just had a whole series of agreements and disagreements going backwards and forwards on the UKIM Bill alone.

As Lord Bingham made absolutely and abundantly clear in chapter 12 of his magisterial book “The Rule of Law”, it is for Parliament to make law and pass Acts of Parliament; it is not for the judges to intervene, to seek to make law and to impugn the sovereignty of Parliament. Anyone who wants to get the full flavour of it should read chapter 12 of “The Rule of Law”, because it is the most explicit and clear statement that one could possibly imagine.

Kevin Hollinrake (Thirsk and Malton) (Con): If section 38 of the European Union (Withdrawal Agreement) Act 2020 has such overarching reach, why are new clauses 1 and 2 necessary in this Bill?

3.30 pm

Sir William Cash: Because what section 38 does is reaffirm the capacity of Parliament to be able to make such provisions in other enactments should it be necessary to do so. Because of the complexity of the United Kingdom Internal Market Bill and the issues it raises—for example, as I have said in a previous speech this afternoon, with respect to the Northern Ireland protocol itself—there remain a number of matters that are still subject not only to the negotiation over in Brussels going on right now, but to the operation of the internal market of this country. I support that Bill, but I still believe it was a mistake to withdraw the “notwithstanding” clauses, because I think we are going to find that we will need them and we may yet need to reintroduce them on a future occasion. However, it is section 38, which is explicit with regard to the withdrawal agreement, that will give us the authority and the statutory basis for doing that, and the same applies to the provisions I am referring to here. With regard to this Bill, we had

[Sir William Cash]

expected that the “notwithstanding” clauses would be included in it and they were not, so I have taken the opportunity—in, one might say, my usual manner—to ensure that we have an opportunity to debate this issue today.

I now turn to the reasons why I am so clear in what I have said about state sovereignty in the context of international law. The United Kingdom as a state retains its sovereign right, and it was always capable of doing this, to withdraw from the EU. The EU is an international organisation; it is not a sovereign state. On the basis of state sovereignty, it would actually be contrary to the legal position under international law that the UK would require EU consent or agreement to leave the EU, but we do have article 50 and we did implement that in the European Union (Notification of Withdrawal) Act 2017.

State sovereignty is paramount in relation to international law. As has been said,

“If States were not sovereign, no international law would be possible”.

It is quite an interesting idea. International law would be impossible if states were not sovereign, because they combine to create the circumstances in which it applies. Each state has internal supremacy over how governmental functions are run and is shielded from external interference without consent. The UK as a sovereign state has a right to withdraw from an international organisation, and this right is recognised by the EU treaties themselves. That is evident from the words of article 50:

“Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements.”

It could not be clearer from what I have said and from what everybody knows, as they have been through this passage or on this journey, that we have been through enactment after enactment. Nobody could possibly say that we have not done it lawfully. It has been done completely in the sight of the world, and I am astonished that anyone would even consider that we had not done it in the proper manner—we have done so, lawfully and in accordance not only with our constitutional law but with international law. In short, the UK’s right to withdraw from the EU is approved and agreed by international law, and only limited by UK constitutional law and thus by our own discretion, which we have exercised.

Following the Brexit referendum, the United Kingdom exercised its sovereign right to leave the EU and, as far as I am concerned, I believe this cannot be disputed. It is quite clear that we have done what was required under our own constitutional requirements and also, in my judgment, with regard to the question of international law itself. That was confirmed, for example, by the German federal constitutional court in the Maastricht treaty constitutionality case—I am now speaking about the Germans’ view of this, but it is interesting to observe—in which it said:

“Because the German citizen entitled to vote exercises his right to participate in conferring democratic legitimacy on the institutions and bodies entrusted with the exercise of sovereign authority principally through the election of the German Bundestag,”—

this is the same point I was making about our voters being represented by our Members of Parliament who passed the enactments in question—

“that parliament must also decide what is to be done about Germany’s membership of the European Union, its continuance and development”.

In other words, the principle is a common one between us and the German constitutional court.

That is of great importance to our understanding of the context in which we must have the right to legislate ourselves in accordance with what our voters expect of us. We are entitled to do that in relation to the UKIM Bill or the Taxation (Post-transition Period) Bill, and we are entitled also to have a “notwithstanding” clause if we so decide. It is not for unelected persons—whether they are distinguished or otherwise, and whether they are numerous in the House of Lords or otherwise—to interfere with that.

The UK Parliament, being the supreme body in the British constitution, has the right to enact legislation inconsistent with the withdrawal agreement—I have already dealt with section 38—thereby explicitly reversing the direct effect option under article 4 of the withdrawal agreement. That is crucial, because article 4 says that, but for the fact that we are entitled to do that, it would have direct effect. That position has been set out on the UKIM Bill, which was published in September, and it was specifically stated that we would ensure that we had a “notwithstanding” clause. That has been unwisely removed, but we may come back to that on a future occasion.

The next question is, what is the position regarding the EU’s own attitude towards international law? I am afraid to say that it is guilty of recurring double standards. Article 3(5) of the treaty on European Union states:

“In its relations with the wider world, the Union shall...contribute to peace, security...and the protection of human rights...as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter.”

But in the Kadi case, it was held that EU law is an autonomous legal order, meaning that in order for an international agreement to form part of EU law, it must not call into question the constitutional structure and values on which the EU is founded.

In the second Kadi case, the European Court of Justice, confirming its previous findings in the first case, ruled that the EU Courts

“must...ensure the review, in principle the full review, of the lawfulness of all Union acts in the light of the fundamental rights forming an integral part of the European Union legal order, including review of such measures as are designed to give effect to resolutions adopted by the Security Council under Chapter VII of the Charter of the United Nations.”

It is worth pointing out that the Security Council resolutions in question were adopted under chapter VII, which meant that those resolutions were adopted for the purposes of maintaining international peace and security and had to be carried out by members of the United Nations directly. Article 103 of the charter states:

“In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.”

It is clear that our capacity as a sovereign nation is endorsed by the United Nations charter as well.

What is the position regarding the necessity of these “notwithstanding” clauses in principle? I have already explained the general power to override treaties, particularly

by reference to the European Union (Withdrawal Agreement) Act 2020. In the Miller case, a majority in the Supreme Court said that Parliament, in the exercise of its sovereignty, is free to legislate in any way it sees fit, including contrary to the UK's international obligations, thus

“the sovereign power of the Queen in Parliament extends to breaking treaties”.

That was confirmed in a series of other cases, such as in *Salomon, in EN (Serbia)* and in the *Attorney-General of Ontario v. Attorney-General of Canada*. The Supreme Court has unambiguously stated that this power is a corollary of parliamentary sovereignty. I have already referred to what Lord Bingham said in chapter 12 of “The Rule of Law”, so I do not need to repeat that.

Kevin Hollinrake: My hon. Friend said a few moments ago that Parliament has a general power to override treaties. How would that work in the case of the free trade agreements that we have negotiated with other nations? Can we simply override those treaties at will if we do not like the findings of an investor-state dispute service?

Sir William Cash: Interestingly, I made some reference to the principles that are under discussion in the current negotiations. Of course, we do not know the outcome of those negotiations as we speak—as I said in the previous debate, I wish them well—but it has to be made clear that, certainly as far as I and those of my friends who agree with me are concerned, one of the most crucial questions is that of state aid, because that issue is right at the heart of the discussions and negotiations this week. I asked the Secretary of State for Business, Energy and Industrial Strategy to assure the House that nothing in any treaty text or subsequent Act of Parliament will prevent the UK from having its own sovereign state aid rules, including rules on energy, so that we are not subjugated to EU state aid rules, or to the European Court, given that the EU intends, as it has stated over the past week or two—in very bad faith, in my opinion—to impose and enforce its rules against us. Ultimately, of course, that would be done by a majority vote in the Council of Ministers, behind closed doors, without our even being at the table after 31 December. The fact is that we have to assert our sovereignty in the negotiations so that any treaty that emerges from them—if one does—must comply with the assertion of the sovereignty of this House, this country and this Parliament, and must at the same time apply whether in respect of direct or indirect effect.

John Redwood: Is it not also the case that the agreement with the European Union is muddled and contradictory? The EU has always said that it understands that the UK is going to be sovereign, so if this House simply asserts our sovereignty, as it can do, that is, in a way, our fair interpretation of the agreement.

Sir William Cash: Yes, absolutely. Sovereignty is also a question of fact. I do not want to get into the intricacies of 15th century history, but there was a chap called Henry VII who made it abundantly clear that as far as he was concerned he won the battle of Bosworth and that was it. I do not think we need to pursue that one too much, because sovereignty is quite a simple thing when it comes down to it: it is called political will and legal arguments of the kind I am addressing.

Kevin Hollinrake: I am interested in my hon. Friend's point about sovereignty over free trade agreements. In 2009, an American firm called Cargill was awarded around \$90 million because Mexico had broken a free trade agreement with the United States by, in effect, banning soft drinks that were made with high-fructose corn syrup, putting Mexican producers at an advantage. Mexico acted unilaterally, with sovereignty; is my hon. Friend saying that Mexico was allowed to do that? That is not what the dispute settlement service determined.

Sir William Cash: I cannot speak for that disputesettlement service, and nor can I speak for the Joint Committee that is currently considering some of these matters. We do not really know exactly what is being decided in that Joint Committee, which is why I was concerned earlier to point out that I have asked the Chancellor of the Duchy of Lancaster to appear before my European Scrutiny Committee, of which I have the honour to be Chairman and on which I have served for 35 years, so I have a little experience of how it operates. Under our Standing Orders, it is our task—our duty—irrespective of party politics, to examine matters of legal and political importance and report to the House, and we are doing that. Of course, we need evidence, and we need to have people to appear before us and give evidence, and sad to say, despite the fact that I have written four letters to the Chancellor of the Duchy of Lancaster, he has declined to appear in front of the Committee, although he seems to be happy to see the House of Lords equivalent Committee and also the Committee chaired by the right hon. Member for Leeds Central (Hilary Benn).

3.45 pm

Be that as it may, I have made the point, and sadly I cannot force the Chancellor of the Duchy of Lancaster to appear. It would, however, be extremely useful if he did, because then he would be able to explain just exactly what he has agreed in the Joint Committee, about which we have only a smidgen of information. It would be a two-way advantage if he did it, and all I can say is that the position is as I have described it, and I am sorry about that. No doubt we will find out in due course.

Jim Shannon (Strangford) (DUP): I just want to clarify one matter. Perhaps the hon. Gentleman can do that. When it comes to sovereignty and the free trade agreements that he and others have referred to, can he give me an educated guess on where Northern Ireland stands with sovereignty? Do we have the same freedom and the same rule of law across the United Kingdom of Great Britain and Northern Ireland, or will Northern Ireland be treated differently?

Sir William Cash: Provided the treaty itself, and therefore the Act of Parliament that follows from it, maintain the principles I set out in my question to the Secretary of State for Business, Energy and Industrial Strategy yesterday, there is no question as to whether we will be entitled to exercise our sovereignty and to displace European Court jurisdiction and the EU laws, for example—there are many others—on state aid. We will be entitled to do so, but it is a matter of constitutional law and also, as I have explained, international law.

[Sir William Cash]

I am afraid that there has been a great deal of assertion that we are so-called potentially in breach of international law, but international law recognises the fact that a country can exercise its sovereign rights to defend its economic interests from a national point of view. In fact, Helmut Schmidt did precisely that in, I think, 1998 over the question of the Deutschmark and the dollar. There are many examples, and we have not got time to go into them all today.

I will turn to some of the precedents just to illustrate the fact that it is not such a novel idea somehow or other to use a “notwithstanding” clause or formula, and that applies to all parties, whether the party is the Labour party, the coalition, where the Liberal Democrats joined in and voted with us on these matters, or the Conservative party. For example, the Income and Corporation Taxes Act 1988 provides that the parts that diverge from treaty obligations—the language of the section is completely unambiguous—are “notwithstanding anything contrary” to those arrangements set out in the Act. The section was enacted to retaliate against the introduction of unitary tax systems adopted by certain states in the US, most notably in California. I think my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) may know about that.

What I am saying is that such provisions are not exactly unusual. Indeed, in the Finance Act 2013, which was under the coalition, the Liberal Democrats went along with allowing Parliament to effectively write a blank cheque to interfere with international treaties—approximately 130 of them, in fact. That provision is still in force. No one questioned the Chancellor’s right to introduce any such legislation or, indeed, the lawfulness of the work of Her Majesty’s Revenue and Customs, which still relies on it in combating questions relating to such arrangements.

Then there are other precedents. I shall stick to Finance Acts at this juncture as that is what we are dealing with in the context of this particular Bill, which is, of course, a finance Bill. Section 52 of the Finance (No. 2) Act 1945 overrode aspects of the Ireland-UK tax treaty of 1926. I hope I may be allowed a slight smile here, as I look across the Irish sea and consider the position with regard to the Irish Government in relation to the “notwithstanding” clauses, because we actually did this in 1926. The Act was used as an example in a case involving *Collco* in which the court said that if the statute is unambiguous, its provisions must be followed even if they are contrary to international law. It could not be clearer. The Finance Act 1955 again overrode the Ireland-UK tax treaty. In the *Inland Revenue Commissioners v. Collco Dealings*, Viscount Simonds said, “The company has no rights under any agreement. Its rights arise from the Act of Parliament, which confirmed the agreement and give it the force of law.”

Section 59 of the Finance Act 2008 excluded UK residents from benefiting from provisions in respect of profits from the trade, etc. Then there is the coalition arrangement under the Taxation (International and Other Provisions) Act 2010, where, again, the position was made entirely clear in accordance with the precedents.

Indeed, it is not just the UK, or even a party in the UK, that has been doing this over a period of time in its economic and national interests. An example from 2020

is the European Central Bank’s bond-buying scheme. In May 2020, the German constitutional court sought to override EU law and the Court of Justice, suggesting that the ECB’s public sector purchase programme was unconstitutional. Then there are the bail-outs. Every one of the bail-outs from 2010 to 2015 could justifiably be described as in breach of article 125 of the Treaty on the Functioning of the European Union. I will not read out the details, but I shall give some examples: the first Greek bail-out in 2010; the Irish bail-out in 2010; the Portuguese bail-out; the second Greek bail-out; the Spanish bail-out; the Cypriot bail-out; and the third Greek bail-out in 2015. There are so many examples—whether in the UK, or in relation to other member states, or, indeed, in relation to the EU itself—that have demonstrated that, when it comes to the question of sovereignty and the ability to override treaties, this is done quite often as a matter of course. I am not saying that it is done generally. I am not saying that it happens every week or every day. What I am saying, however, is that it happens and that it happens for good reasons which are directly related to the arguments on sovereignty which I gave at the beginning, and it is not for the unelected House of Lords to tell us. That is why, in this Bill, it would not have been able to do so because of the issue of financial privilege.

I am putting forward these amendments. I shall decide as we proceed whether I will press them to a vote. I will leave it at that for the moment, because I am more than fascinated to hear the usual Europhile utterings of the right hon. Member for Wolverhampton South East (Mr McFadden) who is about to speak.

Mr Pat McFadden (Wolverhampton South East) (Lab): It is a pleasure, as always, to follow the hon. Member for Stone (Sir William Cash). I rise to speak to new clause 3 in the name of the Leader of the Opposition, and, with it, amendments 1 and 2, which are also in his name and the names of my right hon. and hon. Friends. These amendments are pro-business and pro-compliance. They are motivated by trying to get as much information as possible to the businesses affected by the changes in this Bill in as short a timescale as possible.

The Bill that we are discussing sets out a number of taxation changes, many of them as a result of the Northern Ireland protocol. These measures will have an impact on businesses throughout the United Kingdom, but in particular, on businesses in Northern Ireland and those who trade with them. In a recent evidence session for the Northern Ireland Affairs Committee, HMRC was asked how many new declarations there would be under the kind of system set out in the Bill. The official giving evidence said, to be fair, that it was a new system, so they could not be sure, but that there could be about 11 million new declarations a year. That is a sizeable additional amount of information that businesses have to publish.

The amendments we are putting forward this afternoon try to help those businesses to cope with the changes set out in the Bill. I should stress that nothing in these amendments alters the terms of the changes set out in the clauses or the purpose of the Bill. The Government have signed up to the protocol and we want to see them abide by the agreement they have made. There may be those in the Conservative party—in fact, there almost certainly are—who do not like the obligations that the

protocol entails, but we believe that the Government should stick by the commitments they have made. The changes in the Bill are largely, though not entirely, a consequence of that agreement.

However, many of the clauses in the Bill are enabling in their nature. They confer on the Treasury powers that are to be filled in at a later date. For example, clause 1 says that the Treasury may by regulations provide a definition of goods being imported into Northern Ireland that

“are at risk of subsequently being moved into the European Union.”

It goes on to talk about which duties shall apply in the case of these so-called at-risk goods. Very similar language is used in clauses 2 and 5 and a number of the schedules—that the “Treasury may by regulations” provide.

To be fair to the Minister and to the authors of the Bill, there is nothing unusual about a Bill taking enabling powers that are then to be set out in further detail in regulations that come after the Bill has passed its parliamentary proceedings, but what is unusual is the context and the timescale involved. The end of the transition period is in just 16 days, and in the middle of those 16 days come the Christmas holidays, so the Government are asking businesses to absorb, prepare for and comply with a new series of taxation regulations that those businesses have not yet seen, and to do so over a two-week period coinciding with the biggest holiday of the year. And they are doing that at the end of a year in which the very same businesses have already faced unprecedented turbulence in the wake of a global pandemic.

The businesses concerned do not want to fall foul of regulations. They want to comply. They want to be able to get this right. Businesses in Northern Ireland and the trade bodies that represent them have put in enormous efforts over the past few years to try to prepare for this moment. Of course, they could have spent all that time and effort doing what they were set up to do, which is to provide goods and services to their customers, but the process of Brexit and the specific circumstances of Northern Ireland, which are now enshrined in the Brexit withdrawal deal, have meant that a great deal of effort has had to go into trying to understand the trading and taxation rules that will kick in after the end of this year. So here we are with this Bill, with just over two weeks to go. With the best will in the world, how do the Government expect them to do all this on this kind of timescale?

The purpose behind the amendments is very simple: it is, even at this late stage, to encourage the Government to get a move on. When I moved a similar amendment in Committee last week, the Minister said that guidance had been published in October, but that is not what we are talking about here. We are talking about the details of the regulations enabled by this Bill, which was published only last week.

The Minister cannot seriously be telling the House that everything covered by the Bill was dealt with in October, and there is nothing more to add. If that was the case, it would prompt the question as to why it was published only last week. The answer, of course, is that the Government wanted to use it to hold the threat of the kind of provisions that the hon. Member for Stone has just been talking about over the trade negotiations—a damaging and self-defeating tactic.

4 pm

Many of the regulations stem from the Taxation (Cross-border Trade) Act 2018. New clause 3 sets out which sections of that Act are referred to in the Bill and changed by it. It asks the Government to publish the new regulations in short order and, in future, to report on their effects. Even if the Government accepted the new clause and agreed with that, however, it would still be difficult for businesses to understand it all before the new year. Is the Minister confident that HMRC has the capacity to process all the applications for authorisation that are now likely to come in from Northern Ireland-based businesses that want to comply with the new rules from 1 January?

What is the attitude of the Treasury and HMRC to the enforcement of the changes in the early months of next year? For example, will businesses be penalised for not paying the relevant duties or filling out all the necessary declarations, if that happens next month while they are still trying to absorb fully the detail of the regulations? Have the Government factored in the difference between the desire to comply and the basic capacity to comply? I stress that that would not be a case of tax evasion or some clever scheme thought up by advisers to get round the rules. It would be the result of being presented with legislation just a few days before it came into force.

This is not just drafting understood changes to an already understood system, as happens in Finance Bills—for example, if a Budget announces an extra penny or two on a pint of beer. These are new systems that deal with new concepts as a result of our departure from the EU and our commitments under the Northern Ireland protocol. The timescale is not the fault of businesses; the responsibility for that lies with Ministers. Amendments 1 and 2 are in the same vein as new clause 3 but focus more directly on the new system of duties and rebates set out in clauses 1 and 2, which are probably the newest measures in the Bill with which businesses will have to comply.

For the sake of completeness, I will briefly set out the Opposition's attitude to new clause 1. The hon. Member for Stone has returned with our old friend “notwithstanding”. Rarely can so much have been loaded on to one word. Behind it lies a concept that should give us all pause for thought. The hon. Member for Thirsk and Malton (Kevin Hollinrake) got to the heart of it when he asked whether it could be applied to every treaty or every international trade agreement. If it could—we are in the midst of trying to agree one by the end of the year—we have to ask what it will do in the mind of the party on the other side of the table, not only in our discussions with the EU but, presumably in discussions with other potential partners, such as India or the United States, or anyone else with whom we would seek to make a free trade agreement.

“Notwithstanding” cannot be a get-out-of-jail card for the country to escape its obligations. We would never get away with that in everyday life. Let us imagine telling a police officer, “Notwithstanding the law on theft, I thought I'd just take the goods out of the shop without paying for them.” I do not think we would get very far if we did that. We cannot set aside our obligations through a clever-sounding word. An agreement is an agreement. A deal is a deal. That is the whole point. If

the hon. Member for Stone presses his new clause, I have to tell him, in the friendliest tones, that we will certainly oppose it.

John Redwood (Wokingham) (Con): I have declared my business interests in the Register of Members' Financial Interests.

I rise to support what may be an amendment that we are going to vote on or may be a probing amendment from my hon. Friend the Member for Stone (Sir William Cash), because I think there has been a deliberate misunderstanding by the EU and its friends over what Brexit is about and what we need to do in order to achieve a proper Brexit. A proper Brexit is taking back control; it is recreating the sovereignty of the people of the United Kingdom through their Parliament.

My hon. Friend has a distinguished career in this place trying to rebuild that sovereignty and watching, year after year, more and more of our powers taken away by successive treaties, by successive directives and regulations, many of them automatic ones over which the UK had little or no influence, and by court judgments which, again, we had precious little ability to shape. He is right that, as we come to legislate for our new arrangements as a sovereign country from 1 January next year, we need to make quite sure that we have back under the control of people and Parliament all those powers that we need to regulate, to govern and to take wise decisions on behalf of the United Kingdom.

I am very worried about some elements of the withdrawal agreement. I was told, as we were all told, that nothing was agreed until everything was agreed, and that that meant the future relationship as well as the withdrawal agreement. The EU decided for its own convenience to sequence things and say, "You have to sign the withdrawal agreement first and then the future relationship agreement will follow." A bit of flesh was put on the bones of the future relationship in the so-called political declaration, which one would have thought there was a lot of moral pressure to go along with even if it was not as strictly legally binding as they hoped the withdrawal agreement would be.

I now think there has been a lot of bad faith, because, according to both sides, the central feature of the future relationship was always going to be a free trade agreement, and where is the free trade agreement? We now discover that the EU wishes to take all sorts of other powers away from us as the price for the free trade agreement, which we have already overpaid for in the withdrawal agreement and which one would have thought that, in good faith, the EU would now grant. It is very much in its interests—even more than it is in our interests—given the huge imbalance in trade, and above all in the trade that would attract tariffs if we had no free trade agreement: the trade in food.

That is really what we are talking about: are there going to be tariffs on food or not? We, the United Kingdom, run a colossal £20 billion trade deficit with the EU on food. We have to impose pretty high tariffs on food from the rest of the world—that makes absolutely no sense where we could not grow any of it ourselves; it may have some benefit for some of our farmers some of the time—but we are not allowed to put any similar tariffs on EU-sourced produce where we could produce it ourselves.

The EU system is to try to use tariffs to buttress domestic production, but it has not worked for the United Kingdom; it has worked the other way. The tariffs have been taken off in order to benefit the Dutch, Spanish, French or Irish suppliers of our market with food at zero tariffs. The EU already has rather more interest in tariff withdrawal than we do, because we could have a range of tariffs that would probably achieve the aims both of cutting food prices by having a lower average tariff and of having a bit more protection on the things that we really could make and grow for ourselves here, which we are not allowed to protect against continental products at the moment.

I therefore think that the Bill could be improved by our reminding the EU that we will not be pushed around and we will not suffer too much bad faith from those original negotiations or from the withdrawal agreement itself. I think it was a very imperfect agreement. It is pretty ambiguous in places; it is imprecise in places. I have never felt that anything the Government have done, or thought of doing, was in any way illegal. Lawyers could make a perfectly good case under the withdrawal agreement treaty terms themselves, and anyway, we have the protection of my hon. Friend's section 38, which made it very clear that this Parliament's acceptance of the withdrawal agreement was conditional. Why else would anyone have put section 38 in the withdrawal agreement Act unless they were making a point?

Sir William Cash: Does my right hon. Friend appreciate that it was the Prime Minister who, after an eight-hour meeting I had at No. 10 that day—17 October 2019—insisted that section 38 was necessary and appropriate?

If we go back to the previous Administration, just imagine where we would be when we consider the Chequers arrangements, and then imagine what it would have been like if we had not decided to vote against that dreadful withdrawal agreement in its original shape. There were provisions that needed to be rectified, and section 38 provides the mechanism that enables us to do that.

John Redwood: Indeed. I think my hon. Friend has confirmed that under the previous Prime Minister, when those of us who could not vote for her agreement said that we needed a sovereignty escape clause, we were told that that would not be permissible because it would not be effective implementation of the agreement; which was then reassuring to us, not liking the withdrawal agreement very much and realising that it was a provisional agreement and would be completed only were there to be a satisfactory outcome to the total range of talks. It was a totally artificial constraint that the EU invented that it had to be sequenced, when up until that point everybody had always rightly said that nothing was agreed until everything was agreed.

I would like to hear from the Minister a little more explanation of the detail of the Bill. As I understand it, the Northern Ireland protocol would apply only to goods that are passing from Great Britain to Northern Ireland and then on to the Republic of Ireland, or the reverse—goods coming from the Republic to Northern Ireland and then passing on to Great Britain. Am I right in thinking that that is a very small proportion of the total trade? In what ways will the Government ensure that it is properly defined, so that we do not catch up most goods in those more elaborate procedures?

The bulk of the trade will be GB to Northern Ireland and back, or Republic of Ireland to Northern Ireland and back, and it should not in any way be caught up in any of these proposals. I am not sure that we do have a *de minimis* way of dealing with the so-called things at risk.

It is not clear how the system will work for items at risk when we agree that they are at risk—and I hope it is a UK decision about what is a risk, not some other kind of decision with EU inspectors. It would be helpful to me and the wider community interested in this debate to know how a business would proceed if it had such a good at risk, to whom it would answer, and what decisions would be made about such a good in Excise, because it sounds a rather complicated and difficult arrangement, both for the business concerned and for those who are trying to enforce.

I am trying to tease out from the Minister, in pursuit of the interests of my hon. Friend the Member for Stone and myself on sovereignty, whether we are really in control if the trade has started off from GB and is going to Northern Ireland. What kind of external intervention can the EU or the Republic of Ireland engineer—how is that fair, and how will it be determined? I think that is what we are most worried about in this piece of legislation, and we would be more reassured if there were the override that my hon. Friend proposes. I should be grateful for some explanation.

Alison Thewliss (Glasgow Central) (SNP): I come to this debate with many of the same concerns that I had last week. I shall not repeat them because I think everybody is quite clear on what they were. We come to this debate with the clock ticking louder and louder, and with uncertainty ahead.

I must agree with the right hon. Member for Wokingham (John Redwood) when he says that this is a complex, complicated and difficult arrangement. Yes, it is, and it is absolutely baffling why we are still not certain what will happen, with such a close deadline looming. It is impossible for businesses to know what to plan for and how they will manage this, because so much is still uncertain. The Institute for Government's Jess Sargeant went through some of the outstanding issues in the Northern Ireland protocol still to be agreed, and they are not small things but quite significant in many cases. There is still great uncertainty about the grace period that was talked about last week, what will happen at the end of it, and what the Government are going to do between then and now, whenever this finishes. What work will they be doing in the meantime? It does seem, quite often, that this Government put things off and leave things, and then say, "Oh gosh, suddenly I have to do this at the last minute." They do that quite regularly.

4.15 pm

We still do not understand the real definition of "at risk" goods or indeed how they are going to be monitored. Jess Sargeant also pointed out issues around the rules on VAT and second-hand goods. That might sound like a small thing, but actually it is quite a big thing because it involves second-hand cars, many of which are exported to Northern Ireland from Great Britain. If people want to buy cars, they will need to know what the rules are on VAT. That is quite significant in terms of the costs that could be involved.

I understand that the arrangements for parcel movements are still not yet finalised. This is a time of year when many parcels are moving around the place. If someone were to send a parcel now and did not know when it was going to arrive with its recipient, either in Northern Ireland or the Republic of Ireland, they would not know what the arrangements were for any additional customs payments or anything else that might be due when it arrived. This is something that we really ought to know before any further parcels are dispatched, but that is not what will happen. People will continue to dispatch parcels, and the uncertainty about what happens at the other end is entirely on the Government.

I understand that many of the provisions will be monitored by reciprocal access databases. Does the Minister have any further detail on how that will happen? It is understood that it will be monitored by EU officials hot-desking, but where and how, and what will that access look like?

There is still uncertainty about EU product standards on industrial goods and how that applies in Northern Ireland. There are also still issues around movement of goods cargoes from GB to Ireland via Northern Ireland, because not everything stops when it reaches Northern Ireland—some things are always going to be transiting one way or the other. Last week I gave the example of cattle hides from Ireland going for processing in Scotland. We would not want those to be hanging about for any longer than they had to.

I would always question whether the Government are fully prepared for this. What gives me further cause to do so is an email I received from the Cabinet Office at nine minutes past 3 this afternoon which talks about a port infrastructure fund for which the Government have put out applications. The Government have received 53 applications, to a value of £450 million, for this port infrastructure fund. That includes rail, air and seaports all around the United Kingdom and Northern Ireland. The Treasury allocated £200 million to it. Why spend half of what is asked for by the ports that said what they needed for their port infrastructure, which is only happening because of Brexit? Because of what the Government have done, the money has been spread more thinly and people are getting 66% of what they asked for, while 12 ports have got absolutely nothing at all.

I do not know what these investments are, to whom they are going and by when, because that has not come before the House—it is a decision the Cabinet Office has taken. It is deeply worrying that some ports that have asked for money for their infrastructure have got nothing and some have not got all they need. The port infrastructure is absolutely critical to this Bill in terms of the smooth operation of our ports in 16 days' time. It is beyond belief that the Government have not made this money available more quickly and that some of it is yet to be there. I ask the Minister to check the purse strings back at the Treasury to see if perhaps more money could be found, because it is important that ports have what they need in order to make this work.

With reference to the new clauses tabled by hon. Members on the Government Benches, or rather "Opposition to the Government" Benches, I am very concerned that they are trying to bring back the new clauses that the Government have taken out. These hokey-cokey clauses have been in and out, and the

Government might as well shake it all about and put them back in again. It is damaging to our international reputation to have these clauses, and they should not have been there in the first place, whether as a negotiating mechanism or as anything else. They would breach international law, and the Government should have no business breaching international law, particularly when that undermines their reputation in the negotiations.

I welcome the new clauses tabled by the Labour Front Bench in recognition of the powers and what they are there for. Last week, I made the case that at many points in the Bill the Government are taking power for themselves and for the Treasury when they do not know what the power will be used for, when it will be used or why it will be used. Anything that helps to hold the Government to account on the new powers that they are appropriating for themselves is welcome. I will support the new clauses if the official Opposition are minded to put them to a vote.

Throughout all this, the Government have seized powers for themselves—it is not about taking back control to this place, but about taking control back from civil servants in Brussels to civil servants in Whitehall. We would all be well advised to look more carefully at the powers and how the Government intend to use them.

Andrew Jones (Harrogate and Knaresborough) (Con): We have heard from my hon. Friend the Member for Stone (Sir William Cash) about the importance of the “notwithstanding” clauses and about how unelected people should not seek to overturn democratic decisions. I agree strongly that we have seen attempts to overturn democratic decisions over the past four years, and they have been a stain on the democratic history of our country. We had a vote by the British people that had to be followed through.

I disagree with my hon. Friend about the clauses, however. Putting them back in will not be viewed as an enormously helpful measure by those negotiating a deal, especially while our Prime Minister is out trying to get a deal that we can accept.

The Labour party has put forward some suggestions about providing clarity for business. That is reasonable because, clearly, we need to provide clarity for business. I come from a business background, and knowing the environment that one is in helps to facilitate investment decisions. However, I have to say, the Treasury knows that. I spent some time working in the Treasury, and it gets that. It does not need to be told that. It will execute the Bill in as timely a way as it can, providing all the clarity that it can. That does not need to be legislated for.

We have had delays, because people have sought to overturn—ultimately, to negate—a democratic decision. I voted to remain in the referendum, but I immediately understood that it was a vote of the British people, and that the British people are bigger than individual politicians. Only recently have some people been able to work that one out.

The measures in the Bill are about the continuity of trade across all four parts of the UK. That is something that we should all be acutely aware of, because it is bigger than any other trade deal that could possibly be discussed anywhere.

The point in the Bill about creating a more level playing field between the online and the high street worlds of retail is, again, something that I think we should all be able to support easily. Everybody, I am sure, has had representations from retailers in their constituencies about how challenging the past few years have been. Obviously the clock cannot be turned back in any way—this is about embracing the future—but we must make sure that as retailers evolve the offer of our high streets, they are able to do so with a more level playing field. That is the objective we should be seeking in our policy.

I want to see such measures enacted as soon as possible. We are in uncertain times, and I want us to get to the position in which we can offer business as much clarity as possible, as soon as possible. I will therefore be supporting not the new clauses, but the Bill as it stands.

Wendy Chamberlain (North East Fife) (LD): It is a shame that the Bill has been rushed through the House so rapidly. Members have had a short time in which to get to grips with a rather technical and lengthy piece of legislation. The small number of amendments tabled today speaks to the incredibly tight time limits that have been put in place. Given the impact of the legislation on businesses operating across Northern Ireland and Great Britain, that concerns me, and it should concern us all.

For me, the Bill speaks to the heart of the many contradictions of Brexit—between what was promised in 2016 and what is being delivered today. We were told that Parliament would take back control, but this Executive, peopled by the same individuals who made those promises, have arguably more contempt for the legislature than any before them. That is summed up by an incredibly depressing piece of legislation, presented a couple of weeks ago, to repeal the Fixed-term Parliaments Act 2011, which attempts to engineer the first ever return of powers from the legislature to the Executive in our history.

However, the contradictions do not end there. A case in point is clause 6 of this Bill on the uprating of fuel duty for aviation gasoline, which, for me, is a microcosm of the whole Brexit process. The whole point of Brexit was to get our sovereignty back—was it not?—so that we could finally write our own laws rather than follow bureaucratic regulations from Brussels, the sort of stifflingly dull directives with boring names such as EU energy tax directive (Council Directive 2003/96/EC). We might have thought that directive was exactly the sort of red tape we would finally cut in Brexit Britain, but the Bill proves that the reality is far removed from the rhetoric, because EU energy tax directive (Council Directive 2003/96/EC), which ensures that across the EU a minimum level of tax is applied on a whole type of aircraft fuel, is in this Bill being applied across the whole of the UK.

The explanatory notes rather patriotically inform us that

“the UK is not bound to comply with the Directive in respect of Great Britain (GB) from 1 January 2021,”

but Great Britain is complying with it anyway. Does that not say a lot about Brexit and the current trade negotiations, where effectively the Government have been toying with the idea of taking maximum tariff pain now in order to allow regulatory divergence that, in all likelihood, is not going to take place?

Turning now to the amendments, I agree with amendments 1 and 2 and new clause 3, tabled in the name of the Leader of the Opposition. Economic assessments have been conspicuously lacking over the past few months, covid notwithstanding: not only the lack of assessments of the impact of any potential deal with the EU, but the refusal of the Secretary of State for International Trade to tell us whether any of the trade deals she has struck will actually leave us any better off than our current trading relationships. The other conspicuous absentee when it comes to the economic impact of all this is the Chancellor. I find it very surprising that he has said very little about the threat of no deal, during a time when the UK finds itself in the midst of its worst economic crisis.

It is entirely right that we carry out proper economic assessments of all that, not least for Northern Ireland. I remember during the election campaign last year the Prime Minister was caught on camera telling Northern Ireland businesses that

“Northern Ireland has got a great deal. You keep free movement, you keep access to the single market”.

In the words of the Foreign Secretary, Northern Ireland has “a cracking deal” because it has access to the EU market. Meanwhile, as we teeter on the edge of no deal, we are told by the Culture Secretary that things “will be choppy”, but that “we can survive”. I am sure those words will be a comfort to many of my constituents.

Finally, I turn to new clause 1 and new clause 2. During the debate on the United Kingdom Internal Market Bill earlier, I spoke about what a disaster the “notwithstanding clauses” in that legislation were for the future of the UK and elsewhere. I will not repeat myself, because exactly the same applies here; all I ask is for the Minister to give a guarantee that, if there is no deal with the EU, international lawbreaking clauses will not be introduced in this or any future business. We cannot afford to let a no-deal scenario be a proxy for further actions that are hugely damaging to our international reputation. For that to be the UK’s first action once it left the EU would be a truly regrettable matter indeed.

Kevin Hollinrake (Thirsk and Malton) (Con): It is a pleasure to be called to speak in this debate. I will speak particularly to new clause 1 and new clause 2 because, as my hon. Friend the Member for Stone (Sir William Cash) said, this is a matter of sovereignty. I am keen to explore where sovereignty ends and international law starts, and that, I think, is right at the heart of those new clauses.

We have made reference several times in these debates to section 38 of the European Union (Withdrawal) Act 2020, which it says that

“the Parliament of the United Kingdom is sovereign.”

If that is the case, and I accept that it is the case in areas of our jurisdiction, is there a need to reiterate it in every piece of legislation, or is it simply a fact that Parliament is sovereign?

My hon. Friend has rightly stated quite clearly that the UK Parliament has a general power to override treaties, but I am keen to understand how that works in the sphere of international treaties, particularly in terms of trade agreements. As I mentioned in my intervention earlier, there was a case between Mexico and the US, settled in 2009, in which a US company, Cargill, took

the Mexican Government to court on the basis that they had breached the general agreement on tariffs and trade regulations of 1994. The Mexican Government had applied some punitive tariffs to soft drinks coming from the US, produced by Cargill and other companies, which effectively blocked access to the Mexican market.

Sir William Cash: Let me respond briefly. This provision is really going to apply only where there is an impugment—an infringement—of sovereignty itself. In this case, the entirety of our leaving the EU, as is well understood by the EU and provided for by article 50, and which we have done lawfully, demonstrates that when the EU and the remainers start prattling on about the idea that somehow or other we should do it on their terms, which is the basis on which the whole thing was constructed when the negotiations began, however many years ago it was—I cannot quite remember, as it seems so long ago—we see that the bottom line is that they have acted in bad faith. That is the problem. If it were not for that—we had reasonable negotiations—we probably would not be having to discuss these matters now. Most recently, we have seen that over the state aid rules, with their saying, “We’re going to punish you if you don’t do what we want.”

4.30 pm

Kevin Hollinrake: I am grateful for my hon. Friend’s intervention. I have great sympathy with his points. The difficulty is that when we are in an international agreement, there is a judgment as to whether these are “acting in bad faith” or “prattling on”, and they are subjective judgments that he makes. All international trade agreements need an independent body to decide who is breaching the agreement. If Parliament is simply sovereign and is able to say, “In our judgment, you are breaking the agreement”, all trade agreements will fall apart. We saw that in the case of the Mexican Government and the breaching of the terms of GATT, where that judgment was made unilaterally. The independent body, which was the arbitration council of the North American free trade agreement, settled the dispute. That is an international body; it is not subject to one national jurisdiction or the other. There has to be someone who adjudicates; we cannot simply have national sovereignty making a judgment on these points. That is why we have these investor-state dispute settlement bodies.

John Redwood: All too often in international trade agreements it does come down to power and sovereignty. President Trump has regularly used national security as a good reason to impose tariffs and override World Trade Organisation rules. The EU, for years, ignored state aid rules to promote Airbus. I can perfectly understand what it was trying to do. It took a long time to catch up with it and in practice the damage, from the WTO point of view, was done.

Kevin Hollinrake: Therein lies the difficulty, does it not? As soon as a nation, however powerful, is allowed to make a subjective judgment, it leads to international chaos. We can have international agreements that people sign and adhere to, with independent resolution. My point is that as soon as we have done that, we have handed over the settlement of the issues and disputes to another body, and we are, in effect sharing some of our sovereignty. We do not have total sovereignty at that point. We have sovereignty to sign the agreement and to

[Kevin Hollinrake]

exit the agreement, but I cannot see how using sovereignty to override an agreement works. I think it would result in chaos.

Sir William Cash: This is about when the issue of the override is to do with sovereignty itself—that is the point. That is why this matter is essential. That is why international law actually recognises it, in article 46. My hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) accepted that, as, indirectly, did Lord Judge, on this Bill. So, for practical purposes, I have quite a lot of support, even from those who originally opposed my proposals.

Kevin Hollinrake: The trouble with new clause 1 is that it says the provisions have effect

“notwithstanding any relevant international or domestic law”.

Subsection 2(g) states that that means “any other legislation”. This Parliament’s decision would affect any other legislation, and so this is an overarching amendment. The key thing is that we would all agree that international agreements and free trade are important, and we need to make sure they are fair on all parties subject to those agreements. We must not forget that this is a two-way street. We want the other signatories to these trade agreements—be it Canada, Japan, the EU or whatever—to adhere to these agreements as well. It is not just about the UK heading into these agreements. We do that partly through the agreement itself, of course, but also through the soft power that the UK holds and the respect that people have for the United Kingdom.

There are some special circumstances regarding the withdrawal agreement, because there were two sides to the coin. Yes, there were the commitments that we made under the withdrawal agreement and the Northern Ireland protocol, but there was also the EU’s commitment to use its best endeavours to deliver an ambitious free trade agreement. As Members on both sides of this Chamber have said, there is no doubt that some of the things that the EU has done over the past few months have indicated that it was not using its best endeavours and that it was acting in bad faith, particularly on things such as requiring exit summary declarations for products manufactured in Northern Ireland and then shipped to the rest of the UK. That is simply unacceptable. As the right hon. Member for Leeds Central (Hilary Benn) said, what on earth would the EU do with these things if we exported them from Northern Ireland to the rest of the UK? Describing all goods that went from Great Britain to Northern Ireland as “at risk” would also be simply unacceptable. I was very pleased that those key issues were resolved last week. It largely went by without notice or recognition from many Opposition Members and some parts of the media.

New clauses 1 and 2 are interesting. I will not be supporting them, but I will be supporting the Bill.

Stephen Flynn (Aberdeen South) (SNP): It is a pleasure to see you in the Chair again, Mr Deputy Speaker.

When I put my name down to speak in this debate, I guess I did so more out of intrigue than expectation, given the shenanigans and the boorach of last week. We all saw what unfolded over the Ways and Means resolutions, the Bill coming 24 hours later and then off to Committee of the whole House, where nothing whatever changed.

A week later, here we are on Report, with, as far as I can see, a very clear likelihood that the Government’s Bill will move forward without a single change, despite the best, valiant efforts of the hon. Member for Stone (Sir William Cash) and his desire to get the Government again to break international law.

In that regard, I must pause and reflect. I find it utterly fascinating that, despite getting what they appear to want, Members of this Parliament who have—from what I have heard—seemingly spent their entire lives working towards the political cause of leaving the European Union still seem thoroughly unhappy. I take a little bit of joy in knowing that they are so bitterly disappointed that even their friends in the Government still refuse to do just what they want. Now, I cannot be the only one who has looked at Twitter, and it appears that there may well be a breakthrough in terms of an EU trade deal. I do not know whether the Minister is sighted on the developments on this occasion, because I do not think he was last week, but I do not think that I am overreaching or overstepping in any way, shape or form to suggest that, although that may be the case, the hon. Member for Stone may still be unhappy.

Sir William Cash: Will the hon. Gentleman give way?

Stephen Flynn: Of course I will let him intervene.

Sir William Cash: I am so glad. I can only say that, actually, sovereignty is not just a theoretical concept; it is a practical necessity. It is on the basis of that that we are able to enter into arrangements internationally that are justified by our own terms of reference. The problem with the EU is that it wants to impose its terms of reference, and it never wanted us even to be able to compete with it as a third country after we had left. But it could not deny that it was lawful, so it resorted to all these other obstructions.

Stephen Flynn: I admire the hon. Gentleman’s repetition, but ultimately, when it comes to sovereignty, there is only one sovereignty that I am interested in: the sovereign will of the people of Scotland. When we look at the European Union in terms of sovereignty and the will of the people of Scotland, our views have been completely ignored. The people in my constituency voted overwhelmingly to remain. Aberdeen city as a whole is projected to be the hardest hit city in the entire UK as a result of Brexit, irrespective of whether we get a deal or not. Although I do not want to encourage the hon. Gentleman any further, I simply cannot understand the premise of his argument—that he is willing to break international law and is talking about sovereignty, while simultaneously rejecting the sovereign will of the people of Scotland.

Sir William Cash: Will the hon. Gentleman take one last intervention?

Stephen Flynn: No, the hon. Gentleman has had plenty of opportunities to intervene and, indeed, speak today, and I think I will be doing everyone a favour if I just continue. I see that the Minister is laughing as well.

On the purpose of the Bill, I would like to reflect on the comments of the shadow Minister, the right hon. Member for Wolverhampton South East (Mr McFadden), because what he said was incredibly important. I apologise if I am misquoting him, but I think he talked about the

Bill hovering as a threat. That is an important point to reflect on, particularly as we look at what was being undertaken last week and the entire process that we have gone through.

I want to conclude, because I am aware that I am close to hawking, and in Scotland, when someone starts doing that, they should probably sit down. As we look forward to what the Bill will do for online sales and the level playing field that it will create on VAT sales, which is important—I see the hon. Member for Thirsk and Malton (Kevin Hollinrake) nodding, and it is worth repeating that we agree on this point—we know that that level playing field should go further, because Northern Ireland will, in effect, have a beneficial agreement compared with anywhere else in the United Kingdom, be that Wales, England or Scotland. The level playing field that the Government are putting in place for online sales should also apply to Scotland to help our ability to access EU markets, and I would encourage the Minister to reflect on that point.

Matt Western (Warwick and Leamington) (Lab): I rise to speak to new clause 3 and amendments 1 and 2. Three years ago, we were given the advice that this deal was going to be the “easiest in human history”. As we have just heard in the past hour or so, it is not quite as easy as some expected, and here we are with just 16 days to go. I appreciate that the Government are trying to manage expectations by talking about no deal, but in the last 30 minutes or so there has been lots of speculation online about whether a deal may have actually been struck.

Yesterday I was listening to someone from an independent freight haulage company based in Nuneaton in north Warwickshire, and they were saying how frustrated they were by the lack of clarity coming from the Government. They were talking about the 300% to 400% increase in paperwork that they were expecting, the mixed messages from the Government, the fact that they had had to invest in new software and the fact that the lorry parks were not ready. I guess this is why the amendments and new clause 3 that my honourable colleagues have tabled, which I support, are so important. Being so close to the end of the transition period, we urgently need clarity for our businesses.

We on the Labour Benches just want to get a deal done, contrary to what is being said by some in the Chamber, because at the end of the day this is all about ensuring that our businesses have a prosperous future—have a future, indeed—and that we protect people’s jobs and livelihoods. That is why no deal would be absolutely desperate for so much of our economy, particularly in the wake of the pandemic. Like my right hon. Friend the Member for Wolverhampton South East (Mr McFadden), I really do not understand why it has taken so long for this Bill to be published. It seems that the Government were holding it back as one of their cards—maybe again threatening to break international law and damaging our reputation—but businesses cannot plan on that basis. They cannot work on a last-minute approach. That might work in negotiations in the political sphere, but it has been damaging for businesses. Rather than having messages such as a “check, change, go”, they have been demanding the substantive advice from the Government which, sadly, businesses across my constituency have not been receiving.

I spoke earlier to the owner of one of those businesses—a retailer and importer—and who said, “This is utter chaos. We desperately need clarity and urgency, so that we can start planning, but at the moment we cannot get hold of the goods that we’re going to be able to sell in the first quarter of next year.” I understand what the right hon. Member for Wokingham (John Redwood) said about UK sovereignty, but the *quid pro quo* is about access to markets and obligations. I liken it to how businesses have to work. If they want to be in the app market and use the Apple platform, they have to pay to be part of that. If they want to be on the Sony PlayStation platform, they have to pay to access that. It is the same with the European market.

4.45 pm

John Redwood: Does the hon. Gentleman not understand that, from 1 January, the EU and the UK are both full members of the World Trade Organisation, which does not allow its members to charge to trade, controls what tariffs can be levied and says to each of its members that they have to offer most favoured nation status to any other member of the WTO? That is how we do our trade with the whole of the rest of the world, which is bigger than our trade with the EU. Why can we not do that for everything?

Matt Western: Our biggest and nearest customer is the EU. It is a critical customer and supplier to so many businesses in the UK, particularly in our manufacturing sector.

Let me briefly turn to the Northern Ireland protocol. We were told that there would be no checks, but as of last week, we have seen the need to implement new checks and controls for goods moving from Great Britain to Northern Ireland and, to a lesser extent, from Northern Ireland to Great Britain. The Government have said rather vaguely that a significant majority of internal UK trade will be tariff-free. I would be interested to know what assessment the Government have made of the precise percentage of GB-Northern Ireland trade that will be, and the volume and value that will be subject to tariffs.

That is why these amendments are important. They are aimed at injecting urgency, with just 16 days until the transition period ends. Businesses want clarity and certainty, and they need it urgently. The intention of new clause 3 and amendments 1 and 2 is simply to demand that the Government make clear when they will propose the secondary legislation flowing from the Bill, to help those businesses. The Food and Drink Federation has said that the guidance is being published too late, and 43% of its members that supply Northern Ireland have said that they will not be able to do so in the first three months of next year. Our amendments are very similar to those proposed and, sadly, voted down in Committee. They are vital to assist our businesses and are business-friendly, as the Opposition are.

I cite the disruption that we are in danger of allowing. We have seen what happened with Honda—one of the most efficient companies on the planet. That should be the canary in the mine. If Honda is not able to get parts from its supply chain here to the UK, what hope is there for small and medium-sized businesses across the UK? Whether they are a clothes retailer or a car manufacturer, they just want clarity and certainty. They want an uninterrupted supply of goods into the first quarter of next year. Given the damage already done by the pandemic,

[Matt Western]

we cannot afford further economic disruption. The Government need to move swiftly. That is why new clause 3 and amendments 1 and 2 are so important, and that is why I am supporting them.

The Financial Secretary to the Treasury (Jesse Norman):

I am grateful to everyone who has contributed to the debate. I will address the proposed amendments and then come to the specific points that have been raised.

New clauses 1 and 2, tabled by my hon. Friend the Member for Stone (Sir William Cash), would, if adopted, mean that the provisions in the Bill would apply notwithstanding any domestic or international law. The House will be aware that on 17 September, the Government set out that Parliament would be asked to support the use of so-called “notwithstanding” provisions in clauses 44, 45 and 47 of the United Kingdom Internal Market Bill and any similar subsequent provisions in a Finance Bill, but only in circumstances where the fundamental purposes of the Northern Ireland protocol would be undermined. Only in those circumstances would Parliament be asked to support the use of so-called “notwithstanding” provisions, as described.

Sir William Cash: We do not really know exactly how the Northern Ireland protocol is going to be interpreted, nor do we actually know its full content, and the Chancellor of the Duchy of Lancaster is declining to appear before my Committee to explain it.

Jesse Norman: What we do know is that the agreement was reached by the Chancellor of the Duchy of Lancaster acting for the Government on a duly legitimately and democratically elected basis in the exercise of our national sovereignty, and that should, I think, be enough for my hon. Friend.

These clauses were previously introduced as reasonable steps to create a safety net so that the Government would always be able to discharge their commitments to the people of Northern Ireland in the event that a negotiated outcome could not be reached in the Joint Committee. Following intensive and constructive work over the past weeks by the UK and the EU, the Government have now reached an agreement in principle on all issues in relation to the protocol on Ireland and Northern Ireland. This is an agreement that discharges the Government’s commitment to the people of Northern Ireland to ensure that there are no tariffs on goods remaining within the UK customs territory.

As part of the agreement, the Government committed to removing the “notwithstanding” provisions in the United Kingdom Internal Market Bill and not to introduce them or any similar provisions in this Bill. As was noted by the Chancellor of the Duchy of Lancaster in his statement to the House last week, in view of the agreement these provisions are no longer required. On that basis, I hope the House can agree that new clauses 1 and 2 are unnecessary.

New clause 3 and amendments 1 and 2 tabled by the Opposition would, if adopted, require the Treasury to publish guidance setting out its proposed approach to any reliefs, repayments and remissions for which the Bill allows provision to be made. The provisions the Bill ensure that the Government have the flexibility they

need to establish the framework for such reliefs, repayments and remissions. Details of any policies along these lines would be announced in due course, and HMRC will publish detailed guidance providing certainty to traders and businesses, as is its normal procedure. For this reason, putting such additional provisions in the Bill is unnecessary, and therefore I urge the House to resist these amendments.

New clause 3 would, if adopted, require the publication of various reports setting out the timeframes in which the customs duty charges contained in clauses 1 and 2 would be implemented as well as the factors taken into account when using these powers. Clauses 1 and 2 allow the Government to establish customs charging provisions to support the practical application of article 5.1 and 5.3 of the protocol and to deal with the movement of goods from Northern Ireland to Great Britain. This is important legislation, which will ensure that the Government are able to implement the Northern Ireland protocol as required in UK law ahead of the end of the transition period. The regulations that set out the detail of the charging regimes will be laid after the Bill receives Royal Assent.

This Bill thus provides the framework, and the detail will be provided alongside the relevant regulations. When introducing regulations, the Government will also provide explanatory material in the usual way.

Let me now turn to some of the questions raised by Members who spoke in the debate. The right hon. Member for Wolverhampton South East (Mr McFadden) encouraged the Government to get a move on; as he will know, the Government have been proceeding extremely rapidly and energetically in this area ever since the issues first arose. He also asked about guidance, and of course he is right in saying that in the normal course of these things guidance will follow the publication of the Bill, but he also ought to be aware that the guidance that will be published follows the Northern Ireland protocol and the Command Paper and that in relation to other matters, which is what I was referring to, the House has seen customs guidance on 7 August, the trader support service launched on 20 September, guidance on VAT and excise on 26 October, and a whole host of other information designed to support traders and others involved in these changes.

The right hon. Gentleman asked what new systems are being put in place, as did my right hon. Friend the Member for Wokingham (John Redwood), so let me respond on that. My right hon. Friend will be aware that, in terms of the agreement for at-risk and not-at-risk goods, there is a requirement for there to be genuine and substantial use for the goods to be classified as at-risk. HMRC expects there to be up to 11 million declarations in relation to trade between Great Britain and Northern Ireland, and the Customs Declaration Service, which has been put in place, has a minimum viable product up and running as we speak.

The hon. Member for Glasgow Central (Alison Thewliss) referred to hokey-cokey clauses, but of course the clauses have never been included. They were themselves a response to a perfectly plain concern, which every Member of the House should feel, that, as matters stood, even a bag of salad would be considered an at-risk good, a consequence of the previous understanding that was patently absurd and been removed by this change.

The hon. Member for Warwick and Leamington (Matt Western) talked about a last-minute approach, but I would remind him that when this point, or this attempted point, was made by the shadow Chief Secretary, the hon. Member for Houghton and Sunderland South (Bridget Phillipson), I asked her if she could recall a single occasion when the EU had ever failed to negotiate except at the very last minute of a negotiation, and she was unable to point to such a case. That is, I think, the principal reason why we are in the position that we are in.

With those remarks, I would urge the House to resist these amendments.

Sir William Cash: We have had an interesting debate and, as far as I am concerned, the Government had originally proposed putting these clauses in the Bill itself. I personally think that they will find, in due course, a necessity to have something that is on exactly the same lines, and the same applies to the UKIM Bill. However, in the circumstances, because I want this Bill to go through, I beg to ask leave to withdraw my new clause. I just simply say: sovereignty is indivisible.

Clause, by leave, withdrawn.

New Clause 3

TREASURY USE OF POWERS

“(1) The Treasury must, within four working days of the day on which this Act is passed, publish a report setting out the timeframe within which it will use the powers to make regulations conferred by—

- (a) section 40A(2) of TCTA 2018;
- (b) section 40B(1) and (2) of TCTA 2018;
- (c) section 30A(4) of TCTA 2018;
- (d) section 30B(1) and (3) of TCTA 2018;
- (e) section 30C(5) of TCTA 2018; and
- (f) section 5(2) of this Act.

(2) The Treasury must publish an annual report setting out how it has made use of the powers referred to in subsection (1).

(3) Each report under subsection (2) must include an assessment of—

- (a) what considerations the Treasury made when deciding to use its powers, and
- (b) the impact of the regulations on individuals and businesses throughout the UK, and specifically in Northern Ireland.”—(*Mr McFadden.*)

Brought up, and read the First time.

Question put, That the clause be read a Second time.

The House divided: Ayes 263, Noes 364.

Division No. 188]

[4.56 pm

AYES

Abbott, rh Ms Diane	Black, Mhairi
Abrahams, Debbie	Blackford, rh Ian
Ali, Rushanara	Blackman, Kirsty
Ali, Tahir	Blake, Olivia
Allin-Khan, Dr Rosena	Blomfield, Paul
Amesbury, Mike	Bonnar, Steven
Anderson, Fleur	Brabin, Tracy
Antoniazzi, Tonia	Bradshaw, rh Mr Ben
Ashworth, Jonathan	Brennan, Kevin
Bardell, Hannah	Brock, Deidre
Barker, Paula	Brown, Alan
Beckett, rh Margaret	Brown, Ms Lyn
Begum, Apsana	Brown, rh Mr Nicholas
Benn, rh Hilary	Bryant, Chris
Betts, Mr Clive	Buck, Ms Karen

Burgon, Richard	Green, Kate
Butler, Dawn	Greenwood, Lilian
Byrne, Ian	Greenwood, Margaret
Byrne, rh Liam	Griffith, Nia
Cadbury, Ruth	Gwynne, Andrew
Callaghan, Amy	Haigh, Louise
Cameron, Dr Lisa	Hamilton, Fabian
Campbell, rh Sir Alan	Hanna, Claire
Carden, Dan	Harvey, Neale
Carmichael, rh Mr Alistair	Hardy, Emma
Chamberlain, Wendy	Harman, rh Ms Harriet
Champion, Sarah	Harris, Carolyn
Chapman, Douglas	Hayes, Helen
Charalambous, Bambos	Healey, rh John
Cherry, Joanna	Hendrick, Sir Mark
Clark, Feryal	Hendry, Drew
Cooper, Daisy	Hill, Mike
Cooper, Rosie	Hillier, Meg
Cooper, rh Yvette	Hobhouse, Wera
Corbyn, rh Jeremy	Hodge, rh Dame Margaret
Cowan, Ronnie	Hodgson, Mrs Sharon
Coyle, Neil	Hollern, Kate
Crawley, Angela	Hopkins, Rachel
Creasy, Stella	Hosie, Stewart
Cruddas, Jon	Howarth, rh Sir George
Cryer, John	Huq, Dr Rupa
Cummins, Judith	Hussain, Imran
Cunningham, Alex	Jardine, Christine
Daby, Janet	Jarvis, Dan
Davey, rh Ed	Johnson, Dame Diana
David, Wayne	Johnson, Kim
Davies, Geraint	Jones, Darren
Davies-Jones, Alex	Jones, Gerald
Day, Martyn	Jones, Ruth
De Cordova, Marsha	Jones, Sarah
Debbonaire, Thangam	Kane, Mike
Dhesi, Mr Tanmanjeet Singh	Keeley, Barbara
Docherty-Hughes, Martin	Kendall, Liz
Dodds, Anneliese	Khan, Afzal
Doogan, Dave	Kinnock, Stephen
Dorans, Allan	Kyle, Peter
Doughty, Stephen	Lake, Ben
Dowd, Peter	Lammy, rh Mr David
Dromey, Jack	Lavery, Ian
Duffield, Rosie	Law, Chris
Eagle, Ms Angela	Lewell-Buck, Mrs Emma
Eagle, Maria	Lewis, Clive
Eastwood, Colum	Linden, David
Edwards, Jonathan	Lloyd, Tony
Efford, Clive	Long Bailey, Rebecca
Elliott, Julie	Lucas, Caroline
Elmore, Chris	Lynch, Holly
Eshalomi, Florence	MacAskill, Kenny
Esterson, Bill	MacNeil, Angus Brendan
Evans, Chris	Madders, Justin
Farron, Tim	Mahmood, Mr Khalid
Farry, Stephen	Mahmood, Shabana
Fellows, Marion	Malhotra, Seema
Ferrier, Margaret	Maskell, Rachael
Fletcher, Colleen	Matheson, Christian
Flynn, Stephen	Mc Nally, John
Fovargue, Yvonne	McCabe, Steve
Foxcroft, Vicky	McCarthy, Kerry
Foy, Mary Kelly	McDonald, Andy
Furniss, Gill	McDonald, Stewart Malcolm
Gardiner, Barry	McDonald, Stuart C.
Gibson, Patricia	McDonnell, rh John
Gill, Preet Kaur	McFadden, rh Mr Pat
Glendon, Mary	McGinn, Conor
Grady, Patrick	McGovern, Alison
Grant, Peter	McKinnell, Catherine
Gray, Neil	McLaughlin, Anne

McMahon, Jim
 McMorris, Anna
 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
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

**Matt Western and
 Jeff Smith**

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve

Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul

Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 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
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinenage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon

Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 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, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 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
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia

Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 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
 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, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 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

Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne

Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:

**David Rutley and
 Michael Tomlinson**

Question accordingly negated.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Third Reading

5.7 pm

Jesse Norman: I beg to move, That the Bill be now read the Third time.

We have had some good debates in the course of the Bill. I thank right hon. and hon. Members for their contributions, but there are two in particular whom I would like to thank. First, the right hon. Member for Wolverhampton South East (Mr McFadden) has truly been the workhorse of the shadow Front Bench throughout the Bill. For a shadow Economic Secretary, as he is supposedly designated—he should of course be much higher—he has done a wonderful job, and I salute him for it. Secondly, I thank my hon. Friend the Member for Stone (Sir William Cash), who is sadly no longer in his place. I think he should be referred to as the ancient mariner of Brexit. As you may recall, Mr Deputy Speaker, Coleridge says:

“It is an ancient Mariner,

And he stoppeth one of three.

‘By thy long grey beard and glittering eye,

Now wherefore stopp’st thou me?’”

Although my hon. Friend does not, tragically, present us with a long grey beard, he has something of a glittering eye where matters of Brexit are concerned. We can only salute the energy and indefatigability with which he has attacked the topic over many years, while perhaps devoutly hoping that this may be the moment at which, at the end of this year, a hiatus or pause may be reached.

In just over two weeks’ time, the transition period will end. The UK and its tax system must be ready to support the smooth continuation of business across this country. In that regard, the Bill is a cornerstone of those preparations. In addition, it will play an important part in helping to implement the Northern Ireland protocol and to safeguard the Belfast/Good Friday agreement. It introduces a framework for charges on goods arriving in Northern Ireland and enables the Government to put in place decisions made by the Joint Committee for goods deemed to be at risk of moving into the EU. It also includes mechanisms to ensure that, in so far as is possible, VAT will be accounted for in the same way as it is today in Northern Ireland.

[Jesse Norman]

Let me once again assure the House that HMRC will remain the tax authority for the whole of the UK, and let me remind Members that businesses will continue to submit only one UK VAT return to account for VAT on all supplies of goods and services. The Bill also amends current legislation for excise duty to be charged when excise goods are removed to Northern Ireland from Great Britain, as required by the protocol. However, that does not mean additional costs for Northern Ireland businesses and consumers, because the Government will be introducing a mechanism to offset any excise duty already paid on those goods in Great Britain.

The Bill introduces a small increase in the rate of duty on aviation gasoline, which will apply across the UK to ensure consistency between Great Britain and Northern Ireland. Finally, the Bill includes a small number of other taxation measures, including measures to ensure the Government retain their ability to prevent insurance premium tax evasion.

John Redwood: I think the Minister needs to be a little more forthcoming. What is the EU's enforcement mechanism if it thinks UK authorities have not fulfilled the remit? What percentage of trade are we expecting to be caught up in this double jurisdiction?

Jesse Norman: As I have already said to my right hon. Friend, without venturing a percentage, the test for at-risk goods is whether there is a "genuine and substantial risk", and therefore those are expected to be a smaller proportion of goods, but trade of course is a flexible and ever-changing thing, so whatever numbers there are may change over time.

My right hon. Friend also asked a question about the EU. I am not going to speculate on what the EU does, but I can assure him that there will be no EU customs, embassy or the like and no joint control over customs in Northern Ireland. HMRC will remain the tax authority for Northern Ireland, as it is for the whole of the UK.

The Bill also includes new powers that will enable HMRC to raise tax charges under the controlled foreign companies legislation for the period 2013 to 2018. Lastly, to help level the playing field for UK businesses, the Bill moves VAT collection on certain imported goods away from the border, and removes VAT relief on low-value consignments to clamp down on VAT abuse and to protect our high streets.

The Bill gives businesses throughout the UK certainty about the arrangements that will apply from 1 January next year. Above all, it helps the Government to safeguard what we all prize and desire, or should all prize and desire: the unity and integrity of the United Kingdom. I commend the Bill to the House.

5.12 pm

Mr McFadden: I do not propose to detain the House for very long. I thank the Minister for the typically courteous way in which he has led these short debates on the Bill. He has outlined the changes that it makes through its various clauses on customs, VAT, insurance liability and so on, and I do not propose to repeat all that.

As I have made clear all along, we do not oppose the passage of this Bill, because we understand that these changes have to be put in place. The Government reached agreement on the Northern Ireland protocol. We want them to stick to and abide by their agreements, just as we want the EU to stick to and abide by its agreements. Many of the changes in the Bill stem from those agreements. I also reiterate my party's strong support for the Good Friday agreement, and for policies and practices that uphold the spirit and letter of the agreement into the future.

We have set out our views on the timing of the Bill and the difficulties that the changes it outlines pose for businesses trying to comply with them. The Minister has said it is always last minute with the EU and that it was always going to be like this. I am not sure I fully agree with that. We are asking a lot of businesses with just a couple of weeks of the year left, in the midst of the pandemic and as we are about to enter the Christmas holiday period. I hope that the Minister and the Exchequer Secretary to the Treasury, the hon. Member for Saffron Walden (Kemi Badenoch), who joined him last week, are correct when they say that everything will be in place by 1 January, but I cannot but reflect at this time of year that perhaps in the minds of many it did not always need to be like this. Perhaps the Prime Minister's Christmas wish—all he wanted—was for the German car manufacturers to come riding over the hill and influence the negotiations. I hope that Santa visits all good boys and girls over the Christmas period, but I do not think that that particular Christmas wish of the Prime Minister and many of his colleagues is going to come true. This week, just as last week, one gets the impression that the action is elsewhere. I do not know whether an agreement will be reached in the next couple of days. There has been some rumour and social media chatter over the past hour or so that we are heading in that direction. Time will tell and wisdom would counsel us and wait to see what happens before making any predictions.

These measures in the Bill are largely a result of the commitments that the Government have made. I hope they are not too burdensome on businesses, because at the end of all this—both the Brexit process and the covid period, which we hope to see come to an end through the use of the vaccine—we will have to gather around a process of business getting back to what it does: trading, serving its customers, providing goods and services, and helping economic growth to come back to the country. There may be competing visions as to how best that should happen in the future, and what a blessed debate that would be in our politics, rather than some of the issues that have coloured it over recent years.

I thank you, Mr Deputy Speaker, and all the Members who have contributed to debates on this Bill.

5.16 pm

Alison Thewliss: I also wish to thank the Minister and the Opposition Front-Bench spokesperson, the right hon. Member for Wolverhampton South East (Mr McFadden), for the way in which this debate has been conducted, as well as the hon. Member for Stone (Sir William Cash) for his contributions, which were typically detailed. There is one point of detail that I was quite surprised that he missed. I have been saving this up until the end, just in the hope that he might pick up on it. He has waxed lyrical about sovereignty, as he does in every

single debate I think he has ever spoken in, but I am quite surprised that he allowed to fly the EU setting the level of taxation on aviation gasoline. The reason that I am quite surprised about that, in the most ludicrous of ludicrous Brexit-based patriotic ironies, is that avgas is the fuel used not just in private and leisure aircraft, as the Minister set out, but in Spitfires, Hurricanes and other similar planes. There is some mad irony in the UK Government handing over to the EU the power to set the taxation on those vintage planes that bear so much patriotism among so many people.

I suppose it is typical of the Government's approach to all of this that there is so much detail in the Bill that we cannot possibly see—

Jesse Norman: Will the hon. Lady give way?

Alison Thewliss: Of course.

Jesse Norman: Will the hon. Lady tell us how much extra cost filling a Spitfire with fuel will incur under this extra avgas taxation?

Alison Thewliss: I think the Minister knows well that the point is the principle of the EU continuing to set the fuel duty rate, rather than the cost of it. Conservative Members know well about all these principles—they are principles of patriotism that they hold dear. The Minister has allowed this to slide in and he has done very well not to alert their suspicions on it.

Jesse Norman: I think we can all have a patriotism that is rich and bold enough to incur an extra £10 on a 450-litre tank of avgas.

Alison Thewliss: I thank the Minister for that detail. If he could tell me the further details on the questions that I have not yet had answered from the previous day's debate, that would be welcome. I can go through the questions that he has not yet answered and he can answer all those, if he has that particular detail to hand. I thank him for that and look forward to those appearing in my letterbox details at some stage.

Other letters that have not yet appeared are those from Baroness Davidson and the former Secretary of State for Scotland, who both threatened to resign if Northern Ireland got any special treatment in these negotiations, yet that is exactly what we have as a result of this legislation. As the Chancellor of the Duchy of Lancaster said, it gets the “best of both worlds” in this deal—it gets to be in the EU and part of this Union—and Scotland is not getting any of that. Scotland is getting thoroughly ripped off as a result of the deal.

The Minister talked about strengthening the Union, but the Union is slipping away from the Government's grasp. With every action that they take in this legislation, Scotland sees further and further how we are being undermined and left behind by this Government. They do not give much of a toss about Scotland—they are pushing their own Brexit agenda, and the rest of us can put up with it.

The Minister mentioned the additional paperwork that is coming. Northern Ireland in particular is being wound up in a giant Christmas ball of red tape as a result of the legislation. He talked about 11 million extra declarations and paperwork. That is more than 265 additional bits of form-filling that will happen after Brexit. The Government used to talk about getting rid

of all the red tape, but in fact they are increasing it. They used to talk about taking powers back from the bureaucrats in Brussels, whereas in fact they are giving them back to bureaucrats in Whitehall, out of sight of this House.

We still do not know whether the transition period is ending, and with 16 days to go we still do not know what we are going to transition to. This Government have made an absolute mess of the four and a half years that they have had. We have absolutely no confidence in the direction that they are going and, with 16 polls in Scotland now showing support for independence consistently over the past months, we can see exactly where Scotland is going. It should be going there as soon as possible.

5.21 pm

John Redwood: I have declared my business interests in the Register of Members' Financial Interests.

The Bill is a great missed opportunity. It should have been the Bill in which we started to cut and reorganise the taxes, celebrating our new freedoms as we leave the European Union. There is so much good we could do by remodelling and reducing the incidence of VAT, for example, or by having excise duties and tariffs that make sense for British business and for British importers, because we need to balance the two. Instead, we have a rather technical Bill.

I think it is a pity that the House has not been given a detailed account of what the Chancellor of the Duchy of Lancaster has agreed so far, and a detailed account of what still remains to be agreed, because I believe that there were outstanding issues. On behalf of Northern Ireland within the United Kingdom, we need to know the extent of this possible dual jurisdiction and how it actually works.

The Minister has kindly assured me on more than one occasion that the VAT regime in Northern Ireland will be the UK VAT regime and will be enforced by normal UK enforcement. That is very good, but cannot be the whole story, because we know that there is this overlapping jurisdiction for certain types of goods. We are still not privy to how big an issue that is. I presume it is a small proportion of trade, but we have not been given any indication of that, and we have not been told—perhaps the Joint Committee has not yet agreed it, or does not want to share it with us yet—exactly how this might work. It is a pity that we do not have more of that detail.

I am also concerned that we should not get drawn into the state aid issue, which is clearly part of the wider discussion between our Ministers and negotiators and those in the European Union. We know that the European Union takes a very wide definition of state aids. State aids definitely include all taxation, which is the subject of this piece of legislation, and grants, subsidies, the competition framework and general industrial policy. It is very wide-ranging, and there is no way we can say we have Brexit if the EU will have powers over our state aid policies, because that would be tentacles stretching into this Bill and the powers of the Treasury, Customs and Excise, and the Business Department and its competition and industrial policies, as well as into energy and practically every other major area one can imagine. I therefore hope my right hon. Friends and the UK negotiators are firm on that in their discussions.

[John Redwood]

We must have control of taxation and state aids as a fundamental part of our Brexit departure. We would have taken more confidence from the Government if they had used this Bill to show just how much better a UK-based taxation policy could be. We need a taxation policy that promotes more fishing and farming at home, promotes more industry and manufacturing at home, and promotes that green revolution they want by stripping the VAT off the green products that the EU has imposed on them—a policy that allows small businesses to flourish and does not overburden them with compliance and red tape. That is what we wanted from Brexit, and the sooner Ministers bring it forward, the better.

5.25 pm

Wendy Chamberlain (North East Fife) (LD): I echo the thanks of the Minister and the Labour and SNP Front-Bench spokespeople, the right hon. Member for Wolverhampton South East (Mr McFadden) and the hon. Member for Glasgow Central (Alison Thewliss), as well as thanking the hon. Member for Stone (Sir William Cash) and, indeed, my right hon. Friend the Member for Orkney and Shetland (Mr Carmichael), who covered the earlier stages of the Bill on behalf of my party.

I became an MP a year ago and Whip for my party in September. Despite the covid challenges, the Leader of the House was giving Members two weeks' notice of business up until two weeks ago. This Bill was tabled less than two weeks ago. Now, we find ourselves in a situation where the business for tomorrow was announced today, and where Bills are being given very little time for legislative scrutiny before they are considered by the House. This does not feel like a sovereign Parliament to me.

Despite covid, the Government have had a lot of time to bring forward the necessary legislation ahead of the transition period, whether there is a deal or not. If they felt that the challenge of covid this year was too great, they could have averted the current covid-Brexit collision by extending the transition period. I would ask when the Government realised that the measures in this Bill and, indeed, this week's Trade (Disclosure of Information) Bill were needed. I worry about what potential measures the Government may have failed to legislate for, and the extent to which we are prepared for the end of the transition period, deal or no deal.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

ARMS AND AMMUNITION

That the draft Antique Firearms Regulations 2020, which were laid before this House on 25 November, be approved.—(*Maggie Throup.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

INSOLVENCY

That the Corporate Insolvency and Governance Act 2020 (Coronavirus) (Suspension of Liability for Wrongful Trading and Extension of the Relevant Period) Regulations 2020 (S.I., 2020, No. 1349), dated 24 November 2020, a copy of which was laid before this House on 25 November, be approved.—(*Maggie Throup.*)

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That notices of Amendments, new Clauses and new Schedules to be moved in Committee in respect of the Trade (Disclosure of Information) Bill may be accepted by the Clerks at the Table before it has been read a second time.—(*Maggie Throup.*)

Mr Deputy Speaker (Mr Nigel Evans): As the House has just agreed to the motion, amendments, new clauses and new schedules to be moved in Committee of the whole House may now be tabled. Hon. Members should table through the Public Bill Office inbox: PBOHoC@parliament.uk. They should not attempt to hand in amendments, new clauses or new schedules at the Table in the Chamber.

PETITION

Inquiry into Government Covid-19 Contracts

5.28 pm

Patrick Grady (Glasgow North) (SNP): It was one of my honourable colleagues who coined the term “cronyvirus” to describe this Government's approach to the awarding of contracts in response to the coronavirus pandemic. Many of my constituents, like others all around the country, are outraged by the way the Government have doled out public funds to their friends and cronies.

The petition states:

The petition of residents of the constituency of Glasgow North,

Declares that contracts awarded by the UK Government during the COVID-19 pandemic have avoided proper scrutiny which has resulted in billions of pounds of taxpayer money being handed to companies without due process or competition; further that many contracts have been awarded to companies with no direct experience in providing the contracted services, such as the manufacturing of Personal Protective Equipment; further that this has given rise to concerns around potential conflicts of interest as contracts worth £1.5 billion have been awarded to individuals and companies with links to the Conservative Party; and notes that an investigation by the National Audit Office into UK Government procurement during the COVID-19 pandemic has found a lack of transparency and inadequate documentation on why suppliers were chosen and how the UK Government identified and managed potential conflicts of interest.

The petitioners therefore request that the House of Commons urges the Government to commit to an immediate public inquiry into all Government contracts awarded under emergency COVID-19 powers since March.

And the petitioners remain, etc.

[P002640]

National Trust: 125th Anniversary

Motion made, and Question proposed, That this House do now adjourn.—(Maggie Throup.)

5.29 pm

Derek Thomas (St Ives) (Con): I thank Mr Speaker for allowing me to introduce this debate on the National Trust in the year of its 125th anniversary, which is obviously coming to an end.

The National Trust is a fantastic British institution and an important part of our offer to international tourists. In many ways, it sets the benchmark for the high standard of our heritage and natural environment. Personally, I have a positive history with the National Trust, having served much of my apprenticeship as a Cornish mason on National Trust sites. It is that relationship, and the fact that I care about the National Trust, that brings me to the House this evening, along with the concern of many of my constituents.

I stand here to celebrate 125 years of the National Trust and to petition the Government and the National Trust itself to act to ensure that it does not lose sight of its core principles and charitable aims. It was this House that gave the National Trust its purpose:

“The National Trust shall be established for the purpose of promoting the permanent preservation for the benefit of the nation of lands and tenements (including buildings) of beauty or historic interest and as regards lands for the preservation (so far as is practicable) of their natural aspect, features and animal and plant life.”

I recognise that responsibility for the National Trust, in all its functions and as it discharges its duties, will span several Government Departments, but I am glad to see a Minister from the Department for Digital, Culture, Media and Sport present to respond to this debate.

It is time for the Government and/or the Charity Commission to review whether the National Trust is behaving in a way that is consistent with its purpose. I say that because I see increasing evidence of its appearing to reach far beyond what people believe to be its purpose and function, acting at times as a completely unaccountable body that can make impositions on lives and livelihoods without any right to reply or recourse, having no concern for how long it takes to engage, even when individuals and businesses seek proactively to engage and appease National Trust staff.

It is right, Madam Deputy Speaker, that I inform you at this stage that I have written to the Charity Commission to set out my concerns and those of many of my constituents. There is reason to be concerned, and I hope to set out this evening a few examples of why concerns exist.

Constituents in west Cornwall raise examples such as the trust proposing that landowners carry out activity, including the erection of buildings, on land that neither it nor the owner actually owns; house sales either falling through or prices being dramatically reduced because of obstructive interventions and/or delays by the National Trust; constituents waiting two and a half years for the National Trust to finalise a covenant; businesses being charged levies in return for National Trust consent to developments on privately owned land; and the trust appearing to favour the promotion of holiday accommodation over the maintenance of small but important farms along the Cornish coast; blocking efforts to install renewable energy solar panels on privately

owned agriculture buildings; having a disregard for local sensitivities, listed building regulations and basic planning processes; embellishing covenants, leaving owners stating to me that their grandparents, who agreed to covenants in good faith, would be turning in their graves; and refusing to take responsibility for assets that are unsafe for the general public.

Only this weekend, I was asked:

“Please could you ask the National Trust if it is still their policy to support small family farms? Or given their current financial crisis will they opt for the short term financial gain of holiday accommodation over the long term benefit of local employment and better husbandry of the land?”

This is particularly important for your constituency where several National Trust tenant farmers have recently given notice to quit, leaving an opportunity for new, younger entrants into farming—an opportunity that the NT appears not to be taking.”

Should that be the case, it is completely contrary to the good work that the Government are doing through the Agriculture Act 2020 to support the introduction of fresh blood into farming and support the transition to younger generations.

Wera Hobhouse (Bath) (LD): Is it not time, however, on the 125th anniversary, to congratulate the National Trust on all the wonderful work that it has done—branching out to protect land and our natural environment as well—and to understand that the National Trust, along with the Government and all of us, is facing very difficult choices and challenges?

Derek Thomas: I welcome that intervention, and that is exactly my point—the National Trust is such an important institution, is so celebrated and important to the British way of life, our care and protection of the natural environment, that if we allow some of these things to continue, that good work could be lost—lost in translation, if not lost to the awareness of the public. Yes, this is a difficult time, but I have been an MP for just over five years and many of these issues were there long before I became an MP. I have worked hard, but have failed to address some of those very difficult issues with the National Trust. This is not—I am very clear with the National Trust when it gives me a similar response—about the additional pressures that covid has inflicted on the trust.

Ian Paisley (North Antrim) (DUP): I should declare that I am a member of the National Trust and have been for many years, but I have a very robust relationship with it in my constituency, because I think it is important for some of the issues that the hon. Member is bringing into the Chamber tonight to be debated transparently and openly. Nevertheless, I hope that we can get back to a time when my constituency had a million visitors a year coming to the world heritage site that the National Trust manages. We have seen the benefit of that tourism to my constituency, and to the local farmers and local businesses in the village of Bushmills.

Derek Thomas: I want to make it clear that the work that the National Trust has done around west Cornwall and the Isles of Scilly—Cornwall in particular—is hugely important and valued.

In April 2020 I set up, with a councillor from Cornwall Council, a tourism recovery group, and the National Trust took part as a representative of many different

[Derek Thomas]

organisations, all charged with trying to find a safe way to open up tourist attractions for people to return, as they did on 4 July. This is about identifying some of the concerns that constituents have, in order to address them, so that we can return to the core values and be reminded of the fantastic work that the National Trust can deliver through a huge army of fantastic volunteers across the United Kingdom. However, it is of great concern if the National Trust's approach to increasing yield is to make as much money as it can, rather than to protect and enhance small farms and support the fresh blood introduced into the sector.

A constituent whom I have been in correspondence with for some time writes:

"We wanted to put solar panels on an agricultural shed on the farm as a way of reducing costs and our carbon footprint. The National Trust objected and prevented us from doing this.

The National Trust threatened me with legal action after we placed a temporary or moveable hut in a field for the summer months to sell ice cream from our own dairy cows, which we make on the farm. It is normal farming practice for a farmer to sell his produce in whichever way he deems the most profitable. To contradict themselves, the National Trust have ice cream vendors selling ice cream at multiple...sites all around the country, many of them rural beauty spots.

The National Trust reinvent the interpretation of the covenant as it suits them, as our family have found out on many occasions. In short, if it was okay to remove a rock or plough a field when the covenant was granted then it still is now, as the covenant's wording has not changed, nor will it."

She continues:

"This giant and powerful organisation is making uninformed, inaccurate and hugely detrimental decisions that are inconsistent.

Their interpretation is preventing small family farms from farming and could cause many of us to go out of business, as many farmers do not have the spare capital to litigate against such a huge organisation."

Madam Deputy Speaker, if you wish to alter or extend your property, the local planning authority operates under strict rules and guidelines, the process is time-limited and the applicant has the opportunity to challenge the decision. If you happen to have a National Trust covenant on your property, sadly, the same transparency and accountability does not apply. The National Trust can determine whether the same improvements take place, with no clearly published process or procedure. There is no requirement for the trust to give reasons for its decision; it can take as long as it wants and there is no appeals process. For example, it has taken Cape Cornwall Club, a privately owned hospitality business that leases its 70-acre golf course from the National Trust, 18 months to gain consent to pre-planning proposals to carry out much-needed improvements to the hospitality business—months and months waiting for responses to emails from architects, some of which were obtained only because my office intervened.

Now the club has got past that hurdle, the National Trust demands a new levy based on the improved value of the asset. No previous levy ever existed and no details can be found in the covenant. The owner wrote to me saying:

"The National Trust are trying to impose an undisclosed levy on any increase in the value of our freehold value once we have formal permission to complete the work and they also want us to pay for the surveyors' valuation."

In return, the National Trust said that

"as a condition of giving our consent, we require a monetary payment where our consent, substantially increases the open market value of the covenanted land. This increase is called 'uplift'."

The trust stated that because its consent

"would add value to the property which you will benefit from when it is sold, in these circumstances it is only equitable that the Trust also benefits from this uplift having given permission for them".

I really am not sure that that is appropriate or just, and I hope the Minister can look at that issue in particular. I would assume that it is for the Government to apply taxes, not the National Trust.

Furthermore, other businesses have found the trust to be similarly unhelpful, despite the significant challenges, to which we have just referred, that businesses have faced this year. For example, the National Trust insisted on charging the full rent to a hospitality business during lockdown and refused to negotiate any reduction whatsoever or even to negotiate a payment plan. The business was closed and had to return fees and charges that it had collected. The National Trust's cold response in October this year was:

"As the restrictions were imposed by the Government, it is not for the National Trust as a landlord to be expected to credit valid rent/lease charges."

The National Trust is not even prepared to discuss payment plan proposals. Instead, it has issued a final demand and intends to take legal action.

One of the earliest and most troubling examples of the National Trust's approach to discharging its duties, which takes me right back to soon after I first became an MP, was the case of Levant mine. Anyone who has the opportunity should go and see it, it is an amazing, historical, vitally important former tin mine, right at the far western end of my constituency. The National Trust's approach in the case of Levant mine was to run roughshod over planning laws, local concerns and sensitivities in order to maximise income for the trust and in the name of health and safety.

As someone who had learned some important skills about preservation and heritage while working on National Trust sites as an apprentice, I could see on visiting the site that the work carried out at Levant fell well short of anything that would previously have been accepted. The sad twist of this particular episode is that Levant mine saw the loss of 31 miners last century and many people, including descendants of those lost, hold a special place for it in their hearts. The National Trust's approach to Levant mine resulted in many excellent, experienced local volunteers packing it in. Thankfully, much of the work has been rectified, but only after significant local objection, local expertise, which I was very grateful for, enforcement by Cornwall Council and intervention, including by my office.

The trust's completely avoidable misdemeanours included installing unsightly signage and infrastructure on land that forms part of one of our most important areas of outstanding natural beauty. It sought to impose parking charges on land that does not belong to the trust. It intended to expand the car park in a way that was completely inappropriate, given its location in an AONB. It failed to secure building consent. It parked a coffee van adjacent to the place where the families go to remember the miners who died, and it erected poorly designed

safety grilles and barriers of dubious build quality. Even today, I hear concerns about the lack of basic maintenance on this hugely important site.

During my brief time as a MP, I have found that the case load of National Trust-related issues is disproportionate in relation to the many other issues that an MP's office encounters. I accept that the National Trust has important responsibilities for huge parts of Cornwall, and it does an important job for us. I have many more examples that I could give, but I will just mention one: Porthleven slipway. The beach is another beautiful place to visit if you are in the area, and it is owned by the National Trust. The only access to the beach is via a slipway that Land Registry records show the National Trust is responsible for. The National Trust does not accept that, and despite advice to rectify Land Registry records, it has decided not to. The slipway is dangerous and unmaintained. To me and many others, this is an abdication of duty by the trust.

As I say, there are plenty of examples, but instead I will turn to the Minister with four clear asks. Important comments have been made in the debate about the value of the National Trust, its service to our beautiful country, and the opportunity it provides to attract visitors from overseas and to protect our beautiful natural environment. Given that, will the Minister look at the need to review whether the National Trust is acting in keeping and truly in line with its core principles and charitable aims? Will he consider the need for an ombudsman or similar pathway for people who believe that they have been treated wrongly or poorly by the National Trust to be heard and for the National Trust to be held to account? Will he investigate the practice of the National Trust in imposing charges and levies on landowners and businesses? Will he look at the need for an independent body or mediator to approve any proposed changes to existing covenants by the National Trust? Currently, landowners have no course of action other than to go through a legal route, and the cost of litigation is far too high, so they buckle under the pressure.

I am a fan of the National Trust. I learned important skills—ones that I may well need to fall back on at some stage in my life—from working on National Trust sites. I have huge admiration for the army of National Trust volunteers, who do incredible work across west Cornwall and around the country. I have enjoyed a good relationship with most of the National Trust—possibly not after this evening. I do not believe that the trust is rotten to the core, but there is certainly rot within the organisation. There is a need to review how it operates, to ensure that it can deliver on its primary purpose and charitable aims and continue to provide all the value added that it does for our country.

5.47 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Nigel Huddleston): I congratulate my hon. Friend the Member for St Ives (Derek Thomas) on securing this Adjournment debate and on highlighting issues that touch on his constituency and the wider powers of the National Trust. The trust is celebrating its 125th anniversary, and he is right to note its achievements, as have others, including the hon. Member for Bath (Wera Hobhouse). Having visited my hon. Friend's constituency earlier in the year, I know that his part of

the world is indeed blessed with beautiful landscapes, fantastic scenery and an amazing coastline. It has more than its fair share of heritage sites, including a world heritage site, so I recognise his interest in the overall heritage agenda and the National Trust in particular.

Before turning to the specific matters raised by my hon. Friend, I would like to join him in acknowledging the tremendous work that the National Trust has done over the last 125 years. When it focuses on its core function, which is managing the collection of historic houses, gardens and landscapes for the pleasure and benefit of the public, the work of the National Trust is often unsurpassed, and brings enjoyment to millions of visitors and members. I include myself in that number, as I am a proud National Trust member, and I have spent many weekends visiting attractions in and around my constituency and the country in my capacity as heritage Minister.

Wera Hobhouse: Will the Minister include in his praise the fact that the National Trust is setting itself a progressive agenda, telling a history that might not always be as traditional as some traditionalists would like and a story that is more inclusive and includes Black Lives Matter, as is the case in the excellent exhibition in Dyrham Park?

Nigel Huddleston: Indeed; the National Trust, like many heritage institutions, has a responsibility to explain, but also not to lecture. That is a difficult balance that some organisations are facing at this moment.

Sir John Hayes (South Holland and The Deepings) (Con): On that point, has not the National Trust become preoccupied by the political polemic and flirted with a number of ideological causes that are far from its core mission of preserving and promoting Britain's heritage through the houses and land of which it is the custodian?

Sir Peter Bottomley (Worthing West) (Con) *rose*—

Madam Deputy Speaker (Dame Eleanor Laing): Order. The hon. Gentleman has been here longer than anybody else. He knows that the Minister has to finish responding to the first intervention before he can take a second.

Nigel Huddleston: It is nice to see even the Father of the House making procedural errors; it gives us all a bit of confidence.

As my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes) knows, we had a debate about this issue in Westminster Hall not so long ago. I think it would be unfair to characterise the National Trust as being preoccupied by some of the matters that he mentioned. The trust knows that some of the issues that it has talked about are a matter of public debate, and it is very important that it listens to its members, to Members of Parliament and to our constituents' concerns. When the National Trust focuses on its core role, it does an excellent job, but it is sensitive and aware that it has—unintentionally, perhaps—caused offence to Members and our constituents with some of the comments that it has made recently.

Sir Peter Bottomley: Madam Deputy Speaker, I am grateful; I was only trying to help the Minister as he replied to our right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes). May I put

[Sir Peter Bottomley]

on record that I completely disagree with our right hon. Friend over what the National Trust has done with regard to Black Lives Matter issues and slavery? I congratulate the trust on having an interactive exhibition some years ago showing what it was doing, long before it became fashionable to look to see what the past included. It would be kind to the National Trust for us to recognise that there is a variety of views on the Conservative Benches, and I will speak up for that. I also suggest that the National Trust writes openly to those who have contributed to this debate with its answers to each of the points made by my hon. Friend the Member for St Ives (Derek Thomas), because I am sure that it can deal with them in a way which will make everyone happier.

Nigel Huddleston: The Father of the House is right to say that there is a diversity of opinions on this issue and others. As I said, I have had many conversations with the National Trust. Where it has caused offence—and it recognises that it has caused offence and upset—I genuinely believe that that has been unintentional. It focuses very much on its core role. On my hon. Friend's other comments about responding to our hon. Friend the Member for St Ives, that will indeed be one of the requests later in my speech.

Ian Paisley: I hope the Minister will recognise that the National Trust has actually appointed someone to address the issue of “woke” within the organisation, and that is clearly a recognition within the trust that it has not got the balance right. As has been suggested by the hon. Member for St Ives (Derek Thomas), a lot of work needs to be done, but we congratulate it on the steps that it is taking and look forward to working with it, hand in hand. I am looking forward to seeing how the Minister responds to the calls tonight for an ombudsman-type service to deal with some of these issues, so that we can ensure that the National Trust is the nation's trust.

Nigel Huddleston: The hon. Gentleman is right to point out that the National Trust endeavours to work with all stakeholders, who hold a variety of opinions, as we do in balancing the opinions of our constituents. I appreciate the comments that he made earlier praising the National Trust, as well as, quite fairly and reasonably, expressing concerns about its practices.

Jim Shannon (Strangford) (DUP) *rose—*

Madam Deputy Speaker (Dame Eleanor Laing): Order. I have to point out to the hon. Gentleman that I have allowed a lot of interventions. The Father of the House arrived one minute late for the debate, so I have given him the benefit of the doubt. The hon. Member for North Antrim (Ian Paisley) was here at the beginning of the debate. The right hon. Member for South Holland and The Deepings (Sir John Hayes) arrived a minute and a half late. The hon. Gentleman came in 10 minutes after the beginning of the debate, so I do not think he should be intervening, unless it is to raise an issue that is really serious for his constituency. I think he should do the decent thing and not intervene, when he came in 10 minutes after the beginning.

Nigel Huddleston: I would be happy to engage with the hon. Member for Strangford (Jim Shannon) after the debate.

My hon. Friend the Member for St Ives set out his concerns about how the National Trust is run, so it might be helpful if I speak about its governance arrangements before coming on to some of the specific concerns he raised. The National Trust's vision is to protect and care for places so that people and nature can thrive. To deliver this ambition, it is governed by a board of independent trustees chaired since 2014 by Tim Parker. The chair is supported by a team of trustees who bring expertise to the running of the trust, and who are collectively responsible for everything that happens and for ensuring that the trust meets its statutory purpose. The trust is also a registered charity, regulated therefore by the Charity Commission, so the board has to ensure that its activities do not contravene its charitable purpose. The role of the Charity Commission is to ensure that charities further their charitable purposes for the public benefit, comply with their legal responsibilities and duties, and ensure that there is no misconduct or mismanagement.

Charities are independent entities, and provided that they act within the law and the terms of their governing documents, charity trustees have broad discretion to further the charity's purpose in a way that they consider most appropriate. If they do so, the Charity Commission has no reason to intervene. When charities are making decisions that impact on local communities, they must, as a matter of good practice, engage with those communities and listen to their concerns and the strength of local feeling to ensure that they are properly informed before making their decisions. That area is, as we have heard, potentially an area of weakness for the trust, and it must consider the comments made today.

I set out these governance arrangements to emphasise the point that the National Trust is an independent body. It is independent of the Government. It does not receive any ongoing public funding for its work, and its activities are overseen by the board and the Charity Commission as regulator. This means that while I can debate with my hon. Friend where the trust can do better, I cannot direct or order such change. He suggests that an ombudsman might be better placed to oversee the trust. Ultimately, that is not for me to decide, but I can say that the issues he raises have been brought to the attention of the Charity Commission, which is considering them carefully. It will need to determine whether the trustees have acted in line with their legal duties and responsibilities. He will know that the Charity Commission itself is answerable to Parliament and can be called on to give evidence on its work before, for example, the Digital, Culture, Media and Sport Committee.

Let me deal with some of the specific issues raised by my hon. Friend. He expressed concerns about mismanagement, poor decision making and a lack of responsiveness by the National Trust in Cornwall, including its oversight of the world heritage site known as the Tin Coast, which includes the historic Levant mine. He says that some of his constituents have waited for as long as two and a half years for a decision on an issue. That is very troubling given the custodian role of the National Trust—the role it plays in many of our communities up and down the country. The trust owns significant amounts of land and properties in and around his constituency, and trying to find an appropriate balance of the needs of local residents, businesses, the economy and the maintenance of the historic environment can be fraught

with difficulty. However, I agree that a good balance must be struck between those competing pressures, and that this balance must be established in conjunction with the local community.

My hon. Friend spoke about covenants, or conservation covenants as they are often known, and asked whether there could be an independent regulator to mediate disputes over these. Covenants have a long-standing history over hundreds of years of English common law, and it will be no surprise to him if I suggest that wholesale reform, if it is indeed needed, is perhaps a debate for another day. But in general terms, when a landowner wants to make changes on their land—for example, to construct a new building or to change the purpose of their land—they may need to ask for consent from the covenant holder. Obtaining this consent is separate from any planning, listed building or scheduled ancient monument consent that may also be required. The National Trust holds an astounding 1,760 covenants across 36,000 hectares of land, and many of these arose as a result of approaches by landowners offering covenants so that should their family dispose of the property at any time in the future, they would have the comfort of knowing that the trust would be able to protect certain aspects of the land or property in question that they held dear. They therefore play an important role in aiding the trust in its duties to conserve.

However, as my hon. Friend set out, covenants also give the trust a high degree of control over changes on covenanted land, and it is sometimes the case that the wishes of the occupants conflict with how the trust views its responsibility of conservation, as covenant holder. With this control and authority over land come different responsibilities, additional to conservation, such as listening to different views, understanding local concerns and explaining the decisions the trust makes, especially when these are complex and difficult.

It would not be appropriate for me to adjudicate or judge the merits of the case that my hon. Friend has described. The Charity Commission is the most appropriate and expert body in this regard, and I do not want to

pre-empt any decision it has yet to arrive at. However, allegations that the National Trust is not explaining its decisions or taking into account a wide spread of views are, unfortunately, familiar things that will resonate with many Members of this House—we have heard that this evening—as will the concern that correspondence is sent but replies are not always forthcoming, or, at least, not in a timely manner.

This way of working does not build the confidence of Members, who are rightly trying to represent their constituents, as is my hon. Friend. The trust must understand that, given the power it holds, it has a significant responsibility to work with local communities while conserving the land it is entrusted with. I assure him that I will raise that responsibility directly with the director general of the National Trust. But in the interest of balance, I should also point out, as have other Members, that I hear of circumstances and occasions where the National Trust has very positive experiences with Members.

I know that the National Trust executive team will be alarmed and concerned to hear that they are not seen to be as responsive as they could be to some MPs and their constituents. But it is important to remember, on its 125th anniversary, that, overall, the National Trust is a conservation and heritage success story that we can all be proud of. In 125 years, it has grown from being a project pioneered by three visionaries who owned one building in Suffolk to being the largest member-based heritage organisation in Europe. We should celebrate that success, without ignoring areas in which the trust needs to do better. It has the responsibility to listen and to explain its decisions to its tenants and neighbours. My hon. Friend has made his arguments powerfully and I am sure the trust will be paying close attention. I, too, look forward to hearing its response to his concerns.

Question put and agreed to.

6.2 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
Jonathan Ashworth (Leicester South) (Lab)	Chris Elmore
Sarah Atherton (Wrexham) (Con)	Stuart Andrew
Victoria Atkins (Louth and Horncastle) (Con)	Stuart Andrew
Gareth Bacon (Orpington) (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

Member eligible for proxy vote	Nominated proxy
Crispin Blunt (Reigate) (Con)	Stuart Andrew
Mr Peter Bone (Wellingborough) (Con)	Stuart Andrew
Steven Bonnar (Coatbridge, Chryston and Bellshill) (SNP)	Patrick Grady
Andrew Bowie (West Aberdeenshire and Kincardine) (Con)	Stuart Andrew
Tracy Brabin (Batley and Spen) (Lab/Co-op)	Chris Elmore
Ben Bradley (Mansfield) (Con)	Stuart Andrew
Karen Bradley (Staffordshire Moorlands) (Con)	Stuart Andrew
Ben Bradshaw (Exeter) (Lab)	Chris Elmore
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
Steve Brine (Winchester) (Con)	Mr William Wragg
Paul Bristow (Peterborough) (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
Mr Nicholas Brown (Newcastle upon Tyne East) (Lab)	Chris Elmore
Anthony Browne (South Cambridgeshire) (Con)	Stuart Andrew
Ms Karen Buck (Westminster North) (Lab)	Chris Elmore
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
Rob Butler (Aylesbury) (Con)	Stuart Andrew
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
Mr Alistair Carmichael (Orkney and Shetland) (LD)	Wendy Chamberlain
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

Member eligible for proxy vote	Nominated proxy
Sarah Champion (Rotherham) (Lab)	Chris Elmore
Douglas Chapman (Dunfermline and West Fife) (SNP)	Patrick Grady
Joanna Cherry (Edinburgh South West) (SNP)	Patrick Grady
Rehman Chishti (Gillingham and Rainham) (Con)	Stuart Andrew
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
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
Stephen Crabb (Preseli Pembrokeshire) (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
Dr James Davies (Vale of Clwyd) (Con)	Stuart Andrew
Mims Davies (Mid Sussex) (Con)	Stuart Andrew
Alex Davies-Jones (Pontypridd) (Lab)	Chris Elmore
Philip Davies (Shipley) (Con)	Stuart Andrew
Mr David Davis (Haltemprice and Howden) (Con)	Stuart Andrew
Martyn Day (Linlithgow and East Falkirk) (SNP)	Patrick Grady

Member eligible for proxy vote	Nominated proxy
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
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
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
Clive Efford (Eltham) (Lab)	Chris Elmore
Julie Elliott (Sunderland Central) (Lab)	Chris Elmore
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
Simon Fell (Barrow and Furness) (Con)	Stuart Andrew
Marion Fellows (Motherwell and Wishaw) (SNP)	Patrick Grady
Margaret Ferrier (Rutherglen and Hamilton West) (Ind)	Jonathan Edwards

Member eligible for proxy vote	Nominated proxy
Katherine 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
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 Glendon (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
Andrew Gwynne (Denton and Reddish) (Lab)	Chris Elmore
Louise Haigh (Sheffield, Heeley) (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

Member eligible for proxy vote	Nominated proxy
Matt Hancock (West Suffolk) (Con)	Stuart Andrew
Greg Hands (Chelsea and Fulham) (Con)	Stuart Andrew
Claire Hanna (Belfast South) (SDLP)	Liz Saville Roberts
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
Trudy Harrison (Copeland) (Con)	Stuart Andrew
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 Heapey (Wells) (Con)	Stuart Andrew
Chris Heaton-Harris (Daventry) (Con)	Stuart Andrew
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
Anthony Higginbotham (Burnley) (Con)	Stuart Andrew
Mike Hill (Hartlepool) (Lab)	Chris Elmore
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
Richard Holden (North West Durham) (Con)	Stuart Andrew
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
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

Member eligible for proxy vote	Nominated proxy
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
Kim Johnson (Liverpool, Riverside) (Lab)	Paula Barker
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
Mr Marcus Jones (Nuneaton) (Con)	Stuart Andrew
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
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
Danny Kruger (Devizes) (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 Largan (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
Dr Julian Lewis (New Forest East) (Ind)	Stuart Andrew
Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con)	Stuart Andrew
Tony Lloyd (Rochdale) (Lab)	Chris Elmore
Carla Lockhart (Upper Bann) (DUP)	Sir Jeffrey M. Donaldson
Mark Logan (Bolton North East) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
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
Tim Loughton (East Worthing and Shoreham) (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
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
Esther McVey (Tatton) (Con)	Stuart Andrew
Khalid Mahmood (Birmingham, Perry Barr) (Lab)	Chris Elmore
Shabana Mahmood (Birmingham, Ladywood) (Lab)	Chris Elmore
Alan Mak (Havant) (Con)	Stuart Andrew
Seema Malhotra (Feltham and Heston) (Lab)	Chris Elmore
Kit Malthouse (North West Hampshire) (Con)	Stuart Andrew
Julie Marson (Hertford and Stortford) (Con)	Stuart Andrew
Rachael Maskell (York Central) (Lab)	Chris Elmore
Paul Maynard (Blackpool North and Cleveleys) (Con)	Stuart Andrew
Ian Mearns (Gateshead) (Lab)	Bell Ribeiro-Addy
Mark Menzies (Fylde) (Con)	Stuart Andrew
Johnny Mercer (Plymouth, Moor View) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
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
Navendu Mishra (Stockport) (Lab)	Chris Elmore
Mr Andrew Mitchell (Sutton Coldfield) (Con)	Stuart Andrew
Gagan Mohindra (South West Hertfordshire) (Con)	Stuart Andrew
Carol Monaghan (Glasgow North West)	Patrick Grady
Damien Moore (Southport) (Con)	Stuart Andrew
Layla Moran (Oxford West and Abingdon) (LD)	Wendy Chamberlain
Penny Mordaunt (Portsmouth North) (Con)	Mark Spencer
Anne Marie Morris (Newton Abbot) (Con)	Stuart Andrew
David Morris (Morecambe and Lunesdale) (Con)	Stuart Andrew
Grahame Morris (Easington) (Lab)	Chris Elmore
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
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
Chi Onwurah (Newcastle upon Tyne Central) (Lab)	Chris Elmore
Guy Opperman (Hexham) (Con)	Stuart Andrew
Abena Opong-Asare (Erith and Thamesmead) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
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
Stephanie Peacock (Barnsley East) (Lab)	Chris Elmore
Sir Mike Penning (Hemel Hempstead) (Con)	Stuart Andrew
Matthew Pennycook (Greenwich and Woolwich) (Lab)	Chris Elmore
Andrew Percy (Brigg and Goole) (Con)	Stuart Andrew
Mr Toby Perkins (Chesterfield) (Lab)	Chris Elmore
Jess Phillips (Birmingham, Yardley) (Lab)	Chris Elmore
Bridget Phillipson (Houghton and Sunderland South) (Lab)	Chris Elmore
Chris Philp (Croydon South) (Con)	Stuart Andrew
Christopher Pincher (Tamworth) (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
Jonathan Reynolds (Stalybridge and Hyde) (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
Mr Laurence Robertson (Tewkesbury) (Con)	Stuart Andrew
Mary Robinson (Cheadle) (Con)	Stuart Andrew
Andrew Rosindell (Romford) (Con)	Rebecca Harris
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

Member eligible for proxy vote	Nominated proxy
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
Alex Sobel (Leeds North West) (Lab)	Chris Elmore
Amanda Solloway (Derby North) (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
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
Sir Robert Syms (Poole) (Con)	Stuart Andrew
Mark Tami (Alyn and Deeside) (Lab)	Chris Elmore
Sam Tarry (Ilford South) (Lab)	Chris Elmore
Alison Thewliss (Glasgow Central) (SNP)	Patrick Grady
Derek Thomas (St Ives) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
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
Derek Twigg (Halton) (Lab)	Chris Elmore
Mr Shailesh Vara (North West Cambridgeshire) (Con)	Stuart Andrew
Martin Vickers (Cleethorpes) (Con)	Stuart Andrew
Matt Vickers (Stockton South) (Con)	Tom Hunt
Theresa Villiers (Chipping Barnet) (Con)	Stuart Andrew
Christian Wakeford (Bury South) (Con)	Stuart Andrew
Mr Robin Walker (Worcester) (Con)	Stuart Andrew
Mr Ben Wallace (Wyre and Preston North)	Stuart Andrew
Dr Jamie Wallis (Bridgend) (Con)	Stuart Andrew
Matt Warman (Boston and Skegness) (Con)	Stuart Andrew
David Warburton (Somerset and Frome) (Con)	Stuart Andrew
Giles Watling (Clacton) (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
James Wild (North West Norfolk) (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

Member eligible for proxy vote	Nominated proxy
Pete Wishart (Perth and North Perthshire) (SNP)	Patrick Grady
Mike Wood (Dudley South) (Con)	Stuart Andrew
Mohammad Yasin (Bedford) (Lab)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Jacob Young (Redcar) (Con)	Stuart Andrew
Nadhim Zahawi (Stratford-on-Avon) (Con)	Stuart Andrew

Westminster Hall

Tuesday 15 December 2020

[SIR CHRISTOPHER CHOPE *in the Chair*]

Healthcare Support Services: Conception to Age Two

9.30 am

Andrea Leadsom (South Northamptonshire) (Con): I beg to move,

That this House has considered provision of healthcare support services in the period between conception and age two.

It is a pleasure to serve under your chairmanship, Sir Christopher. Today's debate takes place against the backdrop of such a disruptive and damaging year. This year, as ever, it is the very youngest, the very oldest and the most vulnerable in our society who suffer when times are tough. It is timely that we are having the debate today, as the early years healthy development review, which my right hon. Friend the Prime Minister asked me to chair, is now gathering together its phase 1 recommendations.

Personally, I am grateful for the chance to highlight what has been my real passion in politics for more than 20 years. The first chapter in my early years story begins with OXPIP—the Oxford Parent-Infant Project—a charity in Oxford providing psychotherapeutic support for families struggling to cope with their new baby. I got involved as a banker, writing a business plan and successfully applying for a substantial lottery grant. I very soon found myself chairing the charity, and that was when I learned the vital importance of the period from conception to the age of two.

I was introduced to OXPIP by my mum, who was a midwife and a trauma therapist and had seen at first hand how so many new parents have unspoken and appalling birth experiences or traumas in their personal lives that leave them unable to focus on their baby and that precious early bond. Having had my own brief experience of post-natal depression in 1995, with my first born, I could empathise with how hopeless and helpless someone can feel as a new mum. Even with a loving partner and family around, those first few weeks can be frightening, sleep-deprived and, in many ways, overwhelming. Statistics show that up to one in seven women has that sort of experience after having a baby, so it really is an invisible epidemic.

Therefore, when I became the parliamentary candidate for South Northamptonshire in 2006, my family moved to the constituency and I set up NorPIP, the Northamptonshire Parent Infant Partnership, which is the Northamptonshire sister charity to OXPIP. I then established PIP UK, Parent Infant Partnership UK, a national charity that would lobby for better support in the early years and oversee a programme of building new PIPs around the country. I chaired PIP UK until I became a Minister in 2014 and had to leave the role overnight, whereupon my very old friend, my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), picked up that work. I want today to pay tribute to him for all that he has done for the PIP movement and on the first 1,001 critical days.

During my early years as a Back Bencher, from 2010, I became chairman of the all-party parliamentary group on Sure Start Children's Centres and set up the APPG for conception to age two—the first 1,001 days. With cross-party support from colleagues such as Lord Field and the hon. Member for Brighton, Pavilion (Caroline Lucas), I launched the first “The 1001 Critical Days” manifesto in 2013.

Under the leadership of my hon. Friend the Member for East Worthing and Shoreham, PIP UK has become the Parent-Infant Foundation and the “The 1001 Critical Days” manifesto has become a movement with the support of more than 160 charities and professional organisations. There is no doubt that there is overwhelming support from the early years sector for significant Government action, and the opportunity for that is now, as we build back better. This has personal backing from the Prime Minister himself.

How do the first 1,001 days shape a baby's lifelong potential? From conception to the age of two, a secure and loving relationship between baby and carer literally shapes the way the baby's brain develops. It is where the building blocks for lifelong physical and emotional health are laid out and, like a sponge, the developing brain will soak up the sense that the world is a good place and that problems can be solved. Humans are unique in the animal kingdom in the extent of their underdevelopment at birth. What other animal cannot walk until it is a year old and cannot fend for itself in any other way until it is at least two years old? The physical underdevelopment is only a small part of the story. The human brain is only partially formed when we are born, with billions of undifferentiated neurons, and parts of the brain that are yet to exist. At birth and in the precious months that follow, a baby has no cognitive skills; it can only cry, sleep or look around. Its neural connections are stimulated by the loving attention of its carer and the world around it, which makes those things so important for the baby's future development and secure attachment.

Those people who have children will all remember walking up and down the landing in the middle of the night with baby in their arms, saying, “Go to sleep, go to sleep”. We wind them, we change them and we feed them, all of which comes naturally to most parents. The baby whose basic needs are met learns that the world is a good place and they retain that instinct throughout their life. The baby who develops secure attachment will grow up able to cope with life's ups and downs. They will develop speech skills and they will be able to pay attention in school, make friends, hold down a job and then go on to become a good enough parent themselves.

On the other hand, a baby who is ignored, neglected or abused will find life much harder, and in the most extreme cases of abuse there will be a severe impact on the developing brain. A baby cannot regulate his or her own feelings. If their needs are not being met, they will cry, and that cry will get more and more persistent. If no help comes, that baby will eventually take refuge in sleep.

We know that a baby left to scream continually for days and weeks on end will experience raised levels of the stress hormone cortisol. We also know that excessive amounts of that hormone can damage the baby's immune system, with lifelong implications for their physical and emotional health. Such damage can happen in the

[Andrea Leadsom]

womb itself and there is strong evidence to suggest that high-risk behaviours evidenced in adults have a link to a high tolerance to raised stress levels that started in the earliest years.

We know that a pregnant woman who suffers from stress produces more cortisol, and the more stressed the mother, the more the foetus is exposed to higher levels of that chemical. This exposure can lead to modifications in gene expressions while the child's brain is still developing. A baby's brain development has deep implications for society, and we know that a human being without a properly developed social brain will find it difficult to empathise with others and to regulate his or her emotions, which will make it harder to cope with life's stresses, as well as with building and keeping relationships in later life.

We have seen the lack of human connection at its most extreme, particularly in the case of the Romanian orphans under Ceausescu's regime. Their minimal physical and emotional contact left them profoundly and permanently damaged. Sadly, we know that long-term violence, self-harm, poor mental health and substance misuse have roots stemming back to the earliest experiences in childhood.

What we do with a baby from conception to the age of two is about building the human and emotional capacity of that infant, and what we do after the age of two will be about trying to reverse damage that has already been done. In the words of the Royal Foundation, the early years are the most important time of life to set out the building blocks for a human being's future development and success, and I truly applaud the Duchess of Cambridge for her passion to ensure that every baby gets the best start in life.

It is utterly indisputable that the first 1,001 days is the most crucial period of human development, and I want to set out where we are now. Between 2018 and 2019, I chaired an inter-ministerial group on the early years, under the premiership of my right hon. Friend the Member for Maidenhead (Mrs May). That group made some key recommendations, the main one being that the Government should set out and identify a vision for the critical first 1,001 days.

Our current Prime Minister has always been a supporter of greater help for new families. During many Cabinet meetings and conversations over several years, his commitment has always been clear, so I was delighted earlier this year when he asked me to chair the early years healthy development review on behalf of the Government. The review has three advisory groups—parliamentary, practitioners and academics—using the knowledge, experience and passion of colleagues across both Houses and across the early years sector. Lockdown has prevented any physical visits, so instead our group has taken part in a series of virtual visits, meeting parents, health professionals and service providers in Camden, Devon, Stoke, Leeds, Essex, Newcastle and other places. We had a series of deep dives looking into and hearing from professionals and stakeholders on everything from breastfeeding to parenting apps to parental mental health. We have engaged with parents and carers through a questionnaire that has gathered over 3,500 responses. A personal favourite has been the Mumsnet thread that I have logged into every week to chat with new mums.

We are now at the point of bringing together the review's recommendations with a view to communicating them at the end of January. I do not want to spoil that by talking about them now, but I want to raise a few key learning points today, because, I am sorry to say, during the lockdown there has been much suffering that has come to the review's attention. We have heard troubling stories of isolation with partners unable to be at health checks and even unable to stay with mum and baby after the delivery. Parents have experienced limited face time with health visitors and disastrously there has been a rise in cases of domestic violence.

Half a million babies were born during the first lockdown alone, with 1,800 babies born every day in England. Far too many have entered a world of isolation and limited social contact. There have been few cuddles with granny and grandad, much less support for mums and dads, and barely any time spent with other babies. If a baby's potential for good lifelong health and wellbeing is derived from their earliest experiences, surely we need to make sure that every new family is now getting the best possible support. That is why it is vital that once the vaccine is rolled out and we start to get our lives back to a sense of normality, we improve and increase the care given to new families who have had such a tough year.

Despite the troubling stories, there are some silver linings. We should not lose sight of them. I would particularly like to highlight the use of digital and remote support. Many parents have said that during lockdown they really valued being able to text or have a Zoom call with their GP or health visitor on a much faster timescale than an in-person appointment. Some mums told the review that they preferred remote breastfeeding support to a physical group setting. Those who have taken advantage of mental health therapies online have felt it has been a positive step forward. This rapid adaptation to change has pushed open the door for the possibilities of technology in backing up good face-to-face support for new parents.

Another silver lining is the better joining up of services. From family centre workers to health visitors, from midwives to mental health therapists, professionals have found getting together on a Zoom call to discuss how better to support a family has been a vast improvement to their working practice and one that they do not want to lose.

Although the pandemic is not yet over and therefore until the vaccine has been rolled out sufficiently there will still be the need to remember hands, face, space, I call on the Minister to think about what more can be done for those 1,800 babies born every day. One in seven women and up to one in 10 new dads suffer post-natal depression. That was even before lockdown. We can only begin to imagine how many more families are struggling today. I urge the Minister to consider allowing new families at least two other supporting family members to bubble with them, or two other individuals if they are a lone parent. I also encourage her to make sure that health visitors and early years health services remain available and accessible face-to-face for everybody.

The strength of feeling of those here today, of sector stakeholders and, importantly, of parents, gives me the confidence that we can create real change in the early years and make sure that every baby gets the best start in life. For me it has been a long journey—more than

20 years—to reach this point, and I thank colleagues in both Houses who have committed themselves to this agenda. I also want to thank the hundreds of thousands of people across this country who, through their professional careers or through volunteering, are supporting the next generation day in, day out.

Finally, I want to end my remarks with a thought from Nelson Mandela, who is a bit of a hero of mine. He said,

“Our children are our greatest treasure. They are our future.”

The actions that we take in the present will help to shape not only the future of the youngest in society, but the outcomes of generations to come.

9.45 am

Alison Thewliss (Glasgow Central) (SNP): It is a pleasure to see you in the Chair, Sir Christopher. I thank the right hon. Member for South Northamptonshire (Andrea Leadsom) for securing this debate and for the work that she has done on this agenda. I chair the all-party parliamentary group on infant feeding and inequalities. We have worked on many of the things that she has been working on, but in a very focused way around the importance and significance of infant feeding for babies between conception and age two.

Breastfeeding is a really important part of babies' health as they grow up, but that has not been matched by breastfeeding support services and investment in them across the UK. Breastfeeding support services have been very much a Cinderella service. They are run by dedicated volunteers who are often unpaid and the first to go when budget cuts are made. They are often treated as a “nice to have” rather than as the essential support service that they are for many families. We know and all the evidence suggests that women want to breastfeed, but they are being failed and let down time and again because the services that they need when things get tough are simply not there.

On the Breastfeeding Cuts UK Facebook page, Ayala Ochert has documented cuts in recent years in Sunderland, Stoke-on-Trent, Peterborough, Wigan, Dudley, Luton, Kent and Reading among many others. Services have been cut without any thought being given to the impact on the women and babies. There is a real postcode lottery in these services. Some local authorities value breastfeeding and invest in services, but some do not even consider it. Since lockdown, breastfeeding support services have been forced to close due to social distancing requirements. We understand why that is, but it has been a huge blow to the many who use those services and who might struggle to go online. In many cases, it is difficult to get that support online because of the need to have somebody there by their side to show them exactly what needs to be done. Not having that makes it incredibly difficult.

Emma Pickett, a fantastic breastfeeding counsellor, has mentioned the ongoing issue of the shortage of venues as they have closed because of lockdown. She has asked whether other health providers plead with café owners and vicars to set up clinics. I do not think so, Sir Christopher. It is important that the venues are there for people when they need them.

On the issue of the postcode lottery, I should like to mention the issue of tongue-tie treatment. Getting tongue-tie assessed and treated in newborn babies is incredibly important for people trying to make sure that their

babies latch on properly, but this again is a postcode lottery. Many places do not think it is important, and many parents are forced, if they can afford it, to pay for private treatment for tongue-tie division, which is not acceptable. It is an important service, it ensures that breastfeeding can continue, and the Government need to see it as such.

I want to thank all of the volunteers at the National Breastfeeding Helpline who have had to do an incredible job to support families through lockdown. Their volunteers saw 124% more calls between April and September than this time last year. That is an awful lot to ask of volunteers. They have had to ramp up their training and make sure that the calls are answered, because they know that the people at the other end of the phone are absolutely dependent on their expertise and advice. It is important for the Government to look at more funding for services at the National Breastfeeding Helpline because they need to be seen as an essential service and funded properly.

Women and babies have been left out of the conversations around lockdown. Very little consideration has been given to the impact on women who were on maternity leave or about to be on maternity leave, who lost out on provision and were often forced to either take their maternity leave early and lose out on that provision or were told that they were not eligible for furlough. Many have lost out. I pay credit to Bethany Power and all her colleagues, who have pushed so hard on behalf of those excluded groups who have experienced gaps in support and have not had the maternity experience they wanted. That has been compounded by the Government's failure to provide the financial support they needed at such a vital time, which has in turn compounded their isolation.

The spending review provided no specific funding for public health services such as breastfeeding support, which, as I have said, is absolutely essential. Breastfeeding has been overlooked by the Government's obesity strategy and online harms strategy, even though we know that online advertising can have a huge impact on how women choose to feed their babies.

A significant number of people have raised concerns about babies and mothers being separated in hospital, despite all the evidence showing that it is desperately important for mums and babies to stay together in those early months, and that breast milk is a protective factor due to the antibodies present in it. Mums and babies should be kept together unless it is impossible to do so; in many cases, it is possible to do so. Advice should be given by Public Health England as well as other health authorities to make sure that can happen. If we separate mums from babies unnecessarily, it upsets the rhythms of breast milk and leads to complications for mothers, such as mastitis, if they are not able to breastfeed when they need to.

Issues have also been raised by Dr Wendy Jones, who runs the Breastfeeding Network's drugs in breastmilk helpline. She has concerns about the advice on vaccination for lactating mothers. I fully appreciate that there are ethics involved in the drug and vaccine trials and that generally we would not test on pregnant and breastfeeding mothers, but her concerns are about the advice in the PHE Green Book, which changed in just a matter of days. Initially, it said:

[Alison Thewliss]

“There is no known risk associated with giving inactivated, recombinant viral or bacterial vaccines or toxoids during pregnancy or whilst breast-feeding”.

Two days later, however, that changed to say:

“Until more information is available, it is also recommended that women who are breastfeeding should not be vaccinated until they have finished breastfeeding.”

I would like some clarity from the Minister as to precisely why that advice changed. There will be many people working on the frontline of health and social care who are breastfeeding, which can continue for much longer than the recommended six months. It can last for up to two years and beyond, so we need to be giving proper advice, with evidence behind it, to those mums on the frontline who might be breastfeeding. They need to know what the advice is and what it is based on, so that they can make the best possible choice. They should not be told just to cease breastfeeding, because, as I have said, the impact on babies is considerable, and the antibodies passed through breast milk are very helpful. Interesting research has been done on mums who have had coronavirus, and on the antibodies passed through to babies. The Government should pay attention to the incredibly interesting research that is emerging.

There is a lot more that the UK Government can do to support breastfeeding. I could talk about this for quite some time, but I want to make sure that other colleagues are able to speak. I urge the Minister and the right hon. Member for South Northamptonshire, who secured the debate, to meet the all-party parliamentary group on infant feeding and inequalities at the next possible opportunity. We have been having meetings online, which has been great in encouraging people to come together, but I urge the Minister to put some funding towards this—not just warm words—and make sure that breastfeeding is protected in everything that the UK Government do.

9.53 am

Tim Loughton (East Worthing and Shoreham) (Con): It is a pleasure to serve under your chairmanship, Sir Christopher, and a great pleasure to be speaking in a debate secured by my very old, wise and aged colleague, my right hon. Friend the Member for South Northamptonshire (Andrea Leadsom)—the high priestess of early years. As she said, I speak as the chair of the all-party parliamentary group on the first 1,001 days. I also recently stood down as chair of the Parent-Infant Foundation, the charity that she founded and that is having such an important effect on the whole movement for 1,001 days. I have been very proud to chair that charity for the past six years.

It is great to see this subject coming into the mainstream. We have had a number of Westminster Hall debates, including on the impact of covid on maternity, families and children in lockdown. Before the general election, I held a debate on health visitors. Since “The 1001 Critical Days” manifesto, the important document produced about eight years ago by my right hon. Friend, we have had various reports, including “Babies in Lockdown”, “Rare Jewels” by the Parent-Infant Foundation, “Building Great Britons”, and several Select Committee reports, including by the Health and Social Care Committee and the Science and Technology Committee, all of which were serious, heavyweight studies of the first 1,001 days.

This is, at last, not a new subject. I come to this debate much in the mode of Elizabeth Taylor’s sixth husband: knowing what was expected of him, but struggling to make it new and fresh. But we will give it a go.

Children, particularly very young children, have been the forgotten element in the whole pandemic lockdown; so too have parents of very young children. The lockdown, the regulations, and the alienation from or unavailability of family member support networks—which many of us, as early parents, took for granted—have had mental health impacts on new parents and single parents in particular. We should not underestimate that. It will be a long time before we can get back to a degree of normality and start to see the impact that missing out on those important contacts and support mechanisms in those crucial early months has had and will have for many years to come.

Early years has for too long been forgotten when it comes to Government spending. Many of us have been going on about that for a long time, and it is worth repeating. Work done a few years ago estimated that the cost of perinatal mental illness is £8.1 billion each and every year. The cost of child neglect in this country is £15 billion each and every year. That means that we are spending more than £23 billion on getting it wrong for parents and very young children in those crucial early years. If we were to spend a fraction of that amount on greater preventive intervention measures for those who most need it in those crucial early years from conception to age two, that bill would be reduced significantly and it is a false economy not to be doing that.

It was disappointing to see just £300 million in additional funds being given to the social care sector—that is, the adult and children’s social care sector—in the spending review, even though there is a shortfall of some £3 billion in local authority children’s social care alone, not to mention all the problems with public health and the shrinking numbers of health visitors, which I will come back to in a moment.

Why is that important? My right hon. Friend the Member for South Northamptonshire has given us some of the figures. Up to 20% of women experience mental health problems in pregnancy or the first 12 months after birth, and 50% of all maltreatment is related to children under the age of one. It has been estimated that 122,000 babies under the age of one live with a parent who has a mental health problem. One third of domestic violence begins during pregnancy—a figure I could not believe when I first came across it. The Government are doing good work with domestic abuse legislation, but we need to be addressing the problem at source. If domestic violence is happening in a household, what sort of physical and psychological message is that sending to the newborn child? The same applies to even before it is born as well: there are signs that communication within the womb itself is a factor. Suicide is one of the leading causes of death during the period of pregnancy to one year after the birth of a child. That is a deeply tragic figure, but it is preventable if proper systems and checks are in place.

About 40% of children in the UK have an insecure attachment to a parent or carer by the age of 12 months. The figure that I have always used—this is, I think, the killer point—is that for a child at the age of 15 or 16 who is suffering from some form of depression or low-level mental illness while at school, there is a

99% likelihood that his or her mother suffered from some form of depression or mental illness during or after pregnancy. It is as direct a correlation as that. If we do not do something within those first 1,001 days, we will reap the consequences, as will children, not just during childhood but into adulthood as well.

Child obesity rates are all connected to what happens in the first 1,001 days. Last year we also had worrying figures—this is particularly topical now—about the dwindling vaccination rates in England. In particular, only 86.5% of children had received the full dose of the measles, mumps and rubella vaccine. We have effectively lost our immunity status, because the World Health Organisation target to protect a population from a disease is 95%. One hopes that parents in particular will take up the covid vaccination as it is rolled out, because we have seen the effects on the children's population of not having vaccinations in recent years.

The Children's Commissioner estimates that 2.3 million children are living with risk because of a vulnerable family background and that more than one third within that group are invisible—they are not known to services and are therefore not getting any support. That is why it is crucial, particularly before those children present at school and come on the radar, that health professionals at various levels are having contact with those children and families to ensure that everything is all right. They can give that help and support and that tender affection and empathy, but they are also an early warning system for when things are going wrong, right up to safeguarding issues. The one thing that all those ailments have in common—there are a lot more that I have not mentioned—is that they come under the remit of the health visitor to a varying extent. I will come back to the importance of health visitors.

The impact of covid is great, as I have said, and I will not go over that again, but more families with babies and young children under five have been tipped into vulnerability due to the secondary impacts of the lockdown. At a time when families, and particularly families from deprived communities and single-parent families, need face-to-face contact with people like health visitors the most—I also refer to health visitors as the trusted uniform services who are usually welcomed over the threshold, whereas with social workers and others a barrier goes up instantly—more than 70% of health visitors have been repurposed to other aspects of the health service to deal with covid. That really is a false economy.

I pay tribute to Cheryll Adams, the chief executive of the Institute of Health Visiting, who is standing down from the outstanding role she has played for the cause of health visitors and their importance in the first 1,001 days. She will be greatly missed, but I am sure she will not quit the scene altogether, because of her dedication to the cause. Her report showed that 82% of health visitors reported an increase in domestic violence and abuse; 81% an increase in perinatal mental illness and poverty; 76% an increase in the use of food banks and speech and communication delay among children; 61% an increase in neglect; and 45% an increase in substance abuse. Finally, 65% of health visitors have a case load of more than 300 children under the age of five.

Is that sustainable? My worry is that even in the good times without a pandemic, health visiting was greatly stretched. One of the great achievements of the coalition Government was the delivery of a promise to institute

4,200 additional health visitors, based on the Kraamzorg system in Holland, which we visited and saw. It was a huge achievement—I think we were just a few dozen short of 4,200 by the time we got to 2015—and yet I fear that those numbers have dwindled back almost to the level that was inherited. That is such a false economy. Health visitors are a critical part of a universal offer to all families in the first 1,001 days. The report by the First 1001 Days Movement says:

“It is essential that governments invest in the delivery of the Healthy Child Programme and that this programme supports babies' emotional wellbeing and development. We believe that all families should be able to access care from a named health visitor who offers them a high-quality service that is proportionate to their needs.”

I wholeheartedly concur.

What should be done? Many suggestions have been made. The LGA recently brought out a report saying that the Government should

“properly resource councils to enable investment in preventative universal and early help services to ensure that children, young people and their families receive the practical, emotional, education and mental health support they need”.

That is absolutely right. The Parent-Infant Foundation, in its “Babies in Lockdown” report, recommended funding for a

“Baby Boost to enable local services to support families who have had a baby during or close to lockdown.”

As my right hon. Friend said, more than half a million babies were born in that period. The report also said we should have a

“new Parent-Infant Premium providing new funding for local commissioners, targeted at improving outcomes for the most vulnerable children.”

I obviously agree with that.

Finally, I will go back to the “Building Great Britons” report, which was produced back in 2015 and made nine main recommendations: that a 1,001 critical days policy should be a mainstream undertaking by central Government; that all local authorities should be required to produce and implement a 1,001 days strategy within the next five years; that national Government must establish a 1,001 days strategy blueprint; that local health and wellbeing boards should demonstrate delivery of a sound primary prevention approach; that the early help recommendations from the Munro review, which I commissioned back in 2010, should be picked up and carried; that we should have a Minister for families, either close to or at Cabinet level, to carry the banner for the importance of the early years and family contexts, which are so important to the social policy of any Government; that we should have more inter-agency training on the importance of the early years; that children's centres should be repurposed to be these family hubs, which this Government have committed to and which should be a Piccadilly Circus of these services available to all families; and that we should have the research evidence to go with all of that.

In short, we need a full “team around the family” approach; we need to invest in health visitors and other health professionals, including GPs and mental health specialists, particularly around attachment issues. We need them to work with all of those in the early years setting, alongside social workers and others with safeguarding responsibilities—supporting, not supplanting parents, but signposting them to the most appropriate services and ensuring that they are accessible when

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needed. We need a national roll-out, national guidance and national scrutiny to ensure that it is being delivered, but it should be implemented locally and governed by local circumstances. To not do that is a false economy, and children in future generations will pay the price.

Sir Christopher Chope (in the Chair): Before calling the next speaker, I will just say that the wind-ups will start at half past 10. There are four more speakers, so if each of them speaks for a maximum of five minutes, we should cover everybody.

10.6 am

Jim Shannon (Strangford) (DUP): Thank you, Sir Christopher. I thank the right hon. Lady for South Northamptonshire (Andrea Leadsom) for setting the scene so well, and to all those hon. Members who have made contributions.

As the grandfather of five grandchildren, this is an issue that is close to my heart. There is little that brings me as much joy as seeing my grandchildren—though that has not happened as often over the past few weeks because of the lockdown—and knowing that they are healthy and happy. Katie, Mia, Austin, Rhea, and Max, who is just eight weeks old, are bright and happy in these dark days. That brings so much joy and I thank God daily for them.

I thank the Duchess of Cambridge, to whom the right the hon. Lady referred in her introduction, for the wonderful work she has done. She came to my constituency but unfortunately I was unable to be there. She visited the Ark Open Farm in Newtownards, and the results of what was done that day are clear.

Early years matter a great deal and the overarching response to the questionnaire undertaken is that more support must be given to young mums and families. Over the pandemic, many of us have realised how much we underestimated the support and help provided by the mums and toddlers groups in the local church or community centre. We had not understood that talking to another mum about their horrific day with their wee toddler—even if it was never really all that horrific—and exchanging viewpoints about how they felt made coping that little bit better. We have learned, more than ever, that it takes a village to raise a child, and so it does. It is little wonder that dedication and christening services highlight that a mum and dad cannot and should not do it alone.

When my parliamentary aide was pregnant with her daughter, one of the first signs I noticed was that her 10 cups of coffee per day were reduced to zero. She had read that caffeine would make her baby's heart beat up to six times as fast; she loved her coffee, but she loved that unborn child even more. Mothers all through this nation make changes before a baby arrives, including eating more healthily, taking vitamins, stopping drinking. There are no laws that say they must do these things, but the mother knows to do it. Prenatal support for mum at this time is essential, and I believe that we need to give more advice, more listening ears and more communication for those who worry at this stage.

Together for Short Lives contacted me and asked me to briefly highlight a number of issues, as not all pregnancies end in the dream photo-op at the end of labour. Some have a much sadder story to tell—that is a fact of life.

The majority of child death occurs in the first 28 days of life—the neonatal period. Every year, over 100,000 babies are admitted to neonatal intensive care in the UK. While many of these babies will only need to receive treatment for a few days or weeks before being discharged home, a minority will need more intensive care. The “Make Every Child Count” study, published this year, found that the prevalence of life-limiting conditions is highest in the under-one-year age group, at 226.5 per 10,000. That is the point that the right hon. Member for South Northamptonshire is making, and the very point of this debate. On average, there are 1,267 neonatal deaths each year from causes likely to require palliative care.

With this in mind, Together for Short Lives has highlighted the importance of the specific challenges faced by babies and children with life-limiting conditions and their families; they are not forgotten. The NHS England children's hospice grant will increase to £25 million per year by 2023-24. It will be reallocated equitably to children's hospices and there will be £7 million funding for children's palliative care.

In conclusion, Sir Christopher, I briefly highlight the phenomenal work done by the WAVE Trust and Alex Williamson, and their 70/30 Campaign, which is about reducing the number of children who experience maltreatment by at least 70% by 2030. It is difficult to argue against their proposals or those of Together for Short Lives.

I look to the Minister, as I always do, to confirm that pregnancy and early years matter; if we want to see a generation of well-adjusted and happy youth it must be not simply because their parents have invested time and love. It has to be more than that. Our Government has not to understand that funding for early years is not a grant of money, but an investment in our future—one certain to return a great yield. As the good book says, as you diligently sow, so you will reap. We must sow good for our children to get good from them as adults, and that must begin today.

10.11 am

Fiona Bruce (Congleton) (Con): It is always a pleasure to follow my friend, the hon. Member for Strangford (Jim Shannon). I commend my right hon. Friend the Member for South Northamptonshire (Andrea Leadsom) not only on securing this debate and on her excellent speech, but on the many years of work that she has undertaken in support of nought to three-year-olds. I very much support that.

The Early Intervention Foundation's new report, “Planning early childhood services in 2020,” states:

“It is difficult to think of a more effective way in which the government might realise its vision to ‘level up’ Britain and ensure equality of opportunity than through ensuring access to high-quality local family services which start in maternity and run throughout childhood.”

It goes on to say:

“There is a logical case for more holistic and joined-up approaches to delivering area-based family services, which respond to concerns about a lack of service integration and artificial service boundaries.”

Recently, in making the levelling-up fund announcement, the Chancellor spoke about the opportunity to upgrade the centres of our communities:

“This is about funding the infrastructure of everyday life”—[*Official Report*, 25 November 2020; Vol. 684, c. 831.]

As vulnerable children and their families struggle with isolation, relationship conflict, poverty, addiction, death and many other problems during this pandemic, we need now more than ever to strengthen our community infrastructure so that every family needing support can access it locally and easily, when they need to. Many of us here are aware that the most pressured point in family life is often when the children are aged nought to three.

It will come as no surprise to colleagues that I want to use the rest of the two short minutes I have today to talk about family hubs. To put it bluntly, family hubs' time has come. My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) made an excellent speech in which he said that sometimes it is difficult to find something new to say about something one has been speaking about for years, but I should say that family hubs are local centres that ensure that families with children and young people can receive help to overcome a range of difficulties, and get the face-to-face support that, as we have heard this morning, is so necessary.

Recently, calls for progress in supporting family hubs have grown louder. The Children's Commissioner wrote in July:

"Some parents may want help to find work, or deal with the new strains on their relationship, or on their mental health, that can come with having a baby—and those stressful issues may also be making it harder for them to give their young children the loving attention they need. The Hubs would also have these more targeted services—including perinatal and infant mental health teams, JobCentre advisors, Speech and Language Therapists and housing teams—co-located within the service."

Recently, family law practitioners have got on the case as they see far too many—40%, in fact—separating couples using fractious court proceedings to determine child contact and residency. Last month, the Family Solutions Group concluded that

"Crucially, the Family Hub...could provide the signposting and gateway to the range of other direct support services for children which are so sadly lacking at present."

Thankfully, the Government are now on the same page. Their manifesto commitment says that they will "champion Family Hubs to serve vulnerable families with the intensive, integrated support they need to care for children – from the early years and throughout their lives."

Recently, the Family Hubs Network was established to share best practice and drive the family hubs movement across the country. The movement is characterised by an understanding of the importance of early help and provision; by a relational approach, adopted by everyone who works in the hub; and by a whole-family approach, so that families have somewhere they know they can go to get information, advice or guidance. Parents can get help for difficulties in their own relationships, and there can be integrated health and public health priorities, including health visiting and maternity, with social services and, if necessary, troubled families programmes.

This month, the Department for Education is taking the first steps in establishing a national centre for family hubs, which will not only develop the evidence base but share good practice on how best to support families in the early years. There is no time to lose.

10.15 am

Cherilyn Mackrory (Truro and Falmouth) (Con): I thank my right hon. Friend the Member for South Northamptonshire (Andrea Leadsom) for securing this

debate. I pay tribute to the work that she has done over the past 20 years and that of other right hon. and hon. Members. I am only just starting my journey in this House, and it is a pleasure to work with such experienced colleagues, but hopefully I can bring some real-life experience to the table, having only recently finished being at what my sister would call "the cliff face" of having a baby or a small child in the house.

I had two pregnancies. One ended with the joy of my eldest daughter, and one ended in tragedy with a loss. I am now the co-chair of the all-party parliamentary group on baby loss with my right hon. Friend the Member for South West Surrey (Jeremy Hunt). He is doing an inquiry with the Health Committee on maternity services. We have been able to listen and drill down on some of the risks to babies' lives and some of the solutions. If we can improve the outcomes for stillbirth and neonatal death, we will automatically improve outcomes for at-risk children who survive. In theory, all families should benefit.

Many tools will need to be deployed in conjunction with how we reimagine supporting the first 1,001 days, and I look forward to reading the recommendations when they come forward. Today, I want to focus on just one tool: continuity of carer. As we have heard, nurturing relationships begin before birth. The foetal brain develops rapidly during pregnancy and is influenced by the physical environment of the mother's womb and the environment beyond it. Babies can experience adversity in the womb. For example, where domestic abuse occurs, research shows that babies' stress regulation systems adapt accordingly, leaving them more responsive to threat, and consequently more irritable and difficult to settle once they are born.

Research from NHS England shows that one in five mums and one in 10 dads experience mental health problems during pregnancy and after birth. As we have already heard, pregnancy can often be a trigger for domestic abuse, and between 15% and 30% of domestic violence cases start during that time. The impact of those adversities can have a profound effect on an infant, whose healthy social and emotional development depends on loving and consistent care.

Professor Jacqueline Dunkley-Bent, the chief midwifery officer for England, spoke to our APPG earlier this year, and I was struck by the work that midwives are already doing in this area and the results they are getting. Continuity of carer is relationship-based care that saves babies' lives. Baby loss is reduced by 16%, and women are 19% less likely to lose their baby before 24 weeks. It also reduces pre-term birth. We are asking for women to have the same midwife or a small team of midwives. In March 2019, 10,500 women were on the continuity of carer pathway—17% of all women booked in. That will hopefully rise to 35% by March 2021, and black and Asian women, and those living in deprived neighbourhoods, are currently being targeted. I would like to see that rolled out.

I would like continuity of carer to be promoted to all families and replicated in the health visitor sector, because it is so important. Parents' responses shape their experiences; if they have a trusted carer they can go to if they are in crisis or struggling, whether it is with domestic violence or coercion in a relationship—or post-natal depression, which many of us have felt—an awful lot of that stress will be expelled. They might even go to the trusted carer

[Cherilyn Mackrory]

for things such as reduced movement. Yes, it is okay to go and talk to a healthcare professional, but many women think that they are bothering a midwife, especially if they do not know them. If they have continuity of carer, all those problems can potentially be solved by a quick phone call, because they will trust somebody at the end of the phone.

I conclude by saying that I look forward to the recommendations coming forward. It is my hope that this issue will be cross-party and long term and that we will have enough funding to put real change in place for all families to come.

10.20 am

David Linden (Glasgow East) (SNP): It is, as always, a pleasure to serve under your chairmanship, Sir Christopher. As others have done, I want to start by congratulating the right hon. Member for South Northamptonshire (Andrea Leadsom) on securing today's debate. The right hon. Lady—I would say she is a friend—has been an absolutely tenacious campaigner on this issue. I remember badgering her with questions on a Thursday morning when she was Leader of the House; she would always, even in Government, still find ways of getting this issue to the Dispatch Box. I think it is fair to say that the Government's loss is this policy area's gain. The issue is a massive passion of the right hon. Lady's, so it is right that she leads the debate today.

In summing up for the Scottish National party today, I want to acknowledge the five contributions from Back-Bench Members. We have had very thoughtful speeches from my hon. Friend the Member for Glasgow Central (Alison Thewliss) and the hon. Members for East Worthing and Shoreham (Tim Loughton), for Strangford (Jim Shannon), for Congleton (Fiona Bruce) and for Truro and Falmouth (Cherilyn Mackrory). People who have a genuine interest in a policy will come to debate in Westminster Hall; I certainly felt this morning that Members were speaking about something they knew about, rather than something from a parliamentary research unit or parliamentary Labour handout.

Before I outline what the Scottish Government's policy landscape looks like in terms of the first 1,000 days, I want to reflect on the Royal Foundation's study conducted last month in partnership with Ipsos MORI on early years in the UK. The results were fascinating: only 10% of parents mentioned taking the time to look after their own wellbeing when asked how they had prepared for the arrival of their baby. Ninety per cent. of people see parental mental health and wellbeing as critical to a child's development. Parental loneliness has dramatically increased during the pandemic, from 38% feeling lonely before to 63%, and more than a third of all parents expect the covid-19 pandemic to have a negative impact on their long-term mental wellbeing. That focuses some of the immediate challenges, but what are the solutions?

For a start, Members will forgive me if I reference largely what happens in Scotland. This is very much a devolved area, but as a result of third-party obligations I want to offer some thoughts from that perspective. North of the border, the Scottish Government are investing £50 million, overseen and directed by the perinatal and infant mental health programme board,

to improve perinatal and infant mental health services in Scotland across all levels of need—from specialist services, through to befriending and peer support. In addition, the Scottish Government have established the infant mental health implementation and advisory group. It provides clinical advice and support to inform the development of mental healthcare from conception to three years of age, and oversees the testing and implementation of evidence-based and innovative models for the delivery of those infant mental health services.

I want to look slightly wider at the policy initiatives currently in place and how those tie in with the topic we have been focusing on this morning. North of the border, the Scottish Government recognise that life chances and future attainment start at birth and we are certainly using our devolved powers to deliver a comprehensive package of support to ensure the best start for every child in Scotland. The Scottish Government provide a generous package of support for families to help them through this challenging time, including the three Best Start grant payments for people on low incomes, all providing a higher level of support or eligibility than the Department for Work and Pensions benefits that they replace. We have replaced the British Government's Sure Start maternity grant with the Best Start grant and pregnancy and baby payment. That payment is higher than the UK Government payment and does not put a limit on the number of children supported: we believe that every child should be treated equally.

We have introduced baby boxes, which provide essentials to new parents in Scotland, of which more than 47,000 were delivered in 2019. Indeed, 93% of parents are taking up a baby box at the moment and there is nearly a 100% parent satisfaction rate. I declare an interest and speak from experience, as a result of receiving one in 2018 when my daughter Jessica was born. We are also delivering both nursery and school-age payments for our Best Start plan, together with the pregnancy and baby payment. We made £21 million of awards in 2019-20. Best Start Foods also provides a £17 payment for healthy food every four weeks during pregnancy and for any children between one and three years old, and £34 for babies up to the age of one.

Alison Thewliss: My hon. Friend makes a good point about the Best Start Foods grant. The level of the equivalent payment in England is woeful and, although it will go up in April, there are families just now who cannot afford essentials like infant formula. Does he agree that the Government should put up the payment now to see families through the winter?

David Linden: I am grateful to my hon. Friend for that intervention. I can remember—in a previous life, before I was elected to this place, when I worked for her—helping on the all-party parliamentary group on infant feeding and inequalities. I pay tribute to the work that she has done on that. The point she has made to the Government today is very much based on what the APPG has heard, so I would be more than happy to take that comment on to the Minister.

The Scottish child payment is also—and I quote—a “game changer” in the fight against child poverty that is available nowhere else in the UK. It could support up to 194,000 children this year. Together with the Best Start grant and Best Start Foods, this will provide over £5,200 in

financial support for eligible families by the time their child turns six; for the second and subsequent children, it will provide over £4,900. To further support that early years provision, the Scottish Government will continue to review and transform maternity and neonatal services over five years through the Best Start programme. Through that, we will deliver person-centred care that reduces inequalities, keeps mother and baby together, provides choices and improves experience of care and clinical outcomes for the 50,000 pregnant women and their babies who use the services every year.

In the brief time I have spoken this morning, I have taken a quick canter through some of the support being provided in Scotland. I hope it has been helpful in adding to the wealth of information and policy initiatives that we have considered. I very much look forward to supporting the right hon. Member for South Northamptonshire as she seeks to raise the early years agenda in this place. She will have all of our support.

10.27 am

Alex Norris (Nottingham North) (Lab/Co-op): It is an honour to serve under your chairship, Sir Christopher. I congratulate the right hon. Member for South Northamptonshire (Andrea Leadsom) for securing this debate. She really is one of the leading parliamentarians on this issue, so we were very pleased to see her appointed as the early years healthy development adviser. She has shared with us a lot of insight from her 20 years as well as from the current review. I look forward to hearing those findings and recommendations from that first phase. I hope that we will have a parliamentary opportunity, whether here or the main Chamber, to discuss them further. Hopefully, they will really turbocharge this debate and lead to a renaissance of early intervention at the very forefront of public policy in Britain. I very much hope that will be the case, and I think this is a key moment.

The right hon. Lady's point about brain development was so interesting; I cannot hear these points enough. Like many colleagues here, I have been involved in early intervention-type activities throughout my time in Parliament, but we have been really reminded of the physical impact of emotion in the early stages and how profoundly responsible it is for whether young people—even babies—learn that the world is a good place. The hon. Member for East Worthing and Shoreham (Tim Loughton) said that these things have been well rehearsed, and they have, but I do not think they can be heard enough as they are very important.

The phrase that I underlined twice was “indisputable”; I completely agree there. The evidence for early intervention is indisputable. However, I am struck by the Royal Foundation research with Ipsos MORI that says that only one in four of our constituents understands that. We have a real job to do in taking something about which we are in such profound agreement in this place out to our constituents, so that they understand why it is such a good investment for the individual and for us all as a whole. That is something I am going to return to. The right hon. Member for South Northamptonshire's points about the lockdown were extremely well made, and I look forward to the Minister's response to them.

I turn to the contributions of other Members. I was glad that the hon. Member for Glasgow Central (Alison Thewliss) referenced her tireless work on breastfeeding and the importance of support services for that; I will

reflect on the public health grant in England shortly. On what the hon. Member for East Worthing and Shoreham said, I make no comments about “old or very old”—I leave that only to the Member in charge. But I recall from his time as a Minister and our time serving together on the Home Affairs Committee his strong commitment to getting all children the best start in life. I thought his contribution was very much in line with that. I loved what he said about health visitors. That is such an important distinction in understanding. Health visitors are the best at getting uniformed services over the threshold for some of the hardest families to reach in our communities. That has to be an important part of our public health response.

The comment the hon. Member made about all the big spending we do on getting it wrong is at the nub. I will expand on the point shortly, but we have to work it out. We know we are spending the money, but we also know that the old argument we make about what a difference it would make, if only we had a fraction of it invested, does not work with the Treasury. That has not worked with successive Treasuries of whatever political persuasion. We have to try to answer that question of how to do it in a way that is “cashable”, for want of a better word, and deliverable on a timeline that the Treasury will accept.

I will repeat what I said to the hon. Member for Strangford (Jim Shannon) when he and I were here in the late debate last night. In the early debate this morning, his contribution, as always, comes with a burden of empathy behind it. That is at the root of the issue: understanding the impact of empathy on the development of a young person. The reason that matters is because it is important for public finances, of course, but we are all here because we care about people. We do not want anybody to have their potential and outcomes curtailed before they have even had a chance. That is the importance of a source of empathy.

I will take great interest in family hubs and their development, having listened to the hon. Member for Congleton (Fiona Bruce). I recognised a lot of what she said from Sure Start. The loss of Sure Start is a real sadness, but I look forward to reading and hearing more as those other ideas develop.

I will finish by congratulating the hon. Member for Truro and Falmouth (Cherilyn Mackrory) on the anniversary of her first year here. I am sure it has gone in seconds. I know that colleagues and those watching will appreciate her work and her bravery in sharing her personal story of baby loss. That makes such a big difference to people listening and watching. Her points about continuity of care were really important and I hope the Minister will reflect on that.

I will make a few points of my own. Early intervention is the best gift we can give ourselves. It is brilliant for the individual, transforms lives and is great for the collective, not least financially. We saw that with Sure Start under the previous Labour Government, which made a tremendous difference, especially in the most disadvantaged communities such as mine. I see that work and its legacy close up in my community today, as I saw it when I was lead for health and social care on Nottingham City Council, prior to coming to this place.

Nottingham has a proud history in this area. My predecessor, Graham Allen, the previous Member for Nottingham North, was a real leader in the area of early intervention. It is 10 years next month since his

[Alex Norris]

first report, “Early Intervention: The Next Steps”, was published, and almost eight years since the founding of the Early Intervention Foundation, following his second report. He has played a formative role in my development on this issue, in politics and in life more generally, so I know he will not mind if I run out his ideas. He texted me on my way to this debate with a quote reminding me that the best early interventions we can make start 100 years prior to a baby’s birth, but I will start at conception, because that is what the right hon. Member for South Northamptonshire chose to do. I am sure he will forgive me for that.

We have good examples of the impact of failing to make these early interventions. I will draw on the Department for Education’s Wave Trust report of 2013 that provided the foundation for the 2014 cross-party manifesto, which was so important and provides a theme I hope we can return to in this decade. Disadvantaged mothers are more likely to have babies of low birth weight and low birth weight is associated with raised blood pressure, coronary heart disease, as well as reduced educational attainment, qualifications and employment. Optimal infant nutrition, especially breastfeeding, increases children’s chances of leading a future healthy life. By age five, according to analysis from the Millennium Cohort Study, breastfed children were already one to six months ahead of those who never were.

Those are little examples of the difference that one thing at birth or in the first two years makes for the rest of a life. We could also have drawn on stress and smoking during pregnancy, trauma, language inequalities and communications. I could go on and on. We know what is at the root of this. Those households in the lowest socioeconomic groups have significantly worse health outcomes. If levelling up is the term of the day, this is the crucial piece of levelling up.

This is not a theoretical exercise. As colleagues have said, we are in significant agreement but not just in theory. We have seen excellent early intervention models working over the past decade. I have talked about Sure Start but there is the Family Nurse Partnership, which has supported young parents and their babies for 13 years and is now in 60 areas across England, including my constituency. My friends at Roots of Empathy have reached over a million children around the world, and their Seeds of Empathy programme is incredible. I have joined in with that, and it helps young children learn by watching a baby’s development. It is a wonderful programme. Those sorts of things make such a big difference, and we can do more to champion them.

The Government have to do their bit. Over the last decade, early intervention grants were reduced by almost two thirds: £2.8 billion to £1.1 billion. The public health grant has been exceptionally distressed over the last seven years. From my three years stewarding that grant in Nottingham, I know that after demand-led services such as drug, alcohol and sexual health services have been dealt with, there is not an awful lot left. Sometimes, some of those services with longer term impacts—such as early intervention services—are the ones that can get forgotten. It is a prime example of that. Similarly, local authority children’s services departments have been forced to cut back children’s centres—family support services that make such an impact—because of their finances. I

do not know what Ministers think they have saved in the last decade by making those cuts, but the cost to the country’s finances in years to come will significantly exceed the savings. It is the falsest of false economies.

Well-implemented preventive services—along with early intervention in the foundation years and in the long run—deliver economic and social benefits, as well as being likely to do more to reduce abuse and neglect than would reactive services. Social return on investment studies have shown a return of between £2 and £9 on every £1 invested when there are well-designed early year interventions. The return could possibly be even greater. But that is easy to say. Similarly, the Royal Foundation says that its figure for late intervention was £17 billion each year. It is easy—certainly in Opposition—to say, “If only the Government were enlightened enough to hive off 10% of that and invest it. They would save all that money.” That is true but that is the argument of fixing an aeroplane in flight, so we must have a real conversation. I would be interested to hear the Minister’s reflections on that. The Treasury does not buy that argument and says that it is for idealists and daydreamers who do not understand the reality of public finances. But as the hon. Member for East Worthing and Shoreham says, we are spending an awful lot to get it wrong.

What do we have to change? How do we have to recalibrate that investment conversation to get the Treasury to move on the issue? Colleagues who are more enlightened on the issue than I am have been trying to do that year after year after year, and it does not happen. What is stopping us here? I have reflected—as have colleagues—on the Royal Foundation, now led by the Duchess of Cambridge, which has now spent nine years on early childhood experiences. That is wonderful political leadership, and has highlighted the fact that only one in four people in this country think that it is a priority. The royals would, hopefully, be good people for leading the conversation and helping to grow that figure, but we must also play our role and talk about the successes. We would be keen to do that in a cross-party manner because it needs helium in the public conversation so that we have greater public space to invest in it. We would all be better off if we did so.

I will not repeat points made by colleagues on the pandemic about the impact of isolation. The impact of covid will be the subject of longitudinal studies for the rest of my life. I want to raise the issue of the impact on local authorities, which is significant. That worries me because my local authority—and, I suspect, the vast majority of the 150 authorities in England—will be doing in-year budgets. They are a bad way to run public finances, because twice as much has to be cut to get the half-year effect. The public health grant, in particular, is likely to be distressed and squeezed by that. We will lose early intervention type activities from that. The Government need to look at that and to back-fill that public health grant loss from the previous seven years, not just from this year. That is the big prize. Dealing with covid and dealing with Brexit are vital. It is right that we spend these weeks and months doing that. As for getting our country where we want it to be—a country in which everybody can reach their potential and flourish—it is about those early interventions we make in the life course. I am glad to see the complete and cross-party agreement we have on the issue. We now need to translate that into more action.

10.39 am

The Parliamentary Under-Secretary of State for Health and Social Care (Jo Churchill): It is a pleasure to serve under your chairmanship, Sir Christopher. I thank the right hon. Member for South Northamptonshire (Andrea Leadsom) for securing the debate. I know that her passion for this subject runs deep and has done for some considerable time, and she always speaks with great authority. That is why I was so pleased that the Prime Minister appointed her to lead the review. I am really looking forward to the results of that come the new year, because as so many right hon. and hon. Members have said, the time for change is here. Being able to deliver for families over those first 1,001 days is a responsibility that we should all share; we need to make sure that we not only speak about it, but actually deliver it.

I would also like to thank all hon. Members present, starting with my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton)—or, as I now like to refer to him, the hon. Member for health visiting, that very unsung part of our health ecosystem. I thank the hon. Member for Glasgow Central (Alison Thewliss), and commend her on the work that she does with her APPG on breastfeeding, which is such an important start to life. I also thank my hon. Friend the Member for family hubs, or for Congleton (Fiona Bruce), and the hon. Member for Strangford (Jim Shannon), who looks after the strength of the family in this place. Finally, I thank my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory) for her plea for continuity of caring, but also for the fine work she does with the APPG on baby loss. I am following in some big shoes: those of my hon. Friend the Member for Colchester (Will Quince), of the former Member for Eddisbury, and of my hon. Friend the Member for Banbury (Victoria Prentis).

There is such power in this room for change, and it is both right and important that the Government have a care for the nation's health. Just as we say about retirement, we should be investing in our health from the beginning: from early years through to older age. It must start from conception to be as effective as it can be. The period between conception and the age of two is absolutely critical in a child's development, as we have heard. It is during this time that the important foundations are laid, creating that strong and healthy start that can see children through their life: to school, to work, to parenthood, and to better parenting themselves, as my right hon. Friend the Member for South Northamptonshire said, which very much struck me. This is a cycle that we really do need to get right.

Thankfully, most babies do have a fantastic start in life. They benefit from the support of loving parents and carers, as well as dedicated early years professionals. However, there are unacceptable variations across the country, both in different parts of the country and within regions, and both in terms of geography and population groups. We know that just over 66% of children in Bolton achieve a good level of development at age two to two and a half, but that rises to over 93% for a child born in Cambridgeshire. That differential should be unacceptable to us. Risk factors, often family based or socioeconomic, make our children—they are all our children—more vulnerable to poorer outcomes going forward.

The coronavirus has created enormous pressure, not only on services but on individuals. For many new parents, coronavirus has meant feeling isolated and losing that support mechanism, and my heart goes out to them. I think it was the hon. Member for Strangford who spoke about the importance of just meeting friends; just being able to have that little bit of “Does your baby do this? My baby does that.” They do not come with a manual, and I remember all four of mine, all under five at the same time, all being completely different: they all had completely different eating habits, and so on. Very often, I could not work out why. I thought, “I did a proper job before I had these children. Why on earth is this so difficult?” Some days, it was a real achievement to get the breakfast pots washed and go out with my pants on the right way around.

Fiona Bruce: The Minister is making such an important point. Does she agree that we so often undervalue how important mothering, parenthood and ensuring children have that best start in life is? As a society, we should value that much more highly, because it is not an easy job.

Jo Churchill: I agree wholeheartedly with my hon. Friend. We are in a different time as regards parenting. Many couples choose that the father will stay at home. Often they do an excellent job at raising their children, as that part of the family unit. It is about communicating, sharing responsibility, and the services that wrap around families. My hon. Friend the Member for East Worthing and Shoreham used a lovely phrase when he talked about supporting, not supplanting, parents: holding hands to make sure that there is help there when someone struggles with breastfeeding or to understand the right thing to help a child sleep, or when there might be conflict in the house and they reach out. I take the point made by my hon. Friend the Member for Truro and Falmouth about a trusted carer giving people signposting. I asked my sister, who recently became a grandparent, what the most challenging thing was, and she said it was definitely the isolation and separation, which did not even allow her to hold her new granddaughter for six weeks after her birth.

Jim Shannon: The Minister is responding in just the way we knew she would, and I thank her for that. I mentioned in my contribution the importance of church and community groups, which by their nature are on hand to help and assist. Does the Minister recognise the good work that they do? Church groups are important to those of faith—and those of no faith—and the community groups are also important for what they can do, such as mother and tots provision.

Jo Churchill: Indeed. I think that often the role of family hubs can be support and education. However, a good health visitor can change a life, when it comes to moving on. An excellent midwife changed my journey, when I was struggling to feed my children for the first 10 days. Everyone says that those things are easy, but there is nothing easy about it, but after managing to get support people, hopefully, really feel they can fly. That is why it is vital.

Coronavirus has meant that many parents feel isolated, as I have said. They have not had access to the support of those closest to them, or other supporting work—whether that is faith-based or otherwise. That has added

[Jo Churchill]

to the emotional pressures that many new parents face. For many babies the pandemic will represent time missed in, for example, getting to know grandparents. For some families it has meant a lack of professional wraparound support. There has been pressure throughout the system, but we have been in the middle of a global pandemic. It is just a statement of fact, not an excuse.

I assure my hon. Friend the Member for East Worthing and Shoreham and others that the advice from the chief nurse, the Local Government Association and others is that redeployment should not occur unless it is unavoidable, because it is seen as so important that families with young children get assistance. As my hon. Friend said, there are challenges with respect to health visitor numbers. Both of us have debated that issue in this place, and I have also met Professor Viv Bennett. I am looking forward to the review because some of the open sessions at which I have joined my hon. Friend have highlighted the importance of the service.

For the first set of lockdown restrictions the health professionals in question were redeployed, although I assure Members that vital safeguarding functions were still carried on. I have spoken to health visitors on the ground who said that that was a key priority, to keep children safe. We recognise that that level of support is not what people would want or expect. However, I really want us to go forward from this point to deliver into 2021 and beyond.

As the vaccination roll-out is happening and we start, hopefully, to return to a more normal, albeit covid-tinged, way of life, there is still a long way to go.

Coronavirus has shown us, if we needed more proof, how valuable data sharing can be across the services, as my right hon. Friend the Member for South Northamptonshire said. The join-up between services for the early years has accelerated out of necessity, but has brought a bit of a silver lining to what has been a very difficult time. Some of the services and support can be provided digitally. I would be the first to say that I do not want 100% of services to be on a digital platform, but there are mothers of tongue-tied babies who have been able to access immediate support, with a professional on the other end of the video conference call who is able to explain what is going on at the point when the mother is getting quite stressed about the situation. There is therefore a place not only for better data and information sharing to improve services, but for different ways of working to ensure that we get the most out of them.

The early years are not only important for health and care. Many Government Departments have an interest or play an active role, which brings me on to family hubs. They sit very much under the Department of Health and Social Care, while being integral to ensuring that we deliver properly for families. On Sure Start centres and the use of family hubs, findings from the local government programme, the Early Intervention Foundation and the review of family centres, family hubs and other delivery models will inform the next steps, including any future consultation of the role of children's centres. I know that my hon. Friend the Member for Congleton will not cease to fight for family hubs to be at the centre of all our communities.

Fiona Bruce: I thank the Minister for that comment. Will she also comment on the point made by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) about the need for a dedicated Minister for families, ideally at Cabinet level? Within just a few minutes we have referred to many different Government Departments—the Department for Education, the Department of Health and Social Care, the Ministry of Housing, Communities and Local Government and others—all looking at family hubs. There needs to be one Minister who can really pull the thinking together and drive it forward.

Jo Churchill: I know that the Education Secretary has been given a leadership role for families, and £2.5 million to research and develop best practice on how we integrate family services. I know that my hon. Friend the Member for East Worthing and Shoreham has often called for a families Minister, and in the last Parliament my hon. Friend the Member for Congleton also made such a plea. Joined-up cross-Government working in many areas is always a challenge. I leave the plea of my hon. Friend the Member for East Worthing and Shoreham resting there. It is something else that will probably come out in the review.

The Department is taking important steps to improve the healthcare outcomes of babies and young children to give them the best start in life, including the most ambitious childhood obesity plan in the world. The Minister for Mental Health, Suicide Prevention and Patient Safety has done a lot of work on transforming children's mental health and maternity services to identify those mothers and members of the broader family who are struggling. We also have a world-leading immunisation programme, which I will come back to.

All those policies are informed by the guiding principle of prevention, which I totally agree is better than cure. We want to identify and treat problems from the earliest stage and help parents to care for their children, change and improve behaviours, and protect against preventable diseases. We know that if parents and babies are well supported in the vital period from conception to age two, they are set up for a lifetime of better mental and physical health. Attachments, stimulation and foundations really are the backbone of their lives. While my right hon. Friend the Member for South Northamptonshire was talking, I thought of it as an emotional reservoir on which we can spend our lifetime drawing to ensure that we live healthier and more sustainable lives.

We are doing everything we can to help the NHS to improve outcomes for babies and children, and we are building that into the NHS long-term plan. The pandemic has made the public rely on new methods of accessing childcare. Information has been accessed from conduits such as 111 to an extent that we have never seen before. I am keen to explore how that can be used further to support parents and children going forward.

We are embracing opportunities presented by technology and pleased that the personal child health record, better known as the red book, is being digitised and made available. There are enormous opportunities here. We are also making sure that the modernisation of the healthy child programme is universal and personalised in response to every child's needs. We remain committed to improving perinatal health. My hon. Friend the Minister for Patient Safety, Suicide Prevention and Mental Health is making sure this is at the top of her agenda.

I ask Members to encourage parents in their constituencies to ensure that their children are vaccinated. As my hon. Friend the Member for East Worthing and Shoreham said, vaccination rates are falling, and we lost the World Health Organisation status for measles. It is vital that parents use the free vaccination service to protect their children from measles. The actual disease is much worse than the second it takes to get vaccinated. I would really like us all to push to make sure that we regain the WHO status. The flu vaccination programme rolled out to school-aged children has been a phenomenal success this year, but if parents are worried about anything to do with vaccinations, they should go to their GP or a health professional and ask questions.

Before I finish, I will quickly comment on support bubbles. I hear my right hon. Friend the Member for South Northamptonshire. In all tiers, single adult households can form a bubble, and we have expanded this provision because we understand the pressure that they are under. Specifically, households containing a child with only one adult, and adult households with a child under one, or a disabled child under five who requires continuous care, can now also form a support bubble. In addition, households with one or more people who have a disability and require continuous care, as long as there is no more than one other individual over 18 who does not have a disability, can also form a support bubble. As my right hon. Friend knows, it is a challenge in the current pandemic to make sure that we balance the safety of everybody with access to support, in this case for young parents or perhaps people with needs arising from terminal illness.

The Duchess of Cambridge's report was mentioned by several hon. Members. I am keen to understand whether the five recommendations are woven into the review, when it finally comes to us in January.

I recognise the impact of domestic violence on families. It has been incredibly difficult, and it is unseen. I pay tribute to the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth

and Horncastle (Victoria Atkins), for her work in this space and on the Landmark Domestic Abuse Bill. We all need to be aware of the issue, and highlighting services and support for families is key.

On that note, I hand over to my right hon. Friend the Member for South Northamptonshire. I look forward to receiving the review in the new year and discussing the outcomes with her.

10.58 am

Andrea Leadsom: The extent of cross-party support is apparent in today's debate, and it is going to be essential. I will pick up on a couple of points.

The hon. Member for Glasgow Central (Alison Thewliss) talked about the vital importance of infant feeding. She is exactly right: it will be a big feature of our recommendations. My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) spoke particularly about the crucial importance of health visitors. I join him in paying tribute to Cheryll Adams, who has done a brilliant job. He also talked, as did my hon. Friend the Member for Congleton (Fiona Bruce), about the importance of leadership. That will be one of the recommendations that we will look at carefully in our report.

The hon. Member for Strangford (Jim Shannon), whom I have worked with many times, talked about his own grandchildren—how lovely to hear about them. He also talked about how it takes a village to raise a child, and I absolutely agree. My hon. Friend the Member for Congleton was right to talk about family hubs. They are the absolutely proper place for better support in the early years. I thank my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory) for her bravery in talking about her own story. She has been a critical member of the parliamentary advisory group. I thank all colleagues for a very helpful and useful discussion to inform the review.

Motion lapsed (Standing Order No. 10(6)).

Commonwealth War Graves Commission Staff

11.1 am

Rachel Hopkins (Luton South) (Lab): I beg to move,

That this House has considered Commonwealth War Graves Commission staff.

It is a pleasure to serve under your chairship today, Sir Christopher, and a privilege to speak today on behalf of the Commonwealth War Graves Commission staff. They are unsung heroes, who care for the cemeteries and memorials of over 1.7 million Commonwealth casualties of war. Although the commission employs local staff across the globe, it has always retained a proud and important link to the UK by sending domestically based staff to work abroad, primarily in France and Belgium. Gardeners, stonemasons and other staff tend cemeteries across those countries, including in the Somme, Ypres, Passchendaele, Normandy and Dunkirk.

Before I continue, I wish to assure the Minister that I come to this debate with sincerity. This is an important matter and I have not come here today to debate leaving the EU—indeed, I hope that their researcher did their homework and understands my position.

This matter touches me personally in a number of ways. First, I am a member of both Unite and the Public and Commercial Services Union, which stems from a career in the wider civil service before coming to this place. Often, I worked for organisations that not many people knew about, but when they found out what those organisations did, they appreciated their importance. Secondly, I have lived abroad and been affected by a significant drop in income through no fault of my own. I was a student in France in 1992 on Black Wednesday, when the UK dropped out of the European exchange rate mechanism, and overnight we lost two francs to every pound—a 20% drop. Finally and most importantly, like so many members of the public, I have three family members buried in cemeteries in France and Belgium. I wish to put on the record my personal thanks for the brilliant work that all the staff in those cemeteries do, which I saw at first hand when I visited some of those cemeteries.

Dame Diana Johnson (Kingston upon Hull North) (Lab): I congratulate my hon. Friend on securing this important debate. I rise as a Commonwealth war graves commissioner to express the commissioners' concern about and our respect for the workers she is talking about—those gardeners in Belgium and France. We must ensure that we do exactly the right thing by them, especially in the context of the rather challenging employment situation they are in and against the background of Brexit. I very much look forward to hearing what the Minister says on behalf of the Secretary of State, who is the chair of the Commonwealth War Graves Commission.

Rachel Hopkins: I thank my hon. Friend for making those really important points. This debate focuses very much on those staff, and I, too, look forward to hearing the Minister's response.

My great-grandmother lost her first brother, my great-uncle, Private Ernest Henry Butterfield of the Middlesex Regiment, Third Battalion, on 23 May 1915. He is

buried in the Hop Store cemetery, which is to the west of Ypres in Belgium. My great-grandfather, Private Arthur John Langley of the Middlesex Regiment, Second Battalion, died on 23 October 1916. He is buried in Caterpillar Valley cemetery, just outside Longueval, in the Somme in France. That date was not a good one for my great-grandmother, as her second brother died on 23 October in 1918. My great-uncle, Lance Corporal Sidney John Butterfield of the Northampton Regiment, First Battalion, is buried in the Highland cemetery, Le Cateau, in France.

I have visited Caterpillar Valley cemetery in France. It was the end of summer, but it was still pretty bleak. I take with me that feeling of not only desolation but the beauty of the cemetery. I went past the Hop Store cemetery on the train between Ypres and Poperinge before I realised my great-uncle was buried there. It is small and beautiful, with just over 200 graves. It was there that I found out that he died of his wounds, because there is always a small book on a little shelf to say who is buried there.

I visited the visitor centre at the Somme and the Thiepval memorial designed by Sir Edwin Lutyens, who also designed and laid out the house and gardens up at Putteridge Bury, which is now part of the University of Bedfordshire, just on the edge of my constituency. Thiepval is absolutely stunning from afar, and as I got closer I realised that the gigantic memorial is inscribed with the names of more than 70,000 soldiers who lost their lives on the Somme.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing this debate forward and her impassioned description of her visits to those cemeteries. I have been contacted over the years by many constituents, but one in particular comes to mind in relation to this debate. He wrote about a war grave for his uncle. The importance of the Commonwealth War Graves Commission cannot be overstated—it was incredibly helpful. It is important to ensure that staff in Belgium and France have job security and options. Does the hon. Lady agree that we need to hear definitive answers about exactly what is going to happen, and not generalised possibilities for all those staff?

Rachel Hopkins: I thank the hon. Gentleman for that really important point about genuine options and security for the staff. I will come to that in my speech, and hopefully we will have a response from the Minister.

The amazing work carried out by CWGC staff and the many volunteers in many countries who support the cemeteries must not be forgotten. Across the House and across the country, we proudly recognise the national value of the work they do. Some staff who have been posted to France and Belgium, although not permanently, have stayed for many years—some for decades—and have had families on the continent. As they are posted abroad from the UK for work, they are offered affordable housing and a living allowance to stay for the duration of their posting by the commission. That is commonplace when UK staff are sent to work abroad, and has been the situation for a number of years.

That supportive agreement between the commission and its staff has ended. Following remembrance events this year on 12 November, the commission's management provided Unite, PCS and Prospect—the trade unions

representing staff—with a decision that it would be presenting to its UK-employed staff abroad. At three weeks' notice and without consultation, staff, many of whom have lengthy service with the commission, would be forced to decide between transferring to new pay and contractual terms, which means choosing to have their income drastically cut, or being repatriated back to the UK in January.

Staff had to respond to that ultimatum by 7 December, and if they did not, they would be repatriated. I first want to highlight to the Minister the inappropriateness of the timing of that announcement. Releasing life-changing information that would completely upend the lives of staff the day after Armistice Day is completely unacceptable.

James Gray (North Wiltshire) (Con): My right hon. Friend the Member for Ludlow (Philip Dunne) is extremely sorry that he cannot be here to listen to this important debate. The point that the hon. Lady makes is extremely important. It is not necessarily a question of the employment terms of those people; it is the way in which the choice was put to them and the time they were given. I am sure she will agree that, by and large, the CWGC is a first-class employer, but on this occasion it seems to me to have slipped up, and it really ought to get it sorted out.

Rachel Hopkins: I thank the hon. Gentleman for making that completely pertinent point.

The decision is perceived by some as a communications strategy to limit the backlash against the mistreatment of staff, and by others as an attempt to silence staff and prevent them from speaking out, as they know that those loyal, dedicated staff would not want to be criticising the situation at an important time for remembering those who sacrificed their lives. I hasten to add that it may have been a logical decision taken to meet tax and payroll deadlines, made with the head but sadly not with the heart.

I hope the Minister will agree that the timing of the announcement is pretty shameful. The excuse that the EU transition period deadline is approaching is actually thoroughly inadequate. The vote to leave was more than four years ago. Implementing a plan to support staff should have been a priority for the commission. As an employer, the commission has a duty to protect the staff's wellbeing.

I am deeply concerned that the new employment contracts for staff who choose to remain in Europe remove their entitlement to additional allowances, which will lead to staff having their income drastically cut. A PCS member in France at a supervisory grade, who shared their situation with me, is having their total employment package cut by 53%, equating to about €32,000. That is not an anomaly. Two other staff members working abroad have told me that their package will be cut by more than 50%. Staff are being told to sign new contracts by 22 December, although they have been told that they cannot negotiate their new pay levels, as pay is a decision for human resources to make. Many long-serving staff are being transferred to a level that is between 50% and 75% of the corresponding local pay scale, without any opportunity to negotiate. The staff involved also still do not know what will happen with their state or occupational pension.

I understand that the commission points to the Brexit mitigation payment that offers staff who want to stay in a European country £30,000 to account for the loss of income under the new contract. In most cases, it will cover only one to two years of allowances, and they will not be entitled to any assistance to repatriate when they retire or if they need to move back to the UK for compassionate reasons. Furthermore, I am aware that the commission has offered an additional payment of between £5,000 and £10,000 to assist with housing costs following the initial removal of rental and living allowances. That is a positive step, but it fails to confront the central issues: the long-term impact on staff's pay and pensions arrangements.

Such decisions have a real impact on staff's wellbeing. Accounts that I have received state that many of the staff are extremely distressed and feel completely let down and abandoned by the commission. The situation has had a tremendous toll on them, with four out of the 32 PCS members now unable to work because of illness. I have spoken virtually to some of the staff, and it is heartbreaking to hear how they have been treated after dedicating so many years to caring for the cemeteries. The support offered is essentially a stopgap, and an improved package is needed to ensure these important workers do not have to face significant upheaval in their lives and/or downgrade their living standards. What confuses the situation further is that such jobs are needed—they are essential. The cemeteries need caring for, and the incumbent staff have the skills and dedication to do it.

I am aware that the commission's management state that, legally, the staff can no longer stay on UK contracts and will need to localise in order to pay into the local tax system, but the UK's exit from the EU should not be used by the commission as an excuse to reduce its overall costs. Indeed, the legal advisers to the trade unions have not been able to identify a clear legal reason why the commission is seeking to change the contracts of staff working abroad. As I understand it, the British Commonwealth war graves overseas situation is based on the 1951 treaty. It therefore derives from international law, not EU law.

That raises the question of whether the UK leaving the EU changes the immigration employment situation of staff. Subject to international law, the 1951 treaty is between individual sovereign states, and not all are members of the EU. I say that because I am concerned at the commission's response. It not only refused to disclose its legal advice, but claimed that its external legal advice was verbal only. I would have thought it would have been to the commission's benefit to have legal advice in writing, which it could then have shared with the trade unions to ensure that there was mutual trust in the process.

I hope the Minister can shed some further light on the legal position, as I believe the lack of transparency and trust is at the heart of the dispute. Through greater transparency and negotiation with the trade unions, the commission could have averted the crisis. Trade unions have repeatedly asked for more time to consider the legal position and for better pay protection for the staff involved, but they have received little to no movement from management.

I understand that things may need to change, but the jobs that those workers do are of national importance. I am sure the Minister and the Secretary of State agree

[Rachel Hopkins]

with me on that, so will the Minister discuss this issue with the Secretary of State, who is also the chair of the commission, to increase the level of support provided to these workers? That should include improving pay protection for staff who are transferring to localised contracts. Importantly, the trade unions should be involved in representing staff and working collectively towards a negotiated settlement that continues to value the staff and the work they do, and that reflects the respect that I and so many members of the public have for them, as part of our connection to those who gave so much for our country. Nous n'oublions pas.

11.14 am

The Minister for Defence People and Veterans (Johnny Mercer): It is a pleasure to speak under your chairmanship, Sir Christopher. I begin by paying tribute to the hon. Member for Luton South (Rachel Hopkins) for securing the debate. We all agree on the admiration that we have for the extraordinary work of the Commonwealth War Graves Commission—I see it in my own constituency in Plymouth—and its desire to ensure that those who do such an important job with dedication and dignity are treated fairly, in keeping with the values of the organisation. I certainly share that commitment.

I welcome, too, the opportunity to shed light on an institution whose work is often unsung, and I am grateful for a chance to provide some clarity on an issue on which I suspect there has been a degree of misunderstanding. My friend the hon. Member for Luton South does not want to talk about Brexit and I desperately share that ambition, but the reality is that it has had an impact on this situation, and I will outline that. I want to work with her going forward. I believe that she has a meeting with the Secretary of State tomorrow, so this is not a closed door. I will lay out the position as it stands, but I think that we should continue to work together to see what we can do to ensure that these people are looked after.

As we know, the commission was set up more than a century ago to honour in perpetuity the memory of 1.7 million people who died in the two world wars. In total, it oversees cemeteries and memorials at some 23,000 locations in 154 countries. In the United Kingdom alone, the commission maintains graves and memorials in approximately 13,000 locations. Last year, I was fortunate enough to attend the Commonwealth War Graves Commission cemetery at Arnhem. It is the final resting place of some 1,700 Commonwealth soldiers who lost their lives during Operation Market Garden. The serenity of that peaceful place, with its row on row of perfectly maintained and meticulously ordered white headstones, is particularly suited to the contemplation of service and sacrifice, and it continues to provide solace and consolation to all those whose relatives lie there. It is no wonder, because for more than 100 years horticulturalists and architects have laboured together to develop these cemeteries into something more, into great gardens of remembrance. As a former soldier, I find it humbling to think that there, as in all war grave cemeteries, no distinction is made for rank, race or creed; everyone is treated the same. It is a powerful reminder of our nation's moral responsibility to ensure the legacy of every person who has given their life to keep us safe.

Today, our particular focus has been on the 30 UK nationals with UK-based contracts who work in Belgium and France alongside 550 staff. We are proud of those skilled British gardeners and want them to continue doing their excellent work, but, as with all UK citizens who work overseas, the end of the transition period from exiting the European Union and the end of free movement of labour have meant the introduction of new arrangements to ensure that they can continue working there after 1 January next year. That meant that they were faced with two stark choices: to remain in the EU on local terms, identical to those of their French and Belgian colleagues, or to return to the UK.

An additional complication has been that these staff enjoy certain unique advantages thanks to a set of historical anomalies. Not only do they not pay income tax in the UK or in their host nation, but they receive an allowance in recognition of the fact that they may be required to move anywhere in the world as part of their duties. Inevitably, once they have become permanently located, these arrangements will be brought into line with those for their counterparts. They would then have to pay local tax and lose their allowances. Although that is not a pay cut in the traditional sense, it does represent a significant reduction in their overall remuneration package. Consequently, the commission has been at pains to ensure that its employees are not disadvantaged. It offered employees a tax repayment of £30,000 and agreed to fund removal expenses where required. That was assessed as equivalent to 18 to 24 months of current benefits and will be paid in one lump sum to ensure that tax-free status.

I am pleased that, following a meeting with unions last week, the commission has further decided to help those remaining in the EU by making an additional one-off payment of up to €10,000, which, for the majority, will cover housing costs for the next 12 months. Should they decide to move house, the commission will also pay up to €5,000 to cover costs. Those choosing to return to Britain have also been offered equivalent employment with the commission here in the UK.

The hon. Member for Luton South asked specifically about union negotiations. Initial conversations between the CWGC and three UK trade unions took place in October, with detailed proposals to individuals in November, alongside collective briefing and discussions with those affected. It is certainly a matter of regret that employees were not given more time to make their decision, and I have no desire to minimise how tough these relatively sudden decisions will have been for them to make. That said, it should also be acknowledged that matters have been complicated by the absence of a clearly defined host nation policy on residency status. In the end, a balance had to be struck between ensuring enough certainty for any arrangements to be legally compliant while also giving personnel sufficient time to consider their options. Staff were asked to make their decisions before 8 December so that their payments could be processed before the start of the French and Belgian tax years, which, unlike the UK's, run from 1 January to 31 December.

The hon. Member also asked whether the Ministry of Defence will intervene, but it is important to remember that although the Secretary of State is an ex-officio chair of the commission by virtue of the fact that the UK is the largest financial contributor to the

Commonwealth War Graves Commission, ultimately the commission is independent, with its own commissioners and director general having direct responsibility for their personnel. Those affected by the changes are not MOD employees, so it would be inappropriate for the Department to intervene in this instance, but I believe my right hon. Friend the Defence Secretary is meeting the hon. Member tomorrow to continue these discussions.

We certainly agree that it would have been preferable for CWGC staff to have been informed earlier; we do not dispute that. However, all 30 employees have now confirmed their options, with 21 remaining in Europe, seven returning to the UK and two retiring. I hope that the commission's increased offer last week will be welcomed. Those individuals now have the clarity needed to move forward, while our country has the certainty of knowing that the vital work of the Commonwealth War Graves Commission in preserving the memory of the fallen will continue come what may.

Question put and agreed to.

11.22 am

Sitting suspended.

Planning for the Future

[SIR CHARLES WALKER *in the Chair*]

2.30 pm

Sarah Olney (Richmond Park) (LD): I beg to move,

That this House has considered the Planning for the Future White Paper.

It is a pleasure to serve under your chairmanship, Sir Charles. There is a great deal to consider in the White Paper, which takes as its starting point the idea that the lack of progress in building the homes we need in this country is largely due to our system of planning controls and approval. I should declare an interest at the outset. I have been happily married to a town planner—a member of the Royal Town Planning Institute—for 18 years, which just goes to show that not all politicians are at loggerheads with town planners. I can see by the number of people who have applied to speak in the debate that the issues raised in the White Paper have generated a great deal of interest. As an MP for an urban constituency that none the less has more than half its square mileage covered by a national nature reserve I believe I have as much insight as anyone into the balances that need to be struck in our planning system between preserving our environment and building more homes.

The White Paper proposes a number of reforms to how planning permissions are granted. Among them are a proposal that development land should be divided up into different zones—growth, renewal and protected—each with different approval rules. That proposal will remove the ability of locally elected councillors to scrutinise individual applications on their merits. Engagement with local communities will instead be only in the development of the local plan. In the White Paper it is envisaged somehow that that approach will engage groups who have previously been excluded from planning decisions, although it does not give details of how that will be achieved.

There are many other contentious proposals in the White Paper and I am confident that each of the points will be fully debated during the sitting, but I want to make two specific points. The world faces a climate emergency—a fact that the Conservative Government have belatedly woken up to. Having spent a decade trying to cut the “green crap”, in the words of their former leader, the Conservatives have recently made encouraging moves towards recognising that the climate crisis is real, our environment is degrading, and it is high time our Government got on and did something about it.

Among the most urgent challenges facing us, not just as a nation but in partnership with other nations across the world, is that of cutting our carbon emissions. I welcome the Government's commitment to achieving net zero carbon emissions by 2050. That commitment was underlined by the Prime Minister's announcement of his 10-point plan last month. There was also an announcement on renewables in yesterday's energy White Paper. However, all those announcements are missing the details of the actual plan to get there. Where are the policies? Where are the interim targets? Where is the funding?

The areas that need to be tackled are well known. We need to decarbonise our transport, power generation, agriculture and industry; but above all we need to

[Sarah Olney]

decarbonise our housing. We need a step change in how our homes are built, how we heat them and how we cook our food. There are two key approaches we need to take to combat carbon emissions. The first is to upgrade existing homes with better insulation and sources of heating and power. The second is to ensure that all new homes are built to net zero carbon standards. That standard was ready to go in 2015 when the Liberal Democrats left government but was rejected by the Conservatives in 2016. The Government are now returning to it, but promise only a 75% decrease in carbon emissions by 2025. A million homes have been built since 2015. In itself that is hardly suggestive of a planning system that impedes development. Those homes have been built without a zero carbon homes standard. All of them will need to be expensively upgraded in the future.

Dr Rupa Huq (Ealing Central and Acton) (Lab): I am grateful to my near neighbour for giving way. She mentioned going back to existing buildings. Is she aware of the *Architects' Journal* campaign to retrofit? That could be an idea. Does she share my concern that often design is sacrificed in all this? There was a report last year by the Building Better, Building Beautiful Commission, but it feels as if there is a possibility of ushering in the slums of the future. We need to emphasise more retrofitting stuff—and beauty, properly.

Sarah Olney: The hon. Lady makes some interesting points. The Liberal Democrats are absolutely committed to supporting policies for retrofitting—or upgrading, as I prefer to call it, as it is a slightly more future-focused look. I believe that the particular value of that policy is that it will benefit our lowest-income families the most. They are the ones who are living in the worst housing and who will benefit most from the reduction in heating bills that will result from, for example, better insulated homes. I am glad that she mentioned building design, because that is precisely the point I am making. If we can design our buildings from the start to achieve a net zero carbon output, those benefits would be there from day one and could be seen both in reduced carbon emissions and reduced heating bills.

The planning White Paper is a missed opportunity to do much more to embed this net zero carbon ambition into our planning policy and thus facilitate the step change that we need to see in our new housing developments. It is only through the constraints applied by the planning system that we can hope to see net zero carbon homes built by private sector housing companies that want to build cheaply and quickly.

The legislative framework already exists if the Government would only use it. The proposed planning reforms should bind together the Town and Country Planning Act 1990 and the Climate Change Act 2008 to confirm that local planning authorities have a clear and specific duty to address climate change in their planning decisions. Carbon reduction would then become a material consideration in the planning process, enabling local authorities to reject applications that would not seek to achieve net zero carbon in the resulting developments, and the law could enable local authorities to go further if they wished by allowing them to put carbon reduction targets in their local plan.

The failure of the White Paper to explore opportunities to achieve net zero carbon in our housing is indicative of the Government's failure to provide a proper plan to achieve their overall target of net zero carbon by 2050. However, it is not just a climate emergency that we face; we are also confronted by an environmental emergency. The threat to our natural environment has never been greater and the Government must do much more to tackle it. There could not be a better opportunity than a planning White Paper to make proposals about how we balance our need for housing and economic development with our need to protect our green spaces and wildlife.

There is a very real environmental pressure in every part of the country and the Government urgently need to set policy on it and provide a clear lead. However, in proposing a zoned approach to development, they are heading in precisely the wrong direction. By allowing the automatic granting of planning permissions in growth and renewal zones, the planning process will no longer be able to mitigate against environmental damage in those locations or restrict development where environmental damage cannot be mitigated.

I would struggle to think of a single part of my constituency that could be designated as an unrestricted growth zone, where development would need to take no account at all of environmental impact. The proposal to introduce such zones rides roughshod over the many small decisions that can be made by those who know their local areas and can arrive at the best solution for the local population and the local environment.

Wera Hobhouse (Bath) (LD): Government-commissioned research from University College London has found that homes built through permitted development rather than by going through the planning process are also of worse quality. Does my hon. Friend agree that that is also a very regressive step rather than a progressive step?

Sarah Olney: I thank my hon. Friend for making that point, because it highlights the fact that the more we weaken the planning decisions made by local authorities at local level, the more we risk allowing unsuitable development, including architecturally displeasing development, environmentally damaging development and development that is not primarily designed to meet the needs of the local community. That is why bypassing local authorities is the wrong approach.

The planning White Paper proposes to bypass much local authority planning involvement in the mistaken belief that it is local nimbys who are blocking development. In my constituency, it is local people who have provided many of the ideas for local authority action that have improved our environment and guided planning policies. Local authorities, especially Liberal Democrat-controlled ones, are often willing to go much further than the national Government in reducing carbon and improving our environment. In Richmond and Kingston, for example, the councils have introduced new cycle lanes to encourage people to reduce the number of car journeys they make, and electric vehicle charging infrastructure to encourage the switch to cars with lower emissions. Liberal Democrat councils up and down the country are also planting trees, installing solar panels on the roofs of council buildings, switching council vehicles to electric, and insulating council-owned homes. In each case, they are responding to the needs of their own environment and that of their local population.

When the public inquiry into the handling of the coronavirus is completed, I believe that it will clearly demonstrate that some of the response could have been more effectively delivered by local authorities or neighbourhood groups. We have seen the weaknesses of a centralised test and trace system, for example, and even today the Government are setting central rules for school openings that might be better decided by local education authorities.

The same is true for planning. A group of concerned local residents, whether elected representatives or volunteers, are much better placed to decide how their street should be adapted to keep pace with the challenges of modern life than a few unknown Government workers in Whitehall. If all bodies making decisions about future developments can be tasked with the responsibility of achieving net zero carbon and protecting our environment, then the ingenuity and enthusiasm of our local authorities, and the residents they serve, can take us a lot further towards the Government's 2050 goal than any amount of top-down diktat. It is time for the Government to show they are serious about climate change and the environmental emergency, and that starts with some serious revision to this planning White Paper.

Sir Charles Walker (in the Chair): We have had a few drop-outs, so I will allow five minutes per speaker.

2.40 pm

Theresa Villiers (Chipping Barnet) (Con): It is a pleasure to serve under your chairmanship, Sir Charles. I thank the hon. Member for Richmond Park (Sarah Olney) for securing this debate.

The proposed algorithm linked to the White Paper would more than double the annual housing target for the borough of Barnet to 5,744 units a year. That would place intolerable pressure on an area that is already building thousands of new homes—it is already playing its part in tackling the housing shortage. The numbers proposed in the algorithm for London and the south-east would be impossible to deliver without significant urbanisation of the suburbs, encroachment on the green belt, or both. They would inevitably mean the construction of hundreds of high-rise blocks of flats, changing the landscape and the skyline forever and permanently blighting the local communities that we represent in this House; the open, low-rise, leafy suburban environment could become a thing of the past.

Even before these reforms come into operation, there are currently around 3,500 new homes proposed, and at various stages in the planning process, just in my Chipping Barnet constituency. Strong opposition is felt, for example, towards development proposals for Victoria Quarter, Colney Hatch Lane, Whalebones and—most controversially of all—for the station car parks at High Barnet and Cockfosters, just over the borough boundary. The reality is that more or less every brownfield site is already in the pipeline for development; there is simply no space for thousands more flats.

Page 54 of the White Paper suggests that these astonishingly high targets might be delivered by redeveloping streets of semi-detached homes. They call it “gentle densification”. To come anywhere near delivering these numbers using such a method would require the mass compulsory purchase and demolition of suburban streets. That is not remotely realistic, is not acceptable, and would be anything but gentle.

It is also unacceptable for the White Paper to deprive local communities of a say over building in designated growth zones. A faster process for creating a local plan is no substitute for input by residents and the local councillors they elect in a formal planning application process.

Finally, the White Paper indicates that as long as a building meets certain design standards, it should go ahead—even if it is far more dense than was previously acceptable under longstanding planning principles. This is an attempt to substitute nationally set design standards for rules on character, height, massing and bulk. However, as the Barnet Residents Association points out in its response to the consultation,

“a block of flats is still a block, no matter how tastefully it might be presented”.

This tendency is already evident in the Mayor of London's draft plan, and I am deeply worried that if we pursue it in the White Paper as well, it would lead to the removal of the vital protections enshrined in planning rules. In conclusion, our suburbs, extolled by John Betjeman in his *Metroland* poems, are often underappreciated, but the people who live there form the bedrock of much of our economic and civic life. Today, I call on the Minister to give us an early Christmas present. Tinkering with the algorithm will not be enough; let us junk that algorithm and scrap much of the White Paper, so that we can save the suburbs and defend our local environment.

2.44 pm

Damian Hinds (East Hampshire) (Con): It is a great pleasure to see you in the chair today, Sir Charles. I congratulate the hon. Member for Richmond Park (Sarah Olney) on securing this important debate.

The last time we debated this subject, in October in the main Chamber, I talked about three main themes. I will cover broadly the same three themes today, but I hope to do so in a fresh and original way in the time available.

The first is that, with any algorithm or formula, of course it is right to look at the inputs, how the formula works and the logic of it and to see whether we think those things are right. It is also right to look at the output of that formula and, if it seems to jar with the original intention, to go back and look at the inputs and logic.

This is not the time and the place to do that. Constructing an algorithm in a Westminster Hall debate is probably about as sensible as design by committee, but all those aspects warrant a fresh look. That starts with very basic things, such as how we define affordability. Sometimes the median is not the most appropriate thing to use. There is a danger in a constituency such as mine, where median incomes are based to some extent on the incomes of people working outside the area, that if house building targets are driven based on those numbers, the result might be building more and more pricey larger executive homes that remain unaffordable to the people for whom the housing was intended to be more affordable.

In a constituency such as mine, and I suspect those of some others, yes, we need more houses. I think everybody these days accepts that we need to get supply and demand in better kilter. There is also an important question of mix and ensuring that as we increase those numbers that means an increase in houses that are genuinely affordable, in the sense meant by people who come to

[*Damian Hinds*]

our surgeries. That is not only capital A Affordable as it is meant in the public sector, but affordable as in a home that I can afford to aspire to buy.

Wera Hobhouse: Does the right hon. Gentleman agree that the existing affordable home ownership product is a much better way of delivering social housing than the first homes proposal in the White Paper?

Damian Hinds: The hon. Member raises important points. There is a need for housing of all different types, sizes and tenures, and there are different ways of delivering them. In the time we have available, I am afraid we are not going to get to the bottom of evaluating them in an ordinal way.

The third and important point I want to make is about national parks. I do not know whether there are others here who represent national park areas. There is the particular issue where part of a constituency is in a national park and parts are outside, so there are very different constraints in how land can be used. There is a danger that if a housing target or requirement is set based on the entire area, containing both national park and non-national park, with different constraints on what can be done in each part, the result will be the insufficient creation of new homes inside the national park and potentially too much on the edge.

A piece of work came out from Nationwide a few weeks ago that suggested that house prices in national parks have something like a 20% house price premium compared with those outside. In a constituency such as mine that is a huge amount of money. The Office for National Statistics is doing some further work, so hopefully we will be able to develop those figures. It is also important for the areas just outside the national park. In my constituency, that means areas such as Alton and Four Marks, where there is potentially a disproportionate amount of development in the border zone that can put considerable strain on infrastructure and provision of service. It can then be difficult to ensure adequate provision.

There has been a lot of debate about the proposals. Ministers have been in listening mode and have been very good in listening to colleagues across the House. I hope, as the matter develops further, it will be possible to take these considerations into account.

Sir Charles Walker (in the Chair): You are all being very well behaved on timing, far too well behaved. I might have to lift the time limit.

2.48 pm

Rachael Maskell (York Central) (Lab/Co-op): I am grateful to be called in today's debate, Sir Charles, yet again discussing "Planning for the Future". I am surprised we are still here after the debate in the Chamber a few weeks ago, when there was deep concern across the House about the proposals, since the language painted a very different picture from the reality of what they would bring.

I want to focus on York, my constituency, and the real challenges we are facing with the whole planning system that will be exacerbated by "Planning for the Future". The Government talk about giving back control and local people having a say, but when it comes to

"Planning for the Future", there is virtually no meaningful involvement. There may be consultation but certainly no involvement in the depth of planning decisions about their local environment.

Stephanie Peacock (Barnsley East) (Lab): Public engagement seems to be higher for individual planning applications than broader planning consultations. Does my hon. Friend agree that it would be more democratic to encourage and facilitate public engagement at every stage and at every level, and that these changes will lead to more decisions being made behind closed doors and make things worse, not better?

Rachael Maskell: I absolutely do agree with my hon. Friend, not least when infill housing development proposals come forward and there is actually very little accountability. That is why it is so important that local people have a say about their community—they know it best.

The reality is that whoever holds the cheque book holds the power in planning, and it is set to get worse under the proposed changes. I want to set out the problem that we are facing in York Central, in what would be a renewable area, and why the current system and "Planning for the Future" will fail York for generations.

Some 80% of housing need is for family housing, and I do not know a family that does not want a house with a garden, yet the planning for York Central will mean that 80% of housing is unaffordable one or two-bedroom flats—nothing that our constituency needs, despite over £155 million of public money being poured into the scheme—built on 45 hectares of public land. Already, under the current system, the housing is for investors, not residents.

That is nothing short of immoral when people are living in damp, overcrowded, poor-quality private rented sector houses. I was just looking at the figures: in York we have lost 45 socially rented homes, and that situation is getting worse with right to buy. We have a real housing crisis here, and this paper does not match our needs. These people have nowhere to go in York: if they cannot move out, which is the only option, they are left in this housing crisis; if they do move out, our local economy suffers, because we do not have the skills mix that our city needs.

York Central is adjacent to the rail station, which is one of the best-connected locations in the country; it is the mid-point between Edinburgh and London, a destination for HS2, if that is still going ahead—although today that looks uncertain—and at the intersection with the trans-Pennine route. If I look across to places such as Crewe or Curzon Street in Birmingham, the opportunity for creating jobs on these sites has been realised, and economic investment has been prioritised. However, York Central will provide just 6,500 jobs because the majority of the site is being handed over to housing.

The way the partnership has been set out means that Network Rail, Homes England and the National Railway Museum own the site and control the decisions. These bodies are not based in York. The Lib Dem-Green council, bizarrely, extracted itself from any decision making on the site. We now have the largest brownfield site in Europe, in the northern powerhouse, having its future determined by three national organisations with no interest in the future of the city.

The National Railway Museum rightly wants to see an upgrade to the museum by 2025 to celebrate 200 years of the railway, but Homes England has the power and money, and is certainly not putting forward the proposals our city needs. Homes England has a responsibility not only for developing housing, but for the economic future of our city, yet it has no understanding of our current economic situation. It is talking about putting low-wage, low-skill jobs on the site, when we need high-value jobs. We have a great opportunity with the bioscience industry, the digital creative sector and rail jobs for the future, and we know that there is investment interest. However, those things will be locked out of the site because of this imbalance, with Homes England holding the cards.

What we want to do is truly build back better by ensuring that we have good-quality jobs and the homes that people need in our city for the wider economy. “Planning for the Future” fails to address the situation. We must first address local need and then local opportunities to drive development. “Planning for the Future” further takes away powers of local scrutiny and will mean that those with the power, money and opportunity end up recreating our cities in a way that meets their short-term financial interests and undermines the long-term economic health of our city.

When it comes to the incredible city of York, it will result in future generations not having the good-quality jobs that I want them to have. Families will not have the housing they need, our local economy will be completely skewed, we will not have the skills we need and we will be overrun by speculative investors. Surely that is not what the Minister wants, and yet that will be the outcome of “Planning for the Future”.

2.55 pm

Scott Mann (North Cornwall) (Con): I thank the hon. Member for Richmond Park (Sarah Olney) for bringing forward such an important debate. Others in the Chamber will no doubt make arguments about algorithms and housing numbers, but I want to focus my remarks on the delivery of affordable housing, particularly in our Cornish communities. Obviously, that goes hand in hand with housing targets.

Cornwall has a proud track record of delivering 30% affordable housing over the past 10 years. I would not be in this place if, at 29 years old, as a postman, I could afford an open market house in my home town. That was the driving force for my getting involved in politics; I wanted to give people opportunity. At the time, the Labour Government seemed very interested in providing houses for people who were out of work, but not particularly interested in trying to help people who were. I support the Government’s plans for key worker housing, particularly the 30% key worker discount that the Secretary of State announced recently—I am very keen to support that.

Cornwall has a very low wage base and a very high house price market, and that creates all sorts of intrinsic problems with our housing stock. One of the ways that we saw to that in my time on the district council, before it was abolished, was to implement a community self-build scheme in a community very close to me, so that locals were able to purchase a plot of land and build their own houses. It was an exceptional scheme, and I hope the Government and Ministers will look at it.

We have done a lot of work on sites such as rural exemption sites. They are not completely a panacea, but I would like to see their use increase to allow local people in towns and villages where there is not a development boundary at present to get a house in the town or village in which they grew up.

One issue that I want to cover is public sector land. Cornwall is supposed to be integrating into the One Public Estate programme, but we have had some significant problems, particularly with the NHS property holdings company, which seems to want to keep hold of its land. If the Minister is able to apply some pressure to it, we would be very keen to get hold of some of its land to provide some key worker housing for our community hospitals, particularly in the Bude and Stratton area.

We have had significant challenges in the system with land values. I frequently talk to developers in Cornwall, and they say that they have long discussions with planners about affordable housing criteria, road allocations and access, which take forever. We really need to start delivering houses for people now, so I would ask that we look at speeding that up.

I would also ask that we consider more accurate town and village housing data. Some of our town and parish councils have been exceptionally good in collecting information about the people who are in need of housing in their areas and what the tenure mix needs to be, and I would ask that we look at that. I know that the Government are making progress on the challenges around sizeable deposits, and I welcome the Prime Minister’s commitment on longer term mortgages. I think that is a good step.

I have highlighted some of the problems, and there are also the challenges relating to covid. A lot of people wish to relocate their businesses and move to Cornwall, and that is a great thing. If they are taking second homes and living in them permanently, that is an exceptionally good thing, but it puts more pressure on Cornish housing stock. If the Minister is looking at pilots, we would be very keen to have a community self-build pilot in Cornwall to demonstrate our willingness to support people. I also ask the Minister to apply some pressure to Cornwall Council, which seems very resistant to the idea of Rentplus, which I think is an exceptionally good model for people who do not have a deposit but want to own a house, and want to use the rent that they pay as a deposit for their mortgage.

On NHS property holdings, can we get One Public Estate working so that we can get key worker housing for some of our nurses in Bude and the surrounding areas? Can we simplify the system so that developers do not have to go on a massively long journey to get the planning that they are seeking? Can we have a service plot provision in Cornwall as a pilot, more flexible tenures, and a simpler planning system for schemes that are exemption sites? Can the Minister look at agricultural ties? So many farmers approach me to say their family are looking to build a house on land. Can we look at that as well, please, Minister?

Sir Charles Walker (in the Chair): We are going to have a vote soon, so I might have to cut off Harriett Baldwin in full flow, but we will bring her back—all of you back—after 15 minutes.

3 pm

Harriett Baldwin (West Worcestershire) (Con): Thank you, Sir Charles. I add my congratulations to the hon. Member for Richmond Park (Sarah Olney) on securing this debate. I congratulate the Minister because, since he has been Housing Minister, we have achieved the magic target of 250,000 homes a year in this country.

On behalf of West Worcestershire, let me say that we are keen and positive on home building. We have been delivering at the pace of nearly 2,000 homes a year, and that has been generally very good for the area. However, while there is a lot to welcome in the “Planning for the Future White Paper”, there are also elements I would like to see the Government put more emphasis on in terms of local areas.

First, it has been mentioned before, but I want to put on record that the algorithm does not make any sense to me at all. It has ended up with something that is completely undeliverable for the Malvern Hills area, where we have floodplain and hills, and where we simply do not have the sites to deliver the numbers calculated by this algorithm.

However, the Minister starts from a very strong base. He has the 250,000 homes a year being delivered. Through his “Planning for the Future” consultation, he needs to make some incremental and more localist changes. I think a lot of colleagues this afternoon will mention similar things, along the lines of putting more emphasis on the small builder. I know that is in the White Paper, but it would be lovely to see it come out as part of the change in the direction of travel.

There should also be more emphasis on neighbourhood planning. If we ask communities to find sites for housing, we will be surprised how much more we find. In Malvern Hills, I have never been able to understand why some villages are categorised as not being able to have any development whatever because it is described as unsustainable. Many of my 78 parishes cannot build a single house. If we made things more granular, more incremental and more small scale and we worked with our neighbourhoods to develop them, we would end up producing those additional houses—that incremental development over and above the already significant numbers that are being delivered.

I want to feed in a point about the bottlenecks that builders tell me they find in local authorities in terms of highways engineers being able to do highways studies quickly enough. There are physically not necessarily going to be enough qualified people in this country to produce the studies required. Has the Minister thought about taking steps to ensure that that is addressed or simplified in some way?

I do not need to take up too much time, because I have made the point about smaller being better. Let us put more emphasis on the ability of smaller communities to add a little bit. Let us not hand a developer's charter to these very large housing sites that only big developers can deliver. Let us unblock some of the issues that stop existing planning permissions being built out, through things such as ensuring that there is a good quality of highways engineers who can complete the studies. Let us move from the strong foundation that we currently have in house building by making some incremental changes that favour the little guy.

3.4 pm

Derek Thomas (St Ives) (Con): I stand to carry on the conversation that we have just had with my hon. Friend the Member for North Cornwall (Scott Mann). I thank the hon. Member for Richmond Park (Sarah Olney) for securing this important debate and the Minister for all he does and for his willingness to engage with all those who are keen to be involved in this area.

As we heard, the White Paper proposes a range of reforms, and I will not go over everything that has been said. In fact, I want to focus on the fact that the gist of the White Paper is to increase access to homes and ownership of a home. To own a home is an amazing thing; it gives a sense of security, builds community and provides opportunity, so we should absolutely continue to do all we can to ensure that people can own a home.

However, here lies the problem in Cornwall, in particular, where, as we have heard, prices are high and wages are low. That is what I want to try to address. The truth is that there are people elsewhere in the country who fancy a bit of Cornwall, particularly at the moment, with it being in tier 1—sorry for rubbing that in, Sir Charles; that was insensitive. We have seen an enormous rush of people buying a home in Cornwall because they have seen it as the place to be not just during the recent restrictions but for the whole year. That is nothing new. We could build all the homes that the country could cope with, but the people who need them would not necessarily get them. That is absolutely the case in Cornwall.

I have three suggestions. First, local authorities should be given power to support local home ownership. St Ives, a key part of my constituency—so key that the constituency is named after it—captured headlines around the world when it introduced a primary residence clause in its neighbourhood plan so that no new home could be built in the St Ives Town Council area unless it was for local ownership as a primary residence. That was not necessarily supported at the time, but it has really helped the community to stake the case that building homes for people who live elsewhere is not at all helpful. I ask the Minister to consider putting something in the White Paper that would enable local authorities, where there is a need, to provide access to homes to local people when they are built, somehow restricting them for other people for a period, even when on the market. I do not know how that can be done—I leave him with the problem, not the solution.

As my hon. Friend the Member for North Cornwall said, innovative home ownership models should be a must—[*Interruption.*]

Sir Charles Walker (in the Chair): Order. The hon. Gentleman can hold his thought there.

3.7 pm

Sitting suspended for a Division in the House.

3.19 pm

On resuming—

Derek Thomas: I was asking the Minister to consider a way to enable local authorities to ensure that local people have access to the homes once they are built. I will now look at other models that enable working families to get on the property ladder, not forgetting

what I said earlier about the promise, security and opportunity of owning one's own home. My hon. Friend the Member for North Cornwall referred to rent to buy. Rent to buy offers access to working families: it gives them a discounted rent for a period; they then have the opportunity to buy the freehold of that property, and in return some models offer them help towards their deposit. The Treasury supports it, the Prime Minister supports it and No. 10 recently produced a paper to encourage councils to take it up, but Cornwall Council, for some reason—I have discussed this with it on a number of occasions—has consistently refused to allow the model to be available to working families in Cornwall. When I met the council the last time, it accepted that about 800 homes would have been built for local families.

The truth is that where places such as Cornwall have a long waiting list for social and affordable housing, the working families are very low on that list. As my hon. Friend hinted, lots of other people genuinely have a greater need, but the truth is that working families who rent their property and who could benefit from the rent-to-buy model find themselves paying very high rents. That is often what drives the kind of poverty and deprivation that we see in Cornwall. I am interested in hearing from the Minister whether, through the reforms, we can find a way to ensure that local authorities cannot deny this opportunity to local families.

Finally, if through the White Paper we can continue discussions about the opportunity to improve the build quality and efficiency and reduce the cost of running homes, that will be gratefully welcomed.

3.21 pm

Anthony Mangnall (Totnes) (Con): It is a pleasure to serve under your chairmanship, Sir Charles. I congratulate the hon. Member for Richmond Park (Sarah Olney) on securing this debate. As we all know, and as she rightly said, it was only a matter of a few weeks ago that we were discussing this issue. The almost united position across the House was that we were displeased with the White Paper and the housing algorithm.

I will start by thanking the Minister, however, because he has routinely engaged with those who have concerns. He is a credit to the Department. In fact, he has alleviated my concerns about various aspects, and while I am unable to completely support all elements of the housing White Paper, or indeed the algorithm, I am aware that there are some significant positive parts to it, and I hope we can build on that in the future.

We have heard a little bit too much about the nature of Cornwall and we might well be told that everyone fancies a bit of Cornwall, but we favour Devon more. As my right hon. Friend the Member for East Hampshire (Damian Hinds) raised, in constituencies such as mine in Totnes and south Devon, where there is a national park in the north and an area of outstanding natural beauty in the south, with a small gap in between that under the White Paper is now the focal point for development, that needs to be taken into consideration. Otherwise, all the housing requirements are likely to be put in that small, specific area, which would be totally unfit and totally inappropriate.

Of course, areas such as mine in Totnes and south Devon, where we have areas of outstanding natural beauty and national parks, are also tourist destinations and places where second homes are purchased at a huge

rate of knots. When houses are built, even with the best of intentions—selling them to local people at affordable prices—all too often they end up as second homes, with no opportunity to become homes for people who will live and work in the area. There is an appropriate level, which is this tiered system, and I think there is some validity in it. I hope we can expand on it, and I look forward to hearing the Minister's comments.

One objection I have to the White Paper in its entirety is the lack of mention of rural areas. In fact, I think "rural" is mentioned in a significant category only once. It is important that we understand that the rural build structure is very different to that of the urban one. In the same way we need to be able to understand what is best for the rural community and how we are to achieve it. I am sure that my colleagues from the south-west would universally agree.

There are areas of extraordinary success. South Hams District Council in my constituency has successfully implemented a joint local plan with Plymouth where they have met their housing targets and continue to deliver for the people of south Devon. That plan should not be taken away just because we are looking at new reforms.

The third point I wish to make, which my hon. Friend the Member for West Worcestershire (Harriett Baldwin) made with great effect, was about neighbourhood plans. We know the value of communities engaging in this process, because they know what is best for their area. I think about Collaton St Mary and its fantastic neighbourhood plan or new neighbourhood plans that have been formulated in Dartmouth. Those are all places where we can engage with the community and make sure we are building what is right for them and right for the area, and make sure that it has a long-term benefit.

Wera Hobhouse: Since it is important that we also hear about Bath, is it not also true that local councils know best? In Bath, 1,500 homes are permitted to be built. The council has made the decision. The issue is the developers not building the homes, not the councils not making the decisions to build the homes.

Anthony Mangnall: The hon. Lady makes an important point. Like all these things it is about finding balance, but I always argue that including the local community in that decision and making sure that the right decisions are made at the right times ensures that it is maintained.

My final point is about jobs. We should not be building in areas where there are no jobs to sustain them. We need to make sure that there is an approach in which jobs are available so that people can live and work in the area and can also afford those homes. A related point is about infrastructure viability. All too often, I have seen housing development plans proposed without adequate infrastructure. Will the Minister add to the point about how we will be able to deliver on the infrastructure network, and how we can make sure that we are building in the right areas and not on flood plains or next to roads that cannot deal with the increase?

I would be pleased to be able to go back to my constituents and inform them that we are cultivating and creating policy that will make a difference in delivering for those new housing sites. I welcome elements of the White Paper, and I thank the Minister for what he has done and is doing. It is right that we recognise that delivering 250,000 homes is a massive achievement that

[Anthony Mangnall]

was not achieved by previous Governments. I congratulate him on that and look forward to working with him and his team to shape this housing policy for the future.

3.26 pm

Lee Rowley (North East Derbyshire) (Con): It is a pleasure to serve under your chairmanship, Sir Charles. I also congratulate the hon. Member for Richmond Park (Sarah Olney) on securing this important and timely debate, as well as my colleagues from the south-west who have spoken. It has been a bit of a south-west fest so far and I feel like I need to pull the centre of gravity back and further north towards the north midlands, because, sadly, we have similar challenges to those of many of my colleagues who have already spoken.

I represent a constituency bedevilled for more than a decade by planning issues caused by the failure to put a local plan in place in a timely and effective manner, as is so often the case. That means a cascade of unwanted and unnecessary development, followed by a local plan that does not necessarily work for the local community in its first iteration and initial drafts. We are in the middle of trying to resolve that knotty conundrum after so many years of it failing to be resolved.

As a concept, I welcome many of the things that the Government are trying to do. There is no denying that the planning system, as it stands, is sub-optimal. It is broken, in places, and does not work either for those seeking to get on the housing ladder to be housed in the first place or for those interacting more closely with it, be they developers, planners or applicants. I accept that there is a fundamental problem with planning that needs to be resolved. The evidence bases that have to be put together by local councils are too detailed and take too long. The overall process is laborious, and the plans produced often bear—at best—a relationship to problems that existed five years ago rather than current problems.

We need to reinvent community engagement. I welcome the Government putting all those ideas on the table in principle but, as with everything in planning, the devil is in the detail. The Government have brought forward a set of consultations that are deliberately high-level and that deliberately encourage this kind of debate. I welcome their commitment to that, but the challenge is the detail and the devil within it. I can see that zoning could be welcome for my constituency in principle, or it could be significantly deleterious to my constituency if it was not implemented in the right way. I can see that the streamlining of the planning processes should be welcomed because it gives an effective outcome to everybody involved more quickly, and I should be able to welcome that in principle, but the issue is the devil underneath that streamlining. I can see the replacement of soundness as positive in principle, as long as the actual reality on the ground enables us as communities to make better decisions.

The same goes for better engagement and planning, fast-track for beauty, and section 106 replacements: they could all be good in principle but we need that detail. We need it in the next stages of the consultation before we can have the comfort that our communities demand. That is particularly the case for those communities who have had historical challenges with planning to ensure they have confidence that the White Paper will try to resolve some of those challenges.

The questions that remain for communities such as mine are about how, for example, we reconcile the building of more houses, which is necessary in many parts of the country, with the desire to protect, which is apparently underneath the principle of zoning. There is a tension between those two principles and at the end of that process, one will have to take priority over the other. It is that decision that is the most important for my community.

How do we speed up the creation of a local plan process—a great idea in principle—while ensuring that a greater decision-making process is embedded at the start of that process and that people have the right level of oversight and ability to influence it? How will we reduce an evidence base—again, a great idea in principle—in a system that is so formal and specific to individual areas, and at times so litigious, which is the whole point of why the evidence base is often created and takes so long?

How will localism be maintained with such an increase in standardisation? How will we ensure that the neighbourhood plans that my hon. Friend the Member for Totnes (Anthony Mangnall) highlighted will have a continued central place within this system? How fundamentally will the very good ideas and principles within “Planning for the Future” interact with the housing methodology? In that regard, I also have concerns about the overall implementation and impact on areas such as mine.

In principle, there are some good ideas and opportunities to make a system that has not worked for many decades better. However, it is the detail that we need and that our communities require to be comfortable with these ideas.

3.31 pm

Dr Kieran Mullan (Crewe and Nantwich) (Con): It is a pleasure to serve under your chairmanship, Sir Charles. I congratulate the hon. Member for Richmond Park (Sarah Olney) on securing the debate. Like that of my hon. Friend the Member for North East Derbyshire (Lee Rowley), my local authority in Chester East has suffered enormously from speculative housing developments that took place because there was no local plan. They have turned a corner now and are delivering housing at a sustainable rate, but that is on the back of having had all sorts of developments go on that local people did not want, and that I do not think should have taken place.

I do want to begin by recognising the positive elements in the proposals. The emphasis on a national design code and locally produced designed guides is very welcome. For the reasons that I mentioned before, getting local plans in place all over the country is only going to be a benefit, if we can do that right.

The more certainty we have in the planning system, the fewer delays we get and the less money that is spent by taxpayers and local authorities in costly legal battles with developers about whether a development can take place. I also welcome the measures aimed at helping small and medium-sized enterprise builders and zero carbon homes. But we have to be realistic about the world into which these proposals are seeking to introduce reform. As constituency MPs, we all know that too many developers are incredibly well-resourced and have legal teams to match. While many planning and enforcement departments of local authorities are excellent, some may be found wanting because of a lack of resources, a lack of competence or a mixture of both. We need to be mindful that whatever changes will need to withstand

the full force of developers' legal teams, which all too often operate on the basis that they only have to be successful in one of the developments they are fighting for to pay the costs of the lawyers for all the others for which they are agitating to get permission.

Let us take the idea, for example, that permission might be automatically given to developments if decisions are not taken soon enough. I can see that becoming a real favourite of developers who bombard local authorities that are behind the curve, knowing that they will not get decisions done in time. Those authorities end up with lots of developments that they would not otherwise have wanted. I appreciate the Minister and the Government want to see decisions made more quickly, but some local authorities are going to suffer in that transition if we put in that kind of a big stick.

When it comes to zoning, again I can see big arguments over who has made the right or wrong decision over zones, and lawyers pushing to get more areas put into the development zones. Similarly, the decision potentially to take out councillors from more detailed decisions on planning matters means that they will be left just to officers and developer pressure. Councillors play a vital role, with their local knowledge and their representation of local people.

In other areas, I feel like the proposals are more about what they are missing—for example, on infrastructure. I do not see clearly what we will do to stop this cat-and-mouse game with developers and local authorities about when to start building infrastructure for developments that they have already built, and when they start about how quickly they finish.

There is a whole gap around NHS provision. Again and again, I see decisions on planning that never even mention provision for the NHS. We have gotten okay at getting provision for schools or highways, but the Government's focus in this area is lacking. I would have liked to see something in the proposals to specifically address that balance. The algorithm will almost double the number of homes that my local authority is expected to build and the infrastructure for that is incredibly important.

Finally, and most importantly for me, the answer to our desire to build more homes, which is a laudable desire and on which we have already made good progress, is to get the homes built for which we already have permission. We would not need to go down the road of radically reshaping proposals. There are more than 1 million homes for which permission has been granted; every year, tens of thousands of homes get given permission. Let us make that the No. 1 focus of our proposals, then we would have everybody onside and everybody on board, wanting to deliver homes for people in a balanced way. I ask that the Minister goes away and thinks again in terms of putting forward proposals that will see homes with permission built first and foremost, before we tear up some of the institutions that help keep local decision making as a priority.

3.35 pm

Andy Carter (Warrington South) (Con): It is a pleasure to serve under your chairmanship, Sir Charles. I congratulate the hon. Member for Richmond Park (Sarah Olney) on securing this debate. We appear to have a bit of a zoning theme in the way that this debate

has been scheduled. We have had the south-west and we are in the north now. Now we are up north, we will talk proper and get this debate sorted.

I am sure most of us in this place will agree that our planning system has been in need of urgent reform for some time; the disagreement is about how we actually do that. The speed at which we need to level up and the changes we need to see—the changes that voters backed a year ago—mean that we need to start to do things differently. Many of the issues that are relevant today—the technologies we use and the way we live our lives—have evolved, and that needs to be reflected in planning legislation. There is no doubt our planning system is far too complicated, driven in part by the litigious nature of developers, and that has been a barrier to building the homes people need to see and getting them in the right places.

That is exactly the case in Warrington, where the borough council has spent the past five years producing a plan, largely ignoring 4,000 responses to consultations, and still we have no plan available for inspectors to review. We are now told we will not have one until at least the summer of next year.

Many of the proposals put forward by the Secretary of State for Housing, Communities and Local Government back in August are a welcome step. They lay the foundations for a brighter future. It is about providing affordable homes for young people and creating a better quality of neighbourhood right across the country, but, as my hon. Friend the Member for North East Derbyshire (Lee Rowley) said, it is also about getting the detail right in the legislation. That is why I am so pleased we have the consultation at this stage, so we can bring those issues forward to the Minister to address.

I want to reflect on the proposed submission version of the Warrington local plan, which expected growth above anything previously achieved, with little evidence to support that expectation. To me, that highlights why we need some of these changes. The scale of new development being proposed in Warrington meant that large areas of the green belt, particularly across my constituency of Warrington South, were to be released for development. That is where the current Labour local council plan gets it so wrong. It concentrated on placing new development on the green belt and previously undeveloped sites, rather than providing for regeneration and redevelopment of a town centre massively impacted by years of neglect. While the council needed to reflect Government requirements for the assessment of the number of new homes to be built, the figure they used in the PSV exceeded all national requirements and proposes house building at a level never, ever previously achieved in Warrington.

The plan does not address more obvious housing needs, but instead proposes large new suburbs and urban extensions, and there is no clear plan as to how developers would be required to deliver the type of housing in the right places of the town that would most benefit existing residents. In short, the number of homes does not make sense, but the location of the new houses is even less understandable.

Frustratingly, the largest brownfield site in Warrington—one of the largest brownfield sites in the north-west of England—the Fiddler's Ferry power station, which closed earlier this year, has not been included in a plan that extends for the next 20 years. It even has its own rail

[*Andy Carter*]

line, which would satisfy some of the issues that we need to address in how we move around the country. It would allow us to retain some of the green belt, but it has not been considered.

On the back of the planning reforms, I am pleased to see that Warrington borough council will be pausing its work on the local plan, looking again at the homes we need and making a fresh assessment of the opportunity to redevelop our town centre and use brownfield sites. I have a request for the Minister: can we have some clarity soon on the housing numbers? The proposal in the White Paper will actually reduce the number of homes being built in Warrington, so I am perhaps one of the few people in this place who really like the algorithm—it is doing the right thing, and I thank the Minister.

Anthony Mangnall: I particularly welcome my hon. Friend's making that point. It is the understanding that building houses in the right places is the most suitable point to go back to our constituents with. Does my hon. Friend agree?

Andy Carter: Absolutely. It is about getting the right types of homes in the right places. Land designated for growth will allow new homes, schools, shops and hospitals to be built quickly, and we need that levelling up to happen urgently. Getting the right places is the most important thing.

The hon. Member for Bath (Wera Hobhouse), and I think also the hon. Member for Richmond Park, talked about how local councils are best placed to try to work these things through. I have to say that is not the case in Warrington. The local Labour council ignored all the Liberal Democrat councillors, who argued that it was building in the wrong places. I am afraid that the very simple system that we have at the moment is broken and needs to be fixed.

I welcome the new planning system. There are a lot of good elements in the proposals, but it will come down to the detail. I look forward to continuing the conversation with the Minister, who has been so good in responding to the issues that have been raised with him.

Sir Charles Walker (in the Chair): Last but not least from the Back Benches, Ms Felicity Buchan.

3.41 pm

Felicity Buchan (Kensington) (Con): Thank you, Sir Charles. I congratulate the hon. Member for Richmond Park (Sarah Olney) on securing the debate. I think all Members present agree that we need more homes, and more affordable homes. Picking up the point made by my hon. Friend the Member for Warrington South (Andy Carter), however, we need the right types of homes in the right places.

I congratulate the Minister on building 250,000 homes, which is an excellent achievement, and I would like to contrast that with what is happening in my city, London, where we are failing to build enough homes. The Mayor of London was given just under £5 billion to build 116,000 new homes, but we have started only 52,000, which is disgraceful. My borough and many other London boroughs need more homes.

Wera Hobhouse: Is the problem about providing not affordable homes but social homes for rent? In Bath, the average house price is almost £500,000, and an affordable home would cost 20% less. It will never be affordable for anybody to rent, let alone to buy. What is actually “affordable” in her words?

Felicity Buchan: I agree with the hon. Lady that we need more socially rented homes. As my right hon. Friend the Member for East Hampshire (Damian Hinds) said, we need a wide range of tenures across the spectrum. In my local authority, we are building 600 new homes this year. Of that, half—300—will be socially rented.

Let me indulge myself for a moment and talk about my borough, because it is slightly unique. We are the densest residential borough in the entire country. We were fully built out by 1900, and we already have a high skyline. We have just approved a 29-storey tower. Others have been approved, such as Newcombe House, which has 18 storeys. We have a huge physical constraint on our ability to build more houses in our borough. Some 73% of my borough is a conservation area, which we are delighted about. In fact, we think more of it should be a conservation area, but it brings constraints.

I want to limit my remarks to the White Paper, as opposed to the algorithm, because I have talked about the algorithm in the main Chamber. By the way, under the algorithm the housing target in my borough goes up sevenfold, relative to the December 2019 London plan, which has not gone through yet.

Let me focus on the White Paper. I think that local engagement in planning and local democracy are absolutely critical. I have spent one year in this place, and the more time I spend here, the more I believe in local democracy, since local authorities are closest to the people.

The current plan in the White Paper is that there will be local engagement in the plan for a growth zone, but it is up front, and once the plan is formulated there is no need for specific planning permission. I am very concerned about that. Although I have great residents associations and the Kensington Society, which work very hard and will submit input at that stage, the vast majority of people comment only when they know about a specific development on their doorstep. My constituents and residents will be up in arms if they find out that 18 months ago a plan was approved that they were not aware of and certainly did not give any feedback on, and now they simply have to suffer the consequences.

Dr Mullan: Particularly in transient populations, which we see a lot in London, people who move into an area long after the consultation took place will have no opportunity to comment even if they were inclined to.

Felicity Buchan: That is an exceptionally good point. The other point I want to make about local plans being decided up front, with no subsequent planning permission, is that they cover a period of three years, and we all know how volatile the housing market has been over the course of the past three years. What was planned a few years ago at one of the two brownfield sites in my constituency—the Earl's Court exhibition site—is definitely not what is being considered today. It is very important that we do not have one plan that stays in place for three years.

The other point that I want to make is also about localism. We should not have a standard national plan that every local authority adopts. We need the ability to adapt each plan to the local authority. I will give hon. Members an example from my local authority. We have fought very hard on basements, and we now allow only one additional basement. On my street a few years ago, a house went down three additional basements underneath lower ground floor level. Goodness—the terrace could fall down, but never mind. It is very important that local authorities can tailor things to their individual communities. There are good things in the White Paper. The move to digital first must be recommended, as must the move to beauty in design—although one person's beauty can be another person's something else.

[Ms NUSRAT GHANI *in the Chair*]

Anthony Mangnall: Nightmare.

Felicity Buchan: Yes.

I welcome those proposals, but can we review the White Paper? I have fed into the consultation, but we need much more focus on local decision making.

3.49 pm

Mike Amesbury (Weaver Vale) (Lab): It is a pleasure to serve under your chairmanship, Ms Ghani. I thank the hon. Member for Richmond Park (Sarah Olney) for securing this important debate and for putting net zero—there is a big gap—at the heart of her argument. I agree wholeheartedly with that.

I also thank the 11 Members or so who contributed—initially, 15 were down to speak, but it has been a case of shifting sands. I thank the right hon. Members for Chipping Barnet (Theresa Villiers) and for East Hampshire (Damian Hinds), my hon. Friend the Member for York Central (Rachael Maskell), the hon. Members for North Cornwall (Scott Mann), for West Worcestershire (Harriett Baldwin), for St Ives (Derek Thomas), for Totnes (Anthony Mangnall), for North East Derbyshire (Lee Rowley), for Crewe and Nantwich (Dr Mullan), for Warrington South (Andy Carter), and for Kensington (Felicity Buchan), and I certainly cannot forget our colleagues from Cornwall. We have heard their powerful voices today, and they are clearly showing off about being in tier 1. It has been a powerful, informed discussion and debate.

The proposals in the White Paper come at a time when we hear much talk about building, not just to solve the housing crisis but as a way to boost the economy, create new sustainable jobs, help us to meet the net zero goals and, very importantly, respond to the covid crisis. Some of the proposals, at first glance, are reforms that we on the Labour Benches welcome and have called for in the past—timely local plans, moving from the analogue, paper-centric world to the digital world, while not excluding others, and improving the quality and design standards. Yet people do not have to scratch beneath the surface to discover that the very heart of the proposals—the hon. Member for North East Derbyshire referred to the details—is a huge shift of control and influence from communities and local democracy to well-resourced developers and Whitehall. People across the Chamber have certainly said that.

In reality the proposals do little to build back better, more beautiful, or greener. In many cases they do exactly the opposite—a point made powerfully by the right hon. Member for Chipping Barnet. They create permitted development monstrosities, high rises, over-development, two-storey extensions on every house in suburbia, in every street, and give a green light, in many areas, to ghettos of houses in multiple occupation. We do not need more of those.

Coming on the back of a decade of austerity and the current economic crisis, the reforms are a further attack on councils. They strip away power and finance from local authorities and, with that, take away communities' ability to have their voice heard throughout the planning process. That case was put forward powerfully by the hon. Member for Totnes.

The zonal approach of growth, renewal and protection is of particular concern. It risks creating a free-for-all in which well-resourced developers and associated lobbyists carve up our villages, towns and cities, creating further segregation, and encroaching on our green belt. The hon. Member for Warrington South (Andy Carter) and I share a border, in Moore. My concern is that the approach will do nothing of the sort—it will just maintain the status quo. Undoubtedly we will have a debate about that locally, but we have a shared interest.

The vast majority of councillors throughout the land believe that the proposals are undemocratic, including 61% of Conservative councillors. More than 250,000 supporters of the countryside charity the Campaign to Protect Rural England argue the same. I think we have all been lobbied by them—rightly, along with the Royal Town Planning Institute, the Town and Country Planning Association, the Royal Institute of British Architects, Civic Voice, and many more in and beyond the housing sector. Only yesterday *The Times* reported that the Prime Minister stood up for his constituents and took advantage of the very right that he wants to abolish for others, opposing a development in his constituency using the current system. What role does the Minister believe residents and councillors should have throughout the planning process?

As has been argued in the Chamber today, good place-making must keep planning local, not developer-centric and certainly not based on a diktat from a Whitehall algorithm. That algorithm instructs local planning authorities to build 161% more homes in London and the south-east but 28% fewer homes overall in the north—pouring concrete over London and the south-east, while hollowing out the north. How does that fit with the Government's levelling-up agenda for communities in the midlands and the north?

Like organisations such as the Woodland Trust, I would also like to hear the Minister's comments about environmental protections in this White Paper. It is not at all clear how the Government can reconcile the proposals in the Environment Bill, and the Prime Minister's comments about “newt-counting” do not exactly instil confidence that the Government take ecological or environmental protection seriously.

There are still 1 million unbuilt housing permissions from the last 10 years; I think the hon. Member for Crewe and Nantwich made that point. Yet the White Paper does nothing to explain how we will ensure that developers either “use it or lose it”—that is, lose such permissions.

[Mike Amesbury]

Also, the lack of any mention of social housing in the White Paper means that we will remain over-reliant on private builders and market cycles to get homes built.

If we are serious about maximising housing delivery and meeting building targets, the Government need to stop ignoring the answer that is right in front of them and build a new generation of social housing—and, yes, make it net zero. Just 6,500 homes for social rent were built last year. The White Paper on social housing, which was published recently, has some good things in it, but the key thing that it was lacking was a plan to build more social homes.

The Local Government Association found that in the last five years 30,000 affordable homes would have gone unbuilt if the Government's proposal to scrap section 106 for developments under 40 or 50 homes had been in place, which would have affected rural areas such as Cornwall; I have to mention Cornwall again. Can the Minister set out the evidence behind the proposal to scrap section 106?

I would also like to hear from the Minister about the new levy that is being proposed to replace section 106 and the community infrastructure levy. We have had very little detail about how this new levy would work. The current proposals seem to mean that councils would provide up-front cash, and yet they would really struggle to fund infrastructure. So, more detail on that would be very much appreciated. Why are the Government continuing with their absurd extensions to permitted development? They know very well that such extensions create bad homes and blight communities; we have all seen examples of those things in our own communities.

I am pleased that the Minister, responding to our prayer against the recent statutory instrument in this area and a potential Back-Bench rebellion, finally recognised that space and light are important for human habitation; there must be at least minimum amounts of both. I urge him to go further and adopt some of the principles in the Healthy Homes Bill, to give local communities a voice again on these matters.

Members from all parties do not want streets, villages, towns and cities to be littered with inappropriate two-storey extensions that pitch neighbour against neighbour, and nor do they want high streets to be hollowed out, with former shops being converted into HMOs and wheelie bins flowing into the streets of the towns and cities that we represent. There is nothing beautiful, and nothing greener or better, about that reality.

In conclusion, we cannot cheat our way out of the housing crisis; building healthy and sustainable homes should be the response to this pandemic. However, clear and measurable targets for net zero are currently missing from these proposals. We should put communities at the heart of good place-making, strengthening and resourcing our planning system, and extending local democracy, to build good-quality housing for all.

Ms Nusrat Ghani (in the Chair): Before I ask the Minister to respond, Members should note that this debate will conclude at 4.12 pm. If the Minister keeps his response to about nine minutes, that will leave time for Ms Olney to respond as well.

3.59 pm

The Minister for Housing (Christopher Pincher): It is a great pleasure to serve under your chairmanship, Ms Ghani. I shall do my utmost to respond to this wide-ranging debate in nine minutes. I congratulate the hon. Member for Richmond Park (Sarah Olney) on securing this debate. For her, Christmas has come early, as it has for other right hon. and hon. Members around the Chamber who have been able to express themselves eloquently and passionately on a matter that should concern us all. I will try to address all the points raised by colleagues.

I shall begin by trying to clear up a misunderstanding that has been abroad in this debate and has also been around for some time, which is about what happens to the existing planning system. What we are trying to do through the proposals that we have tabled is to create a quicker, more transparent planning system. When applications that vary from the local plan are made, however, they will still need to be made through the present planning application process. In conservation and protected areas, all applications will require a bespoke approach through the present planning system, so it does not go away. We simply want a quicker and faster process that we can also apply. I hope that clears up that particular matter.

Two consultations were launched on 6 August. The first, on the local housing need calculation, closed on 1 October, and the second, on the broader, more forward-looking reforms in our White Paper, closed on 29 October. We received 2,500 responses to the local housing need calculation and some 44,000 to the White Paper. The local housing need calculation was all about making sure that we address the issue of affordability, which we know is a challenge in many communities around our country where housing is simply too expensive for many people to achieve. We all recognise that we need to do something about that.

We also need to make sure that we regenerate our communities and level up, and ensure the best use of brownfield. Those are considerations in our local housing need calculation. We also, to address the points raised by my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and others, need to be very clear about the challenge of building tall buildings in places that do not have them and do not want them because they are simply not appropriate.

It is not for me to try to play Santa Claus in this debate. My ministerial portfolio does not include responsibility for the festive season, but I hope that my right hon. Friend the Secretary of State will be able to say something soon about local housing need. This debate is focused particularly on the White Paper on planning reform. I am sure all of us will recognise that with so many responses to the consultation, it will take us a while to work through them. We want to do that because it is a genuine consultation, as I have said to colleagues across the Chamber on numerous occasions.

The consultation was not the end of the process of working through our reform proposals; it is the beginning. Through the first several months of next year, we will need to kick off workstreams on specific themes that develop out of the consultation, and to refine our proposals such that they are good and tight for the legislation that must and will come. That will enable us to table a Bill to

deliver quickly the planning reforms we want, begin the systemic and cultural change necessary in our planning system, and ensure that the proposals are embedded, with public consent, as quickly as possible.

When I became the Minister with responsibility for housing and planning, I learned how long it took to implement the Town and Country Planning Act 1947, which we rely on for the majority of our planning decisions. I assumed that by 1948 everything was working effectively and quickly and everybody knew what to do. In fact, that particular Act was not fully enforced until the early 1960s. The Town and Country Planning Act 1990 took 14 or 15 years to fully roll out. The Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 have still not been fully implemented. My point is that we need to approach this with care, think through our proposals with as much consensus as possible, and ready all the stakeholders in the planning process so that we can effect that cultural and systemic shift. That is our approach and it will remain as such over the coming weeks and months.

We all agree that we must reform our planning system. My hon. Friend the Member for Kensington (Felicity Buchan) was kind in her remarks: she said that the Government have done very well in building new homes for people over several years. Our target is to build 300,000 new homes a year by the middle of this decade. That is a manifesto commitment that we will deliver.

The fact is that our present local planning system accounts for only 178,000 new homes a year, so the system must improve. Organisations as disparate as Crisis and KPMG all say that we need to build more than 250,000 homes a year if we are going to meet our needs. Therefore, a system that takes seven years to adopt a local plan, and which can take a further five years to develop large-scale housing and the infrastructure that supports it, is simply not going to build the homes we need.

Rachael Maskell: York has not had a local plan for over 50 years, so we have other difficulties. Does the Minister recognise that it is not just about quantum? Tenure of housing is also important and needs to match the need that is out there.

Christopher Pincher: The hon. Lady makes a fair point. It is for local councils and local authorities to determine what sorts of housing they need in their local communities. The whole point of our proposal is to give local authorities and communities much more power to design their communities strategically and holistically, so that they can say where they want homes to be built; the types of homes they want them to be; what they are going to look like; what sort of infrastructure is going to support them; and what the building requirement controls will be.

We want to make sure that we build more affordable housing. Members will know that our affordable homes programme injects £12.2 billion of funds into affordable housing, which is the biggest cash injection in 50 years. More than 50% of the properties that will be built under that programme in the next five years will be for affordable or social rent. Some 32,000 of them will be for social rent—double the number built under the previous programme and substantially more than the number of

council houses built in Wales last year. Only 12 council houses were built in Labour-run Wales in 2019. Thanks to its approach to council housing, the Labour party cannot even house a Welsh rugby team in Wales, so we will take no lectures from the Opposition about our approach to affordable housing.

In the short time I have left, let me say a word about the environment, because it is important. Through the Environment Bill, we want to make sure that we offer a net gain in biodiversity. That will form the basis of our approach to housing proposals, as adumbrated in our White Paper, including the future homes standard, which will drive a 75% improvement in carbon emissions from our new housing stock. The green homes grant will invest in and retrofit about 600,000 homes around our country, ensuring that they are more fuel-efficient and effective in delivering for their residents.

We are determined to make our proposals work and to ensure that all our colleagues around the House of Commons, of whatever stripe, as well as other stakeholders, understand and support them, whether they be planning professionals, local councillors, local communities with neighbourhood plans—which I am keen to build into our process—or developers, big or small. We are determined to make sure that these plans have the wholehearted support of all those involved in them, because only through that mechanism can we make them work.

Ms Nusrat Ghani (in the Chair): Ms Olney, you have one minute to respond.

4.9 pm

Sarah Olney: Thank you, Ms Ghani. It has been a real pleasure to serve under your chairmanship. I thank the Minister for his comments. He did not fulfil my every Christmas wish, but this has nevertheless been an entertaining and interesting debate, and I value everyone's contributions. We have heard from representatives of the rural south-west, the urban north, and even the urban south-west, and the theme I am really getting is that planning decisions are incredibly difficult. There is a balance of competing interests; we all know that, and we are all plugged into what is going on in our constituencies.

I also heard that everybody agrees that those decisions are best made at a local level, to take a full account of all of those different factors, and I believe that is the biggest pushback against the planning White Paper in its current form. I repeat what I said at the beginning: it does not make enough progress towards the Government's plans for net zero. The Minister just said it himself: he is only targeting a 75% reduction. Another point that has come across very strongly is that the White Paper does not give local councils enough powers to deliver the affordable homes that are so desperately needed in every region. However, I thank him very much for his response. Thank you, Ms Ghani, for your chairmanship, and I thank all Members for their contributions.

Question put and agreed to.

Resolved,

That this House has considered the Planning for the Future White Paper.

4.11 pm

Sitting suspended.

Welsh Food: Protected Status

4.13 pm

Ms Nusrat Ghani (in the Chair): I remind hon. Members that we have made some changes to normal practice in order to support the new call list, and to ensure that social distancing can be respected. I remind Members that they must arrive at the start of the debate, and also ask everyone to respect the one-way system and to please sanitise microphones and everything that they may be touching before they exit the room.

Virginia Crosbie (Ynys Môn) (Con): I beg to move,

That this House has considered Welsh food and protected status.

Môn Mam Cymru translates to “Anglesey, the mother of Wales”, and this name reflects the fact that our island once fed the entirety of Wales from its green pastures. We can still see some of the nearly 50 windmills on the island that once produced the wheat that fed Wales. My constituency has a long and proud history of producing the finest British food, and that tradition continues today.

The industry is visible all over our island, from the lush rolling fields filled with cattle, sheep and crops, to the beautiful oceans from which Halen Môn extracts all of its Anglesey sea salt and Holyhead Shellfish takes its catch. The hard work of our farmers is evident as my family and I tuck into roast lamb from Raymond the butcher in Holyhead on a Sunday: we can taste the extra effort that Anglesey farmers such as Gwilym Williams and Will Edwards put into their produce. It has been a pleasure to visit so many of the food producers on Ynys Môn, from The Marram Grass restaurant in Newborough, which uses produce directly from its own farm, to The Lobster Pot in Church Bay, which has been supplying top-quality, fresh, sustainably sourced seafood for 65 years, and is run by the third generation of the Wilson family.

Every year, the island’s talent is on display at the Anglesey county show at the Mona showground, an event that dates back more than 200 years. Many of my constituents have wonderful memories of the food on offer at the show, including one of my staff members, Bethan, who tried her very first pizza there at the age of 13. All types of food and drink are showcased, including Condessa Welsh Liqueurs, which are produced on the island but sold across the UK, and Hooton’s Homegrown, which grows its own fruit and vegetables and rears and butchers its own livestock. The show is also an educational opportunity, with NFU Cymru, the Farmers Union of Wales, the Country Land and Business Association and Ffermwyr Ifanc having stalls to discuss the work they do representing the farming community.

I have invited the Prime Minister to the Anglesey County Show next August and I am looking forward to showing him around. Anglesey’s agricultural food and drink industry is also part of a larger community of inspiring producers across Wales, which has a proud history of excellence in food. Last year, businesses in the Welsh food and drink supply chain had a turnover of more than £22 billion. We have nearly three times as many people working in hospitality and food on the island than the UK average.

I am thrilled that the quality of Welsh food is being recognised globally as well as nationally. In order to mark the enhanced quality of these goods, it is vital that

we continue to give them the geographical indicators that inform customers nationally and internationally of their first-class standard. That is why I am pleased that the UK Government will establish the new UK geographical indication schemes at the end of the transition period. Existing UK GI products, including favourites such as Welsh lamb, Scotch whisky and Cornish pasties, will continue to receive protection under the UK GI schemes. The GI schemes offer a range of benefits to UK producers and both domestic and international customers.

The GI scheme includes Welsh beef and lamb, both of which are important to the farmers on my island constituency of Anglesey.

Dr James Davies (Vale of Clwyd) (Con): I congratulate my hon. Friend on securing this debate. Last year the Vale of Clwyd Denbigh plum was awarded protected designation of origin status. [HON. MEMBERS: “Hear, hear!”] Indeed. Does my hon. Friend agree that protected status for food and drink can be a source of great community pride as well as an economic benefit?

Virginia Crosbie: I absolutely agree with my hon. Friend. I am looking forward to tasting those delicious plums he talks about.

Ben Lake (Ceredigion) (PC): I congratulate the hon. Member on securing the debate. I fully agree with her on the importance of protected indicators. A few applications for Welsh produce, such as Gower salt marsh lamb and Cambrian meat, have been going through the European certification process but have not been able to complete it. Does the hon. Lady agree that it is a good idea that these products and others that started the European journey are prioritised under the new UK scheme?

Virginia Crosbie: I absolutely agree that Wales does punch above its weight. Welsh lamb and beef have long been recognised for their quality. Our farmers practise high standards of animal husbandry and pastureland management, working primarily on family-run farms. That means that, when people see the prestigious GI mark on our meat, they will know that those lambs and cattle were born and reared in Wales, that they roamed freely and ate from our lush, naturally watered pastures. All of that means that customers are assured that the meat they are buying is of the very best quality.

Welsh products make up 10 of the 12 most recent GI applications for the UK, showing the position of Welsh farmers and producers at the forefront of this important scheme. The Welsh holders of GIs make best use of the opportunity made available to them, working collaboratively to support each other’s businesses. Producers often support and champion each other to grow together. That feeling was echoed by Fay Francis, the GI consultant, who recently spoke to members of the all-party parliamentary group on geographically protected foods, who said,

“Wales has an impressive ‘family’ of Welsh GI products which promote the heritage and culture of Wales. Hopefully, with the UK GI scheme, Wales will have more new GI applications from Welsh producers who recognise the potential value attaining GI status can have for their business.”

As we prepare for our departure from the European Union, we are investigating methods to ensure that the high standards of British goods enhance our trade opportunities overseas. To that end, the UK Government

are working with their global trading partners to transition the EU free trade and other sectoral agreements. We are exploring the potential for new agreements with international trading partners, including commitments relevant to the recognition and protection of UK GIs, and GIs from the rest of the world. As GIs represent around 25% of UK food and drink exports by value, approaching £6 billion in export value, it is clear that they will play a central role in future trade.

The recently announced UK-Japan comprehensive economic partnership agreement is an example of how we will offer new protection for more iconic UK goods in future. That will clearly improve the awareness and recognition of key UK brands within the Japanese market, which includes protection for Anglesey sea salt from my constituency.

I know, having spoken with my hon. Friend the Member for Rutland and Melton (Alicia Kearns), who chairs the APPG on geographically protected foods, about the clearly huge significance that the status can have for businesses. My hon. Friend has many protected foods in her constituency: Rutland bitter, Stilton cheese and the delicious Melton Mowbray pork pie, whose GI was vital to stop external manufacturers counterfeiting the economically valuable Melton Mowbray moniker. My hon. Friend the Member for Copeland (Trudy Harrison) has the celebrated Lakeland Herdwick sheep in her constituency. The meat from those sheep is famous for its flavour, which is, of course, second only to Welsh lamb.

I also welcome the new research funded by the UK Government recently which will advise on how to better promote UK GI brands and underpin a new promotional strategy. Over the coming weeks and months, we will see an increased awareness of our GI brands, within the UK and overseas. GIs not only give a quality mark when a product is retailed, but they have a natural affinity to food tourism. The Welsh products with GI status epitomise our culture, heritage and tradition. Tourists and locals alike flock to events such as the Beaumaris food festival to sample local delicacies ranging from cheese to ice cream and sausages to cider, all made using high-quality, locally sourced produce.

One of the first geographical indicators awarded in Wales was for Halen Môn, Anglesey sea salt, which has opened an award-winning saltcote and visitor centre, encouraging tourists to learn about the production process and purchase their products. On my recent visit, I appreciated the opportunity to learn more about its products and meet the wonderful staff, including Eifion Jones, the dispatch team leader. As the UK county most dependent on tourism, it is vital that Anglesey's businesses take every opportunity to boost revenue and reinvest in our community.

I would like to end by asking the Minister to confirm that the UK Government will continue to invest in the new scheme to secure its future. Do the Government recognise the importance of supporting food producers, especially post-Brexit? Is her Department working closely with the Department for International Trade to bring meaningful benefits to food producers? I look forward to a future where Anglesey sea salt is found in the finest foreign cuisines all over the globe and Welsh lamb and beef are even more recognised delicacies internationally. I especially look forward to tasting more food that is awarded the special recognition of a geographical indicator.

We are soon approaching our departure from the European Union and across the country a year of unrest has led to concerns about the opportunities for businesses in the upcoming years. As the party of business, we must open doors for UK producers. One of these is the geographical indicator that elevates our products above their worldwide competitors and drives success for their owners.

Ms Nusrat Ghani (in the Chair): Ms Crosbie, you have given us a gastronomic tour, not only of your constituency but of the whole country. If there are no further speakers, I come to the Minister.

4.22 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Victoria Prentis): It is a great pleasure to serve under your chairmanship, for the first time, Ms Ghani, and an enormous pleasure to speak in this very important debate. I congratulate my hon. Friend the Member for Ynys Môn (Virginia Crosbie) on securing this debate on a fascinating topic. Everybody in the room feels passionately about it and has spoken with such enthusiasm, both in the room and outside while we were waiting.

I was not surprised to hear all Members talk about great Welsh food. Wales is home to the UK's highest concentration of protected food and drink products, with a total of 16 protected products. I was brought up partially by my grandmother, who is 97 and avidly waiting for her covid vaccine in a care home on the Gower. She is somebody who believes that food is only good if it comes from Wales. She routinely used to turn up at our house when I was a small child—and still would if she were able to travel at the moment—with a ham and a leg of lamb under her arm.

This became slightly more difficult when my aunt moved from south Wales to Sierra Leone. Granny set off to visit, as she was wont to do, with the leg of lamb in her suitcase. The leg of lamb sadly got lost in Sierra Leone airport and travelled around five African countries that we know of—it had stamps from them all—before reaching my aunt's house, where, sadly, it was only fit for burial in the garden. My cousins, however, were equally excited—they were little girls as well, this is all over 40 years ago, I am sorry, but I think it is relevant to the debate today—

Ms Nusrat Ghani (in the Chair): “Relevant” is getting closer and closer.

Victoria Prentis: They were waiting for the chocolate biscuits, which were packed with the leg of lamb and had also travelled around Africa. Needless to say, they got eaten. I was brought up clearly knowing that Welsh lamb was far and away the best in the world and that other Welsh products, including laver bread, to which I know the hon. Member for Ceredigion (Ben Lake) is partial, are pretty good too. The Denbigh plum is of enormous interest to my own family, as plum growers for many years. I am pleased to confirm to the House that the Government will launch the UK GI schemes on 1 January. The new schemes will ensure that all existing UK and EU GI products will continue to receive protection under the schemes.

[Victoria Prentis]

The fabulous APPG for geographically protected foods, which is so well led by its joint chairs, is working hard on this, and I understand that it is very keen—when covid restrictions permit—to have a launch event in the House for a new GI scheme. I would be very excited to attend and to try all the great produce that I hope will be available. I am happy to reassure hon. Members that, in addition to receiving protection under the UK schemes, all current UK GIs, including all Welsh products, will continue to receive protection in the EU and through future international trade agreements.

When the new UK GI schemes are launched in the new year, the Department for Environment, Food and Rural Affairs will seek to work with producers across the four nations, including, of course, in Wales, to use GIs as a tool to showcase our great British products, both in the UK and overseas. I really hope that logo will have sales value abroad; we are working closely with the Department for International Trade on that.

Welsh exports will be essential to our efforts to grow our collective reputation for quality food and drink around the world. Overall, the UK's GI products represent about 25% of UK food and drink export value, which was about £6 billion last year, and we hope that will grow exponentially. I would also like to take this opportunity to thank Welsh producers, including the Anglesey Sea Salt Company in my hon. Friend's constituency, for their contribution in helping us to develop those smart new logos. I am sure hon. Members from across the House will be as delighted as I am to see the new logos on our products in the future.

I would like to thank everybody who has taken part in this debate. As we launch our new GI schemes in the new year, I encourage hon. Members from across the House to engage with DEFRA to help us to identify new opportunities for food and drink producers in Wales, and beyond.

Question put and agreed to

4.27 pm

Sitting suspended.

Covid-19: Effect on People with Learning Disabilities

4.31 pm

Ms Nusrat Ghani (in the Chair): I remind hon. Members that we have some changes due to covid and that we must observe social distancing rules. Before they exit, Members should wipe down any surfaces that they have spoken into or touched. I will call Members according to the list in front of me.

Christian Matheson (City of Chester) (Lab): I beg to move,

That this House has considered the effect of the covid-19 outbreak on people with learning disabilities.

It is a great pleasure to serve under your chairmanship, Ms Ghani. I thank all colleagues and hon. Members for attending this debate.

Health inequality for people with learning disabilities has been evident for decades; even during non-covid times, there were three preventable deaths every day. In 2004, it was reported that 37% of deaths of people with learning disabilities were preventable, and, in 2017, the Equality and Human Rights Commission found that 42% of people with learning disabilities died prematurely.

Despite clear data showing those disproportionate health inequalities, very little has been achieved in tackling the issue in the intervening years. The pandemic has highlighted the issues that many people with learning disabilities face and the lack of understanding in our society of their needs. Things need to change, and quickly; these are deaths that can be prevented and lives that should be lived.

The pandemic has provided a wave of challenges for the NHS and care systems; we do recognise the workers there for their hard work and their sacrifices. However, underlying the struggles faced by the NHS this year are 10 years of austerity and cuts to our public services. It is the most vulnerable who suffer most from these cuts.

In addition to the historic health inequalities, the pandemic has only made things worse and had an even greater, disproportionate impact on people with learning disabilities. They face reduced access to vital care and support, as well as to valued activities and day centres. Increased isolation and loneliness, during the lockdowns, have also had a profound effect on their mental health and will leave lasting effects on their health and wellbeing.

This isolation and loneliness is exacerbated because people with learning disabilities are less likely to have access to technology, which so many people relied on to stay in touch during the pandemic. Professor Jane Seale from the Open University found that, before the pandemic, there was evidence to show that people with learning disabilities already experienced significant digital exclusion, and that this had a devastating impact on their mental health and wellbeing.

A number of my own constituents have been in touch to raise these issues and to tell me how important it is for people with learning disabilities to have some kind of normality—or, at least, access to specialist activities and day centres. One of my constituents was worried that they were not able to take their son to a disabled swimming club—which the son had been attending for years and finds extremely beneficial—because it was across the border, in Wales. Can the Minister clarify

that exemptions for cross-border travel exist? Will she make the guidelines easily accessible to ensure that people with learning disabilities are able to access valued activities and care, during the pandemic, without any extra anxiety?

People with learning disabilities have always been more likely to die in hospital, but during the pandemic that percentage has been particularly high. Perhaps one of the main issues that has led to their disproportionate deaths is the lack of awareness and understanding about people with learning disabilities and their needs. The learning disabilities mortality review found that during covid, in 21% of cases that indicated a need for reasonable adjustments—such as the provision of specialist learning disabilities services in hospital, tailored care provisions, or ensuring that the person was supported in an unfamiliar setting by those who knew them—the adjustments were not made.

During the height of the pandemic, specialist learning disabilities support was one of the most requested reasonable adjustments. However, many healthcare staff have been redeployed—working in unfamiliar environments, stressed and exhausted—making it harder to provide the adjustments and specialist care needed for people with learning disabilities. One nurse commented that she was

“redeployed for four weeks to another ward. During this period there was no specialist learning disability service provided across the Trust.”

Additionally, during the pandemic, a parent or carer simply not being able to accompany a patient with learning disabilities to the hospital can have profound results. Official guidelines stated that non-essential persons were unable to accompany covid-19 patients in ambulances or in hospital, but no definition of “essential” was provided; it was often left as a decision for the healthcare staff. Many people with learning disabilities struggle to communicate—especially in unfamiliar settings—and rely on their carers. Such a lack of communication placed patients at an even higher risk. Will the Minister work with the public health bodies across all the nations to review their guidance to ambulance and hospital services on that important issue? The lack of ability to communicate, and often the lack of specialist training, means that many non-verbal cues such as posture, gestures and general body language are often missed. That has become even more serious during the pandemic as the number of remote consultations and the reliance on the NHS 111 service has increased. NHS 111 is heavily reliant on algorithms, but the specialist care needed for people with learning disabilities cannot simply be picked up by an algorithm. We need an urgent review of the service and whether it is the right way to treat people with learning disabilities.

One of the biggest factors in preventable deaths is diagnostic overshadowing, which is when changes in behaviour are simply attributed to the individual’s learning disability and not investigated further as separate symptoms. My main inspiration for seeking the debate was my constituent Angela, who has led a vocal and active campaign to improve healthcare for people with learning disabilities following her experiences with her son. Parents and carers are crucial to helping to determine if something is wrong with their child. People with learning disabilities do not always demonstrate pain in the same way as other patients, so they cannot always express that something

is wrong. Angela’s son was in pain and she knew it, yet healthcare staff refused to listen to her and just attributed her son’s pain to his learning disabilities. It was later revealed that he had a severe case of appendicitis. Their story was later used as a storyline on “Casualty”.

Training specialised nurses for people with learning disabilities is a good step forward, but that must be supported by a widespread understanding of learning disabilities across healthcare staff. The ability of all healthcare staff to provide reasonable adjustments or to be aware of the need just to listen and take parents or carers seriously could be a matter of life and death. Will the Minister therefore commit to providing adequate support to improve the understanding of learning disabilities across all healthcare staff and ensure that all people with learning disabilities are prioritised for face-to-face consultation and care?

People with learning disabilities have faced other huge healthcare challenges. Throughout the pandemic, hundreds of people with learning disabilities have been wrongly—in some cases unlawfully—denied potential life-saving treatment. At the beginning of the first wave of the pandemic, the National Institute for Health and Care Excellence published new guidance on the treatment of patients in critical care, grading them on a clinical frailty scale. The guidelines suggested that those who cannot do everyday tasks such as cooking, handling money or performing personal care independently would be considered frail and, as a result, not receive intensive care. All of those tasks are often difficult for people with learning disabilities, but that does not make them frail. I believe the policy was hastily reversed in April, but it has had ongoing damaging consequences, and many individuals with learning difficulties still have do not attempt cardiopulmonary resuscitation orders and “do not resuscitate” notices on their records without their knowledge. I welcome the Secretary of State’s requesting that the Care Quality Commission looks into inappropriate use of DNACPRs, but will the Minister commit to ensuring that all people with such unjust DNR notices are identified and that those notices are removed from their records to ensure that they can receive intensive care treatment that may save their lives?

Furthermore, in March 2020, the policy of rapid discharge was introduced, leading to thousands of patients being discharged prematurely, discharged without support, discharged to care homes without being tested and discharged into unfamiliar settings with unfamiliar staff who were unable to meet their needs, all of which have a huge impact on people with learning disabilities and are wholly avoidable. I hope we are moving away from that.

Finally, I wish to draw attention to how the pandemic has affected young people with learning disabilities. Statistics show that when it comes to preventable deaths, young people with learning disabilities are worse affected than older people. However, healthcare was not the only factor that greatly affected young people with learning disabilities. Children with learning disabilities or special educational needs faced challenges in education even before the pandemic. Lockdown, the closure of schools and cutbacks to additional support services during lockdown therefore raised new challenges and had specific implications for children with special educational needs, in terms of their learning support, structure, routine and behaviour. Although organisations such as Scope and the National Society for the Prevention of Cruelty

[*Christian Matheson*]

to Children have produced resources for parents, achieving a constructive learning environment is likely to have proved extremely challenging in many cases.

Matters were made even more challenging as the supplementary support and activities provided outside school, which promote children's wellbeing, provide social engagement and routine, and act as an additional resource for parents, were also affected by lockdown. The Petitions Committee highlighted an e-petition that asks for an urgent extension of the statutory age limit for special educational needs provision due to the effects of covid-19. I thank everybody who signed it, and I hope this debate covers their concerns. Young people with learning disabilities often rely on going out in order to learn life skills. They must not be left behind as a result of this pandemic.

Professor Sam Parsons of University College London and Lucinda Platt of the London School of Economics found that the disruption to routine caused by lockdown can be particularly negative for children with special educational needs and can exacerbate behavioural problems. A lack of structure has negative impacts on the social and emotional development of children with learning disabilities and exacerbates mental health problems. Their research also suggests that, given the need for additional educational support, difficulties in catching up are likely to be exacerbated for children with learning difficulties, so ensuring that local authorities have adequate resources to provide services for those children will be even more important in the coming year, following the current disruption to their education and support. What steps will the Minister take to ensure that adequate funding is provided to support children with learning disabilities and special educational needs properly in their education following the school closures during lockdown?

Many of the figures and stories I have mentioned today are shocking, but sadly for many that is the reality and the norm. Some 37% of deaths of people with learning disabilities were preventable. That is simply not acceptable. We must work together to ensure that people with learning disabilities are not an afterthought when it comes to healthcare, education and day-to-day life. More needs to be done to understand their needs properly and give them the support they deserve. The pandemic has shown that the social care system is at breaking point. The Government must provide adequate funding for the care sector and learn from each death of a person with learning disabilities to ensure that those disproportionate and horrific inequalities do not continue.

Ms Nusrat Ghani (in the Chair): I ask the Back Benchers to keep their speeches to about five or six minutes.

4.42 pm

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Thank you, Ms Ghani. In the time-honoured words, it is a pleasure to serve under your chairmanship. From the bottom of my heart, I thank the hon. Member for City of Chester (Christian Matheson) for bringing forward this debate. I know from my three and a half years' experience in this place that he treats any subject that he chooses with sincerity and dedication. That is recognised across the House, and we are thankful for that.

I will make the slightly boring point, which many Members have heard me make before, that I represent the most remote and distance-challenged constituency in the UK—or one of the two most remote. Therefore, when it comes to connectivity and empowering people who have learning disabilities, there is a big challenge because we do not have 3G in many places and people just cannot go online. I think I am duty-bound to put that on the record. Hopefully, between the Scottish Government and Her Majesty's Government in Westminster, we will eventually address the issue. In the meantime, I have that fundamental stumbling block that gets in the way of it all.

It is very easy in one's family life to think that learning disabilities are for others. People do not think that it is going to come close to home, but in my case it did. My daughter—can you believe this, in this day and age?—went undiagnosed as dyslexic until she went to college. On her first or second day, she came back with that astounding news and said, "They say I'm dyslexic, and I am getting a free laptop." That empowered her in a way that she had never been at school. She struggled with written answers, getting the letters in the right order and so on. That is not a very severe case, compared with what the hon. Gentleman has been talking about, but it brought it home to me that the idea that technology can tackle this issue is for real.

I give credit where it is due. It would be very churlish of me not to say that I welcomed the Chancellor of the Exchequer's announcement in the spring that he would be scrapping VAT on electronic publications, which was a seriously good move. With that in place, the challenge remains how we get the electronic publications to work on a Kindle or whatever people use. I will not repeat myself on that, as I think enough has been said for the record.

I move on to a second personal anecdote. I have been within my family bubble during this wretched pandemic and have found myself in situations with relatives young and old—I make no apology for digressing into the issue of older people, because they are connected—who say, "I have my desktop computer," or iPad, or iPhone, "and it's been great, but I've been sending emails and they're not going anywhere. I don't understand." I have had to say, "I'm afraid they have gone to the outbox." I have to sit down and say, "This is what you do." Just a few days ago, someone said, "I have a Zoom meeting with a loved one, but I don't know how to work Zoom." I would then sit down and say, "This is how you do Zoom. This is what happens."

My point is that there are people with learning disabilities in remote parts of my constituency. If they have a connection, that is great, but to start it all off they need the tuition. They need somebody who can come in and say, "This is what is not working for you," because the collapse in morale when the iPad or whatever does not work is almost counterproductive. It leads to people putting the device on a shelf and saying, "I'm not going to bother with that. I'll just be lonely and miserable."

There are two points that I want to make to our friend the Minister. The first is that, in a general sense, it would be good if we were sure that professional carers, either state or private, who go out to help people young or old had an element of IT training, so that as and when a person has been helped to dress, or whatever the need was, the carer can then say, "Ah, you've got a problem. Let's see what I can do for you. This won't take two minutes." That would be good.

My second plea is about the provision of services for people with learning disabilities, regardless of whether they live in Strangford, the City of Chester or the highlands of Scotland. We have a great expression in Scotland, which the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) will know: we are all Jock Tamson's bairns—we are all John Thompson's children. It means we are all the same; we are all egalitarian. That is something we hold dear to our hearts in Scotland. We are all Jock Tamson's bairns, regardless of whether we live north or south of the border, or whether we live in Wales or Northern Ireland.

My plea is for a co-ordinated approach between Her Majesty's Government and the devolved Administrations to tackling this issue, because learning disability is no respecter of borders. People with learning disabilities have a fundamental human right to a quality of life, which the technology can offer. As the vaccine is rolled out, and as we have discovered what we can do with virtual technology, the challenge for the Government is to ensure that the technology now sticks and remains in place to benefit people with learning disabilities. This debate is about offering such help to the youngest, but we should also extend it to older people—although I am chancing my arm on that one.

4.48 pm

Rushanara Ali (Bethnal Green and Bow) (Lab): It is a pleasure to serve under your chairmanship, Ms Ghani, and I congratulate my hon. Friend the Member for City of Chester (Christian Matheson) on securing this important debate. I want to start by extending my gratitude to all those working with people with disabilities, particularly in the education system and wider social care system, during these incredibly difficult times.

We know from our family members about the challenges that children are facing with their learning. Of course, those challenges are even greater for children with special educational needs and disabilities. Like colleagues, I have seen that in my constituency. The transition from face-to-face learning during the first lockdown to using technology has presented some challenges, particularly for young people who have learning disabilities. Of course, adults who need social care and support face huge challenges, as we have already seen. Along with other agencies, local authorities have been on the frontline in trying to protect them, but they have been doing so in the context of a decade of austerity.

In my borough, we have seen a £200 million funding reduction over a decade. That kind of austerity in public service provision does not come without consequences: it has a knock-on effect. When we faced the pandemic, we saw local services that were on the edge in any case having to support those who really need support. The reality is that we have seen the virus have a bigger impact on those who are particularly vulnerable. As we have already heard, this group faces huge vulnerabilities.

According to Government figures released in October, almost a fifth of pupils with special educational needs are currently absent from school. To compound that, only 6.5% of parents of children with SEND said that their online home learning platforms were accessible, according to the National Education Union. The evidence is clear that the education system is not able to cope effectively in responding to the needs of young people

with disabilities. It is well documented in recent reports on differential impacts that there is a higher prevalence of deaths among black and Asian minority ethnic groups. Also, according to Public Health England, people with learning disabilities were up to six times more likely to die from covid-19 during the first wave of the pandemic. That is shocking, and it requires action by the Government to make sure that we learn the lessons, just as we need to learn the lessons on the differential impact in terms of death rates among black and Asian minority ethnic groups. Of course, it is important to understand these intersectional issues and the interactions relating to those in minority groups who also have a disability.

We face more restrictions in the coming weeks in London and the south-east and are now in tier 3, so when the Minister responds, will she explain what actions the Government are taking to protect this vulnerable group—particularly those with disabilities—to ensure they are getting the support they need? Since 2010 we have seen reductions, as I said, in local government funding and, despite the Government's commitment to give the resources that local authorities need, the reality during the pandemic is that the extra burden and costs of covid in boroughs such as mine have not been fully met. That is having a knock-on effect on services, including services to those who need adult social care and young people with disabilities in need of additional support.

As for schools, a number have already said to me that the additional cost of making sure they are covid-secure has been between £50,000 and £100,000, depending on the school and its population size. It is important that the Department of Health and Social Care works closely with education to make sure that the institutions on the frontline protecting those who are vulnerable and those with learning disabilities get the support they need, and take action to prevent further loss of life.

On the funding shortfall, my local authority still has a £30 million shortage just because of the cost of covid. When the Minister responds, will she update us on what she is doing with other Departments to make sure that local authorities and other providers, including frontline care providers and education providers, are getting the support they need, particularly during the coming months, until we get a proper implementation plan for the vaccine, especially for the most vulnerable, as are many in that group?

I want to highlight some of the challenges facing my constituency. Some 60% of children live in poverty, and unfortunately we have one of the highest rates of children with autism in the country, not to mention severe overcrowding. That is why my constituency faced the fourth highest age-standardised death rate in the country, despite having a relatively young population.

These systemic challenges and the plight of those with disabilities mean that the situation is serious, which is why it is really important that the Government look carefully at the evidence and data, and respond with resources and support based on need, rather than other considerations. That is how we will be able to protect the vulnerable in our communities. My plea to the Minister is to provide the support that local authorities and other providers urgently need. If she can, I will be grateful if she can update us on what steps her Department in particular is taking to address the differential death rates for those with learning disabilities, as the Public Health England report highlights.

4.55 pm

Dr Kieran Mullan (Crewe and Nantwich) (Con): It is a pleasure to serve under your chairmanship, Ms Ghani; I appreciate the generosity of spirit you have shown in calling me to speak. I congratulate the hon. Member for City of Chester (Christian Matheson) on securing the debate.

There is no doubt that the pandemic has had a huge impact on people with learning disabilities. As was mentioned, the recent Public Health England report identified a much higher death rate among people with learning disabilities. Particularly worryingly, it found that the gap is even greater for young people. The death rate for people aged 18 to 34 with learning disabilities was 30 times higher than those in the same age group without disabilities. I expect some of that relates to the overlap with other physical health conditions that are present at a higher rate in this population, as the report alludes to, but I do not imagine it will be the entire answer to why people with learning disabilities have suffered as they have in the pandemic.

My speech will focus on an issue that has been brought to my attention as a local MP: the risk of economic consequences that the pandemic poses.

4.57 pm

Sitting suspended for a Division in the House.

5.3 pm

On resuming—

Dr Mullan: To continue, I will focus today on the risks that the economic consequences of covid pose to the job opportunities of people with learning disabilities. Locally in Crewe and Nantwich, there are a range of organisations that try to find job opportunities for people. Organisations such as Safe Opportunities and Seetec Pluss, employers such as AO.com and charities such as Community Recycle Cycles have all worked tremendously hard, and secured successful and ongoing employment for people with diagnoses associated with learning disabilities, such as Down's syndrome and autism.

Those organisations are understandably concerned about the impact the covid-19 pandemic we will have on their ability to carry on delivering this work. We know that even before the pandemic there was a significant gap in the employment of those with learning disabilities. I have heard from residents who have struggled to find work because of their disabilities, and from their families. Recently, I took part in a meeting with Scope that explored this issue and heard from people with lived experience of it.

What might happen now? Employers might rightly be concerned about the health risks their employees could face, given what we discussed earlier regarding the additional risks that we have seen for people with learning disabilities. If we are being realistic, employers who are laying people off and struggling to make ends meet might not go as far as they ordinarily would to try and stretch people's employability and support people into employment who have disabilities of any kind, including learning disabilities. That is the reality we will face.

Nevertheless, we cannot afford to have a lost generation of young people with learning disabilities who have missed out on employment that they would otherwise

have been able to secure. The Disability Confident campaign was launched by the then Prime Minister in 2013, and it aims to encourage businesses to employ disabled people. By December 2019, more than 15,000 employers had signed up to the scheme, as they wanted to offer disabled people roles in their organisations.

There are also local initiatives. As I mentioned, we have an organisation in Crewe and Nantwich called Safe Opportunities. It has launched a campaign called Big10forSEN, which is building towards having 10 big employers locally that are putting in the effort to secure employment for people with learning disabilities.

There are other measures available. There is the 2017 personal support package, which gives people access to a disability employment adviser, and the Access to Work scheme, which provides financial support for the extra costs of being in work that go beyond the reasonable adjustments that are required in law. As part of the Access to Work scheme, specialist support is provided to people with learning disabilities and other less visible disabilities through a hidden impairment specialist team.

In response to the pandemic, the Department for Work and Pensions has worked tremendously hard to develop policy to prevent ill health-related job losses, but we must not forget the Government's ambition to get 1 million more disabled people into work by 2027. We cannot allow the coronavirus to prevent that from happening.

Ms Nusrat Ghani (in the Chair): There is now a formal time limit of five minutes. I call Ms Olivia Blake.

5.5 pm

Olivia Blake (Sheffield, Hallam) (Lab): It is a pleasure to serve under your chairmanship, Ms Ghani. I thank my hon. Friend the Member for City of Chester (Christian Matheson) for securing this important debate, which is well overdue.

I have had many messages from people who have been worried about changes to services during this crisis and about the impact that the crisis has had on their day-to-day living, with many describing it as devastating. I serve on the Public Accounts Committee, and last week we heard from care home witnesses that those with learning disabilities were

"very much ignored at the start of the pandemic."

We were discussing the provision of personal protective equipment in care settings, but it is fair to say that many people feel that way about the whole pandemic.

Too often, people with learning disabilities have been an afterthought throughout this public health crisis. That is entirely the wrong approach because we know that the health outcomes for those with learning disabilities are poor. While more research into the impact of covid-19 is needed, what we know so far is damning. As has been pointed out, those with learning disabilities have a death rate that is 4.1 times higher than that of the general population, and 30 times higher than for those aged 18 to 34. Access to easy-read information was also raised with me, as were concerns about good public health messaging.

As if those figures were not worrying enough, many disability rights campaigners, including myself, were alarmed at the NICE guidelines for intensive care unit referrals, which seemed to actively discriminate against

admitting people with learning disabilities into intensive care or life-saving treatment. I am glad that NICE has updated the guidance, but the episode shines a light on the way people with learning disabilities have been treated throughout, and perhaps before, this crisis.

As the chair of the all-party parliamentary group on special educational needs and disabilities, I have heard first-hand testimony about the huge amount of added pressure on young people and their families throughout the crisis, including the difficulties accessing education online, which my hon. Friend the Member for City of Chester described; access to hydrotherapy disappearing; other therapeutic interventions being withdrawn from schools; and a host of other issues. We will be publishing our report and recommendations early next year, which obviously go broader than learning disabilities. It is clear that, after years of being a Cinderella service, provision for children and young people with learning disabilities is already very stretched. We are badly positioned to support some of the most vulnerable people through this crisis, and that needs to improve.

I am also concerned about the delay in the publication of the SEND review. That is worrying as there is urgent work to be done in that area. The people most affected by covid—those with learning disabilities—should be at the forefront of the Government's planning and at the forefront of their minds. Time and time again, the people with such needs, who are most affected by the covid outbreak, are given the least thought. That needs to change. While there has been progress with the roll-out of vaccines, people with learning disabilities should rightly be given priority. I see they are on the priority list, but not that high.

Let us end the Cinderella services in education, health and social care, and learn the hard lessons. We have seen some abject failures in that area in recent history. Let us learn from this pandemic, so that people with learning disabilities no longer have to wait to be treated with the dignity and respect that they deserve. Let us also ensure that all our healthcare professionals are adequately trained in this area, so that no one need fear entering health services at the moment.

5.9 pm

Jim Shannon (Strangford) (DUP): Ms Ghani, it is obviously a pleasure to serve under your chairmanship—sorry, I think “chairship” is the right word in this PC age we live in. It is always a pleasure to follow many other hon. Members. Some of the speeches so far have been incredible, and we thank the Members for them. It is a pleasure to follow the hon. Member for Sheffield, Hallam (Olivia Blake). We seem to spar with each other here. In our first debate, we were of the same mind. In the second debate, we had different opinions. And now we are back together again to support the same thing on this issue. The hon. Member for City of Chester (Christian Matheson) always brings to the Chamber, with compassion and understanding, points that certainly I and, I think, many Members can subscribe to and are very pleased to be part of.

During lockdown, I experienced teachers and parents alike expressing grave concern for the children who need this specialised additional help, who thrive in specially designed schemes and education, and whose parents could see the adverse effect of their not being able to follow their routines and get the external help

and support that they needed. Particularly for disabled children and children with educational challenges, it is so important to have a routine in place. From my constituency, I can easily call to mind two cases of children with special needs who required emergency day placement at their school during the initial lockdown period in order to give them some of their routine back. I want to express my thanks to Longstone and Tor Bank, which filled the breach; those are two of the special schools back home in Northern Ireland.

Children with special needs saw an impact on their entire routines, starting from the change in their at-home morning routine of getting up and getting ready for school. Then they were not collected as usual by their school bus. They did not have the presence of their teacher, assistant and peers in their daily lives. And they were restricted in their daily movements by not being able to go out and about. One child was unable to be taken as usual to the local playground to get the sensory stimulation that he needed, as it was locked for an extended period.

This was not the fault of any Department or person, but the fact is that the ramifications of the lockdown and subsequent extension of holidays and so on are still being felt even now by some of the most vulnerable in our society. As schools have closed and additional support has been halted, respite and rehabilitation services have been withdrawn. These are all the complications that we see.

In particular, parents of children with autism were on their own each day in their homes with no specialist assistance, and they reported that dealing with their child's needs impacted on the family. Some reported that they felt at breaking point because of having little or no support while their children's special needs schools were closed. I deal with parents of autistic children nearly every week in my office—my staff do as well—and I know the particular issues for those with autism. Support workers were unable to enter the family home, and tutors who provided one-to-one tuition to statemented children were unable to visit them, so their education was interrupted. If an autistic child's routine is changed, that makes life extremely difficult for the child and for the family as well.

The pandemic has seen an attainment gap result from the isolation of the children from their teachers and peers. Continued schooling for children with a statement of special needs, which typically represents those with severe needs, was provided in some cases, but that was not universal by any means and did not cover all the additional support. I understand that the Minister does not have responsibility for Northern Ireland, but I want to tell the story, because I think it is replicated across the whole of the United Kingdom of Great Britain and Northern Ireland. The hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), whose speech will follow mine, will probably confirm that. The gap in schooling can also be expected to make the full return to school and subsequent social interaction more challenging, especially for children with anxiety problems.

The economic impacts of the pandemic have been felt directly by those who had special educational needs in childhood. We see that in the use of food banks. Between March and September of this year, we had 180 families who were experiencing financial, social and emotional pressures, but the food bank in Thriving Life Church in Newtownards was able to help.

[Jim Shannon]

Since the onset of the pandemic, more than 70% of the youth who study or combine study with work have been adversely affected by the closing of schools, universities and training centres. Programmes such as STRIDE—support and training to realise individual development and employment—aimed at training and integrating vulnerable youth into the workplace, were halted because they are based in specific cafés and factories and those were closed during the pandemic. Right away, those people, who needed the daily routine of work, were not getting it, so things were quite difficult. Those programmes impart important social and educational skills and, where the young people make progress through routine and socialisation with members of the public and peers, their progress was impacted by the closure of the services.

I will conclude with this point. The most vulnerable have felt this pandemic more than anyone else. Now is the time to rebuild and restore their wee lives and the support for the families who have been left so alone. We in this place can make a difference with innovative programming and considered funding, and now is the time to take steps to make that difference.

5.14 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): It is a pleasure to serve under your chairmanship, Ms Ghani. I start by thanking the hon. Member for City of Chester (Christian Matheson), who has provided such a detailed overview of the issues that need to be addressed. I thank him for that, not just as a Member who is speaking today, but as the chair of the all-party parliamentary group on disability. It is wonderful that he has secured this debate, and that he has spoken so eloquently and in such an important manner to raise the issues that the Government should be addressing.

I also thank all hon. Members who have taken part in the debate. We have heard excellent speeches, touching on education, employment and issues related to autism spectrum disorder. We also heard from the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone), who spoke about the impact of the internet and technology and the importance of access, as well as about family issues. As he highlighted, it is very important that we should not think of helping or assisting people with disabilities as something that is removed from our own lives, because these issues will touch our families at some point.

Great thanks have to go to the staff—to the teachers and care staff—who have worked with people with disabilities throughout the pandemic in our NHS and care settings, who have pulled out all the stops and shown absolute determination and dedication in their role, as well as to the charities, including Mencap, Sense and Scope, to name just a few.

In terms of the immediate consequences of the pandemic that need urgent attention, there are a number of pressing concerns, the first of which is access to healthcare under the Equality Act 2010. People with learning disabilities are, of course, entitled to reasonable adjustments when admitted to hospital. Although those adjustments have not been officially revoked under the Coronavirus Act 2020, one in four people surveyed by Mencap who work as

nurses in the learning disability sector said that they had seen instances in which people with a learning disability were not allowed to be accompanied by a family member, carer or supporter in hospital due to covid restrictions.

The Scottish Government have been addressing that issue: people with learning disabilities are excluded from the no visitors policy, and a guide for clinicians working in hospitals has been provided, which I think has been very helpful in terms of shared practice. A top priority for future guidance must be to ensure that those with learning disabilities are allowed to be accompanied in ambulances, to hospital, for check-ups and so on, and to bring someone with them to help with communication and their healthcare needs.

Although the move towards remote consultation to treat many conditions during the pandemic has been welcomed—indeed, it has been a necessity—there is concern, as we have heard, that people with learning disabilities often do not have access to technology or find it more difficult to use, and many do not have the adaptations in technology that enable them to access those consultations in the most effective manner. Those are some of the issues that the Minister will also need to address when it comes to clinical need.

There has also been a disturbing increase in the use of physical restraint on people with learning disabilities reported by health and care settings since the start of the pandemic, with usage increasing by over 150% at the peak of the pandemic compared with pre-covid levels. I would be obliged if the Minister would look at that extremely important matter.

I will finish by mentioning mental health. Often, we think about physical health—particularly in the midst of a pandemic—but forget to mention mental health, and I think mental health is going to be one of the key priorities right across the United Kingdom going forward. The mental health consequences of extended periods of isolation, increased care burden and financial stress have been well documented in recent months, but those mental health outcomes are exacerbated for those with learning disabilities and those who care for them. A survey by Mencap found that over 70% of parents of children with a disability admitted that their mental and psychological health had worsened as a result of the pandemic; four out of five family carers had been forced to provide unpaid care for their family members, leading to increased poverty; and one in five people with a disabled family member feared they would go into debt as a result of the pandemic.

These are extremely serious issues, and I invite the Minister to the all-party parliamentary group on disability to further discuss them. I thank everybody who has taken part in today's debate.

5.19 pm

Charlotte Nichols (Warrington North) (Lab): It is good to see you in the Chair, Ms Ghani.

I congratulate my hon. Friend the Member for City of Chester (Christian Matheson) on securing this important debate. Among the most important duties of a Member of Parliament is to speak up for the voiceless, and he has done a proud service today. I join him in paying tribute to the campaigning efforts of his constituent Angela, an exceptional woman whom I have been lucky enough to meet.

One of the overriding messages that we have heard in 2020 is that we are all in this together. Whether people have found it comforting or frightening, it has characterised our national response, but it is not really accurate. My hon. Friend the Member for Sheffield, Hallam (Olivia Blake) is right to raise the abject failures that have taken place in some aspects of provision for those with learning disabilities. The twin crises that we have faced and continue to address—the health and economic emergencies caused by the covid pandemic—impact people differently. We have learned so much about the groups who are more susceptible to serious illness and death from covid—older people, those who are overweight, those with comorbidities and, because of housing conditions and frontline jobs, ethnic minorities. We are still learning about who is suffering most from the economic impact—young people and those in precarious employment and the hospitality sector. Those differential impacts were raised powerfully by my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali).

Above all, vulnerable people suffer the most, including those with learning disabilities. Even before the pandemic, they faced serious health challenges. In 2017 the Equality and Human Rights Commission found that 42% die prematurely. Last year, the learning disability mortality review found a median life expectancy of 61 for men and 59 for women, which is more than 20 years less than the national average. People with learning disabilities are four times more likely to die of a treatable health condition. That was the situation before covid.

What we have heard today has been shocking but not surprising. We understand why guidance for ambulances and hospitals was written in haste in March, but clearly it did not fully consider the needs of people with learning disabilities—with all the consequences that we have heard today. The ambulance services' guidance must be amended. As we have heard, it has been interpreted to mean that people over the age of 16 cannot be accompanied to hospital or bring documents with them. That leaves people with learning disabilities terrifyingly exposed, given the challenges that they face in communicating their medical needs. I hope that the Minister can now confirm that that is being changed.

What I have described has certainly contributed to the lack of reasonable adjustments being made, as has the number of learning disability nurses who have been redeployed—I have seen the figure of 34%. That has left people with learning disabilities even more exposed, as their needs are not met. Will the Minister set out what she is doing to restore and expand that crucial expertise?

The number of people with learning disabilities who were given “Do not attempt to resuscitate” notices was appalling, partly because initial guidance led to many being wrongly defined as frail. Although that guidance was reversed, many individuals may still have such notices on their records, without their knowledge, and that could have tragic consequences for their future healthcare. What is the Minister doing about that?

The Minister will recognise the wider challenge of remote consultations, which are particularly difficult for people with learning disabilities in situations where non-verbal cues and body language cannot be seen. They also increase the chance of diagnostic overshadowing, where behaviour is attributed to a learning disability rather than being considered a symptom. That has

apparently been an issue with NHS 111. The NHS long-term plan is to remove one third of face-to-face appointments for out-patients, which includes the use of more remote consultations. Will the Minister assure us that people with learning disabilities will be prioritised for in-person consultations, and can she explain what guidance is being put in place for autistic people in in-patient care settings to go home for Christmas? Autism charities have warned that autistic people in residential care will have to self-isolate for 14 days when they come back from visiting their families this Christmas. That is not fair on those who need routine and support. The Government must make their guidance autism-friendly.

That all shows the need to consider the most vulnerable when making important decisions. Equality impact assessments must be made by central Government. That is something that local authorities are routinely obliged to do. Was such an impact assessment made on the guidance for ambulances and hospitals and, if so, what steps were taken to mitigate impacts? If not, what discussions were had with Mencap before the policies were introduced?

People with learning disabilities have suffered and died disproportionately in this pandemic, so can the Minister explain why only those with severe and profound learning disabilities have been prioritised for vaccination, rather than everyone in that highly vulnerable group? When will unpaid carers receive the vaccine?

Following the Government's easements, which reduced statutory adult social care support, 69% of people with a learning disability reported in a Mencap survey that their social care support had been cut or reduced during the pandemic. What will the Minister do to ensure the support that those families and individuals badly need? The Government have an obligation to support the most vulnerable citizens first. I look forward to hearing the Minister's reply.

5.25 pm

The Minister for Care (Helen Whately): It is a pleasure to serve under your chairmanship, Ms Ghani. I thank the hon. Member for City of Chester (Christian Matheson) for securing a debate on this very important topic.

The pandemic has impacted everybody, but many of those with learning disabilities have been particularly hard hit. I know how difficult it has been for them, their carers and loved ones to continue to be supported to live fulfilling lives during the pandemic. Wherever possible, we have made exemptions and reasonable adjustments to the restrictions for disabled people, while balancing that with the need to keep people safe. Sadly, we know that some of those with a learning disability have suffered the worst effects of covid-19 and passed away. I send my deepest condolences to their families and friends.

The hon. Member for Bethnal Green and Bow (Rushanara Ali) asked me to talk about what we are doing about the high mortality from covid of those with learning disabilities. We commissioned Public Health England to analyse the information about deaths for people with learning disabilities in order to understand the impact of covid-19 and ensure that we could take every possible step to protect people. As hon. Members have said, its report estimated that, in the first wave, people with learning disabilities had a mortality rate from covid-19 that was between 4.1 and 6.3 times higher

[Helen Whately]

than the general population. We know that some of the difference is associated with having other health conditions such as Down's syndrome and with place of residence.

The University of Bristol recently published a LeDeR—Learning Disabilities Mortality Review—report setting out findings from reviews of deaths from covid-19 of people with learning disabilities, which adds to our understanding. The findings of those reports are very concerning. I want to reassure hon. Members that we did not wait for the publication of those reports to take action. Rather, we have worked continuously to protect people throughout the pandemic, and I will briefly set out some of the actions we have taken.

From the adult social care action plan back in April to the adult social care winter plan published in November, we have worked to ensure that people who need care, including those with learning disabilities, are protected as much as possible from the worst outcomes of covid-19. That has included introducing the infection control fund, now totalling £1.1 billion, to ensure that care settings, including day services, are covid-secure. We are providing free PPE for adult social care providers until March 2021. That includes domiciliary care and personal assistance, as well as residential care homes. As testing capacity has increased, we have extended asymptomatic testing not only across care homes but to domiciliary care staff. Following the roll-out of the single round of national testing to the most high-risk extra care and supported living settings, we have launched regular retesting for those settings.

The hon. Member for City of Chester spoke about DNACPRs and the concern about their inappropriate recording of in-patient records. When I heard about that, I too was very concerned and shocked. The blanket application of DNACPRs to any group of people is completely unacceptable, and I want that message to be said as many times as it needs to be to ensure that that practice does not continue. When we heard that it was happening, a series of communications went out from the Department, the Secretary of State and NHS England to say that there needed to be an immediate stop to that practice. As has been said, the Care Quality Commission is looking into that. The 2021 general medical services quality and outcome framework was updated in September, and it requires GPs to review all DNACPR decisions for people with learning disabilities to make sure they are appropriate.

The hon. Gentleman also spoke about the need for training to ensure healthcare staff have the skill and understanding they need to care for people with learning disabilities. I completely agree with that, which is why I am working with Health Education England and Skills for Care to develop the Oliver McGowan mandatory training to ensure that all staff have the skills and understanding they need.

Several Members asked about remote consultations. The NHS medical director of primary care wrote to GPs in September, asking them to continue to ensure that patients who need to can access face-to-face care.

I am sure that, like me, hon. Members welcomed the incredible news that a vaccine against covid has been approved. They will know that the Joint Committee on Vaccination and Immunisation, the independent body responsible for identifying priority groups for vaccinations,

has published its advice on prioritisation. In advance of that process, we shared with the JCVI the latest evidence on people with learning disabilities and covid—including the Public Health England work that I referred to—to inform their approach and ensure that those with learning disabilities would be considered alongside older people, for instance, for whom the risks are very well known. The JCVI's advice, published in December, stated that people on the clinically extremely vulnerable list, including those with Down's syndrome, should be in priority group four for vaccination, and that people with a severe or profound learning disability should be in priority group six.

Rushanara Ali: Could the Minister tell us now or in writing about how the actions she is taking to reduce the disproportionate impact of death rates for those with learning disabilities is being addressed with facts, so that we can see the progress that the actions of her Department have led to, given the number of deaths in the second wave? It is not clear whether those interventions are working, and it would be reassuring to see how those actions are helping.

Helen Whately: We will continue to scrutinise all possible evidence and data we can get to understand the impact of the steps we are taking. For instance, as I have set out, we have supported residential care settings and other carers to ensure that they have the PPE and infection control support they need. Sadly, we still see that care homes are experiencing outbreaks of covid. It is incredibly hard to stop the disease getting into these places when it is prevalent in the community. We know that the most important thing we can all do to keep those who are most vulnerable to covid safe is to take steps to reduce the spread of covid in the wider community. I assure the hon. Member that we are continually looking at the evidence and at what more is possible to do to keep people safe.

In fact—I was coming to this exact point—I have asked the Scientific Advisory Group for Emergencies care working group to consider the findings in the Public Health England and LeDeR reports to help us develop further targeted actions. The Department has commissioned research to better understand the impact of the pandemic on the wellbeing and lives of people with a learning disability. That is being led by the University of Warwick and Manchester Metropolitan University. The insights from this research will help us to further mitigate and reduce harm from covid-19, including tackling isolation and loneliness. We will keep the evidence under review.

I come now more broadly to restrictions, which I know have been particularly hard for people with learning disabilities. In particular, visiting loved ones for those who are in residential care settings has been incredibly difficult for families, friends and the individual themselves. On 1 December, we published updated guidance on visiting care homes. We advised care homes to use the rapid tests that we are providing, together with PPE and other infection control measures, to enable safer visiting. There is also guidance on visiting in-patient healthcare settings. That was updated in October, and NHS England and NHS Improvement wrote to mental health learning disability and autism in-patient providers to remind them that they must take all possible steps to enable safe regular visits.

The hon. Member for Warrington North (Charlotte Nichols) asked about the visiting out guidance for those of working age. An enormous amount of care was taken over that to try and establish the right balance to enable people to go and see their family if that is what they normally do while they live in a residential care setting, while recognising that they may well be in a setting where others in that care home, for instance, may be extremely clinically vulnerable to covid. As I have said, we know that once covid gets into a residential setting, it is really hard to stop it spreading. That is why the clinical advice is very strong on saying that those returning to a care setting after a visit out should quarantine for 14 days. I am really aware that that is a very difficult thing to ask people to do, but the reason it is in there is because that setting may well have people who are clinically extremely vulnerable, and there is such a risk. It is not just about the one individual visiting out; we must bear in mind the risk to the whole group of residents. That is why the guidance is as it is.

Before I conclude my remarks, I will talk about the restrictions on the day-to-day activities, which all of us have been complying with. We have made exceptions and reasonable adjustments wherever possible, for example by excluding support groups such as day services from the rule of six, setting out clear exemptions to mandatory face coverings, including where a person cannot wear one due to a disability, and working to ensure that that is communicated. There has been some debate about this and whether the ban should be much more strongly enforced, but I have personally worked really hard to communicate the importance of there being exemptions.

We have also, wherever possible, produced guidance in accessible formats, such as easy-read. We continue to work with stakeholder groups and organisations such as Mencap, which has rightly been mentioned during

the debate, to ensure that we get input on the potential implications of restrictions on people with a learning disability, and how we can best mitigate those implications.

To conclude, I thank all hon. Members for their contributions on this important topic. We are all deeply committed to helping protect people with a learning disability from the worst effects of covid-19, and I hope that what I have set out today does assure Members that the Government are working tirelessly to make that happen.

5.36 pm

Christian Matheson: I am grateful to you, Ms Ghani, and to all hon. Members for contributing to this debate. I think it was the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) who talked about the range of different examples that we have heard today, from employment opportunities, local government cuts and the importance of technology, and she is absolutely right.

I also thank the Minister for directly answering quite a few of the questions that were posed to her. In preparing for this debate, it has been made clear to me that there is a sense of frustration among people with learning disabilities, their carers and their families, who are looking for continued progress. I simply ask the Minister and her colleagues that this debate is considered not as a destination, but as a staging post on the way to genuine equality.

Question put and agreed to.

Resolved,

That this House has considered the effect of the covid-19 outbreak on people with learning disabilities.

5.37 pm

Sitting adjourned.

Written Statements

Tuesday 15 December 2020

CABINET OFFICE

Government Transparency and Accountability

The Minister for the Constitution and Devolution (Chloe Smith): Since 2010, the Government have been at the forefront of opening up data to allow Parliament, the public and the media to hold public bodies to account.

Despite the need to reprioritise resources to respond to the covid-19 pandemic, tremendous progress continues to be made this year by central Government Departments in publishing core transparency data. Such online transparency is crucial to delivering value for money, cutting waste and inefficiency, and ensuring every pound of taxpayers' money is spent in the best possible way.

The Government will continue to look at how the range of information published by the Government can be improved and made as useful as possible to the public, press and Parliament.

The following subject areas include documents and information that the Government are due to publish, or which have recently been made available.

Ministerial Transparency

The Government are today publishing an updated list of ministerial responsibilities.

Transparency on Senior Officials and Special Advisers

An annual list of salary details for senior public officials in Departments and arm's length bodies earning £150,000 and above will be published today. These Government organisations need to be able to attract high-calibre people who can deliver quality services and drive forward projects in a way that represents true value to the taxpayer. However, very high salaries in the public sector must be justified, so it is important that we publish this information and allow it to be scrutinised.

In line with legislation, an annual list of current special advisers and their costs is being published. Special advisers are a critical part of the team supporting Ministers. They add a political dimension to the advice and assistance available to Ministers while reinforcing the impartiality of the permanent civil service by distinguishing the source of political advice and support.

Transparency in the Civil Service

The Government are publishing new annual figures on gender pay differentials across the civil service. Our gender pay gap continues to narrow and is still significantly lower than the private sector, but we know there is more to do so continue to work hard to tackle this. In recent years we have introduced blind recruitment, advertised all jobs as flexible and continued to review recruitment policies to ensure fairness and equality.

Demographic data of the 2019 civil service people survey, an annual survey of our employees' attitudes and experiences of working in the civil service has also

been published. The employee engagement index was 63% in the 2019 people survey, the highest it had been since the survey began in 2009.

Transparency on spending

Departments have published routine prompt payment data, demonstrating our continued commitment to supporting businesses by ensuring they are paid on time. Departments will also be publishing routine spend data.

The Government have begun publishing the top three key performance indicators for central Government's most important contracts.

Transparency in public procurement

Transparency is a key principle of public procurement. Openness underpins accountability for public money, anti-corruption and the effectiveness of procurements. Long planned reforms in our Green Paper on transforming public procurement, published today, will ensure open and transparent contracting.

Transparency on delivery

HM Treasury will today be publishing new priority outcomes for each UK Government Department. These capture the Government's long-term policy objectives, from reducing crime to improving education standards across the country.

These outcomes and metrics include cross-cutting outcomes and shared metrics in areas where closer working between Departments would achieve better results. This reflects the Government's commitment to breaking down silos and enabling stronger collaboration between Departments. Citizens will be able to track performance against finalised outcomes through public reporting.

Copies of associated documents are being placed in the Library of the House and will be published on gov.uk.

Further transparency publications will be published in the new year, in the usual way.

[HCWS654]

Transforming Public Procurement

The Parliamentary Secretary, Cabinet Office (Julia Lopez): The UK spends around £290 billion per year on public procurement. Leaving the EU offers us a huge opportunity to reform how this money is spent so that it better meets the needs of this country. We can create a new, simpler procurement regime that will reduce costs for business and the public sector by reducing bureaucracy and improving commercial outcomes. Such a large amount of Government spending must be leveraged to play its part in the UK's economic recovery and unleash opportunities for small businesses to innovate in public service delivery.

The UK remains open for business and committed to our international obligations. Being a member of the WTO Government procurement agreement gives British businesses access to £1.3 trillion in public procurement opportunities overseas. The terms of that trade agreement mean we cannot simply discriminate against suppliers from other GPA countries. Neither would we wish to discriminate against overseas suppliers that deliver inward investment and better value for UK taxpayers.

In support of this, I am launching a public consultation by a Green Paper on "Transforming Public Procurement". The consultation will be open until March 2021.

In developing the Green Paper proposals, officials in the Government Commercial Function engaged with over 500 stakeholders and organisations through many hundreds of hours of discussions and workshops. Stakeholders included those from central and local government, the devolved Administrations, education, and health as well as start-ups, small, medium and large businesses, the voluntary and charity sectors, academics, international experts and procurement lawyers.

Our proposals are wide-ranging and include:

- reducing the overall volume of legislation by harmonising the different regulatory schemes for the public sector, utilities and concessions contracts;
- overhauling the current seven complex and inflexible procurement procedures and replacing them with three simple, modern procedures;
- increasing the scope to take account of societal benefits when awarding contracts;
- making procurement more transparent through greater use of open contracting and enabling a more efficient “tell us once” register of supplier data;
- making it mandatory to publish a notice when a decision is made to use the limited tendering procedure;
- providing more scope to exclude suppliers in certain circumstances, such as for poor past performance and corruption-related matters; and
- reforming the remedies system, through making the court review process faster and less costly, capping damages, and further investigating the feasibility of tribunals.

The consultation published today gives everyone an opportunity to help shape public procurement for the future and I wish to encourage all involved in public procurement to have their say. This includes those small and medium-sized enterprises and voluntary, community and social enterprises who feel the existing EU rules hinder their participation in the market.

Attachments can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-12-15/HCWS651/>.

[HCWS651]

Unconscious Bias Training

The Parliamentary Secretary, Cabinet Office (Julia Lopez): This Government are committed to levelling up opportunity for everyone, no matter what their background. We are also determined to eliminate discrimination in the workplace. To meet those ambitions, we must ensure that policy and advice on equality is evidence-based, and is delivered in a way that means we can respond quickly to new insights.

Earlier this year, the Government Equalities Office commissioned the behavioural insights team for a summary of the evidence on unconscious bias and diversity training. Titled “Unconscious bias and diversity training—what the evidence says”, the report highlights that

“there is currently no evidence that this training changes behaviour in the long term or improves workplace equality in terms of representation of women, ethnic minorities or other minority groups”.

It also states that there is emerging evidence of unintended negative consequences.

The report is published alongside this response, and will be deposited in the Libraries of both Houses, today. In light of its findings, Ministers have concluded that unconscious bias training does not achieve its intended aims. It will therefore be phased out in the civil service. We encourage other public sector employers to do likewise.

Background

Unconscious bias training typically aims to raise awareness of the potential biases and cognitive shortcuts that may negatively affect decision-making and behaviour in the workplace. The intent is usually to reduce both explicit and implicit bias towards members of particular groups that share characteristics protected under law and change behaviour.

Although unconscious bias training takes a variety of forms, it is normally delivered as a discrete individual or group session that aims to set out the theory behind implicit bias, provide exercises that demonstrate how such biases might potentially affect behaviour, and suggest strategies to participants for avoiding that behaviour in future.

Such training sessions have been introduced by a range of organisations as part of a well-intentioned effort to build fairer and more inclusive workplaces. They have often formed part of a wider employer toolkit aimed at tackling discrimination and building inclusion.

However, in recent years a significant debate has emerged over their effectiveness and quality. Despite a growing diversity training industry and increased adoption of unconscious bias training programmes, a strong body of evidence has emerged that shows that such training has no sustained impact on behaviour and may even be counter-productive.

Lack of evidence to support positive change

To be successful in tackling discrimination, unconscious bias training should change behaviour. However, evidence suggests that attitudes and behaviours are each driven by different psychological systems, so a single intervention is unlikely to impact effectively on both. A systematic review of unconscious bias training examining 492 studies (involving more than 87,000 participants), found changes to unconscious bias measures were not associated with changes in behaviour.¹ Formal assessments of bias (e.g. the implicit association test) have also been criticised for failing to generate replicable results even when the same individuals have been re-tested.²

Further evidence also suggests that unconscious bias training may even have detrimental effects. The Equality and Human Rights Commission found that evidence for its ability effectively to change behaviour is limited and

“there is potential for back-firing effects when UBT participants are exposed to information that suggests stereotypes and biases are unchangeable”.

Instructions to suppress stereotypes may not only activate and reinforce unhelpful stereotypes, they may provoke negative reactions and actually make people exacerbate their biases.³

Finally, there is no recognised way of assuring the quality of unconscious bias training and multiple interventions of variable content may be given that label. This has serious implications for organisations, who risk putting funding into poor quality and ineffective training.

Government conclusion

The civil service is committed to being an open and inclusive employer. Civil servants work on a range of complex policies every day; working inclusively means that they will make better decisions, solve problems more effectively and ultimately deliver better services to citizens. An individual's background must never be a limiting factor in the workplace. Our aspiration is clear: a civil service open to all, with individuals from a variety of backgrounds adding breadth and depth to our understanding of contemporary British society, providing greater challenge to received wisdom and fresh perspectives to the challenges we face as a nation—united by a commitment to the fundamental values of public life and service.

Efforts to ensure the civil service is representative of the whole population it serves, and that its workplaces are free from discrimination, must be based on clear evidence of what works, must uphold the merit principle for recruitment and promotion, and must represent value for taxpayers' money. This approach is the reason, for example, that the civil service uses clear, standardised assessment techniques for recruitment and tests the fairness of any such tools with diverse user groups before deploying them.

Given the evidence, now captured in the report accompanying this statement, an internal review decided in January 2020 that unconscious bias training would be phased out in Departments. In addition, while there is clearly a role for training to support a more inclusive workplace and civil service, evidence also suggests that even the broader category of "diversity training" as a standalone exercise can undermine such efforts if it appears to be a "tick box exercise". The civil service will therefore integrate principles for inclusion and diversity into mainstream core training and leadership modules in a manner which facilitates positive behaviour change. This new strategy will be published in the new year, and will reassert our commitment to being an inclusive employer with a stronger focus on engaging measurable action.

The Government expect other parts of the public sector, including local government, the police, and the NHS, to review their approaches in light of the evidence and the developments in the civil service. We will continue to build the evidence on what works to make our workplaces fairer, and unite and level up across our country, with the reformed equality hub playing a key role.

¹ Forscher, P.S.*, Lai, C.K.*, Axt, J.R., Ebersole, C.R., Herman, M., Devine, P.G., and

Nosek, B.A. (2019). A meta-analysis of procedures to change implicit measures. *Journal of Personality and Social Psychology*, 117, 522-559.

² Gawronski, Bertram and Morrison, Mike and Phills, Curtis and Galdi, Silvia. (2017). Temporal Stability of Implicit and Explicit Measures: A Longitudinal Analysis. *Personality and Social Psychology Bulletin*. 43. 300-312. 10.1177/0146167216684131.

³ Dobbin and Kalev (2018), "Why Doesn't Diversity Training Work? The Challenge for Industry and Academia", 10(2), 48-55; Dobbin and Kalev (2016) Why Diversity Programs Fail, *Harvard Business Review* 94, (7); Michelle M Duguid, Melissa C Thomas-Hunt, "Condoning stereotyping? How awareness of stereotyping prevalence impacts expression of stereotypes", March 2015, <https://pubmed.ncbi.nlm.nih.gov/25314368/>; Frederick L Oswald, Gregory Mitchell, Hart Blanton, James Jaccard, Philip E Tetlock, "Predicting ethnic and racial discrimination: a meta-analysis of IAT criterion studies", 17 June 2013, <https://pubmed.ncbi.nlm.nih.gov/23773046/>

The attachments can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-12-15/HCWS652/>.

[HCWS652]

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Business Impact Target

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): My right hon. Friend the Under-Secretary of State for Climate Change and Corporate Responsibility (Lord Callanan) has today made the following statement:

This statement sets the Government's business impact target in respect of the economic impact on business of qualifying regulatory provisions which come into, or cease to be, in force for this Parliament, and covers related matters as required under section 21 of the Small Business, Enterprise and Employment Act 2015 ("the Act").

The manifesto undertook that Government "will strive to achieve the right regulatory balance between supporting excellent business practice and protecting workers, consumers and the environment".

The Government do not believe that the current methods of assessing regulatory impacts allow for this. Therefore, the Government will consult with business to ensure the impact of regulation is reflected more effectively, so as to continue to provide necessary protections without placing unnecessary burdens on business. Until the completion of the review the Government will set a target of zero. This will in effect be a holding target and will enable the Government to continue to monitor regulatory impacts and remain transparent to business on the impacts of the regulatory programme it is delivering in the immediate term. This holding target makes clear that Government remain committed to achieving regulatory balance and do not intend to increase the regulatory burden on business.

Upon completion of the review, the target and the methodology to be used for assessing the economic impact, along with any other related matters as required under section 21 of the Act, will be revised to reflect the findings of the review.

Business Impact Target¹

The Government are setting a net target of zero savings to business and voluntary or community bodies from qualifying measures that come into force or cease to be in force during this Parliament.

Interim Target²

The interim target covers the savings to be achieved from qualifying measures that come into force or cease to be in force in the first three years of this Parliament. The Government's interim target is also set at zero.

Measurement of the Business Impact Target³

The impact of each qualifying measure will be assessed on the basis of its equivalent annual net direct cost to business (EANDCB) measured in 2019 prices and with a 2020 present value base year. As in the previous Parliament, the contribution to the business impact target will be the sum of the EANDCB over the first five years for which the measure will be in force, or the sum of the EANDCB over the full lifetime of the measure for measures that are, or will be, in force for less than five years.

Qualifying Regulatory Provisions⁴

Under the Act, the measures that are in scope for the business impact target are described as "regulatory provisions". That includes both legislation and the activities of Ministers and listed regulators. The Secretary of State must determine the regulatory provisions that are to be scored against the target ("qualifying regulatory provisions"). Qualifying regulatory provisions are regulatory provisions that do not fall within any of the exclusions set out below:

a) Regulatory provisions that have been certified by Departments or regulators as falling under the de minimis rule, namely those that have an EANDCB of less than $\pm$ £5 million;

b) Regulatory provisions that implement new or changed obligations from European Union regulations, decisions and directives, and other international commitments and obligations, except in cases of gold-plating. This includes measures incorporating EU law into domestic law under the EU Withdrawal Bill and legislation made for the purpose of implementing the EU Withdrawal agreement, including implementation of new EU law during the implementation period.

c) Regulatory provisions that have been certified by departments or regulators as dealing with deficiencies in retained EU law (under the EU Withdrawal Bill and other legislation);

d) Regulatory provisions that are intended to deliver—or to replicate—better competition-based outcomes in markets characterised by market power;

e) Regulatory provisions relating to systemic financial risk;

f) Regulatory provisions relating to civil emergencies;

g) Regulatory provisions concerning fines and penalties, and redress and restitution;

h) Regulatory provisions that implement changes to the classification and scheduling of drugs under the Misuse of Drugs Act 1971 where these follow the recommendations of the relevant independent advisory body;

i) Regulatory provisions that have been certified by departments or regulators as relating to the safety of tenants, residents and occupants in buildings that stem from, or relate to, Government's response to the Grenfell tragedy, reviews, inquiries or working groups;

j) Regulator casework including specific investigation and enforcement activity, individual licence decisions, and individual advice;

k) Education, communications activities, and promotional campaigns by regulators, including media campaigns, posters, factsheets, bulletins, letters, websites, and information / advice helplines;

l) Policy development by regulators, including formal and informal consultations, policy reviews, and ad hoc information requests;

m) Changes to the organisation and management of regulators, except for those resulting from legislative changes or another policy change that is a qualifying regulatory provision;

Independent Verification Body⁵

The Government will reappoint the Regulatory Policy Committee as the independent verification body to verify the impact on business of measures in scope of the business impact target (and the list of non-qualifying regulatory provisions).

¹As required under section 21(1)(a) of the Act.

²As required under section 21 (1)(b) of the Act.

³As required under section 21 (3)(b) of the Act.

⁴As required under section 21(3)(a) of the Act.

⁵As required under section 25(1) of the Act.

[HCWS653]

Climate Ambition Summit 2020

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): On 12 December, the United Kingdom co-convoked the Climate Ambition summit with the United Nations and France, and in partnership with Chile and Italy, on the fifth anniversary of the Paris agreement. The summit marked a major milestone on the road to the crucial UN climate conference COP26 in Glasgow next November.

Countries representing around 65% of global carbon dioxide emissions, and around 70% of the world's economy have now committed to reaching net zero or carbon neutrality. This includes announcements made in the run-up to and at the Climate Ambition summit and those expected early next year. This follows a huge diplomatic and cross-government effort to raise ambition.

75 leaders from all continents outlined over 90 commitments at the summit demonstrating that climate change is a global priority despite the shared challenges of covid-19. There is mutual understanding that the science is clear. Climate destruction is accelerating, and there remains much more to do as a global community to keep the global temperature rise to 1.5C.

The UK met commitments covering the three pillars of the Paris agreement. We formally communicated our nationally determined contribution (NDC) to the UNFCCC which commits the UK to a new ambitious target to reduce the UK's emissions by at least 68% by 2030, compared to 1990 levels, published our first adaptation communication and reiterated our commitment to providing £11.6 billion in climate finance. A copy of the NDC has been laid in Parliament.

The Prime Minister announced that the UK will no longer provide any new direct financial or promotional support for the fossil fuel energy sector overseas, other than in exceptional circumstances, as soon as possible, and align its support to enable clean energy exports. The consultation, which is now live, will seek views on how to further enable an accelerated growth in UK clean energy exports, and on the impacts of the timing of implementation of the policy shift.

The Prime Minister also highlighted the 10-point plan for a green industrial revolution announced last month which spans clean energy, buildings, transport, nature and innovative technologies and will mobilise £12 billion of Government investment to unlock three times as much private sector investment by 2030; support up to 250,000 highly-skilled green jobs; and level-up regions across the UK.

44 countries and the EU announced headlines of their more ambitious NDCs. This includes a number of countries who have made significant increases such as Colombia, Jamaica, Peru and the EU, as well as the UK.

24 countries have now announced new commitments, strategies or plans to reach net zero or carbon neutrality with recent commitments from China, Japan, South Korea and Argentina establishing a clear benchmark for G20 countries.

The summit heard from the poorest and most vulnerable countries, who are already feeling the impacts of climate change. Barbados, Ethiopia and Maldives set themselves an aim of achieving carbon neutrality by 2030, with the right support. Meanwhile, Fiji, Malawi, Nauru and Nepal and others are aiming for 2050.

20 new or forthcoming adaptation commitments including in national adaptation plans, adaptation communications and NDCs. Countries such as Ethiopia are leading the way, by taking a whole-of-economy approach that protects people and nature, and Suriname is stepping up its implementation of its national adaptation plan. Developed countries, including the UK, Netherlands and Spain, are also upping their adaptation efforts, showing no country is immune to the impacts of climate change.

The summit also saw the launch of the Race to Resilience, setting a goal of safeguarding 4 billion people vulnerable to climate risks by 2030 (more detail below).

A number of leaders set out concrete policies to implement their economy-wide targets. Pakistan announced that it will have no more power based on coal, while Israel has committed to ending fossil fuel energy use by 2050. Canada greatly increased the floor price for carbon. Denmark announced that it will end all new oil and gas exploration in the North sea. Fifteen countries profiled their targets to accelerate the transition to renewable energy by 2030—with Barbados (fossil-fuel free), Vanuatu (100% renewables) and Austria (100% renewables) all turning their backs on fossil fuels. Alongside the UK, France and Sweden set out plans to end international financial support for fossil fuels.

A strong commitment to protecting nature was also clear. Leaders spoke about their existing plans to increase the use of nature-based solutions to combat climate change.

12 donor countries highlighted their commitments to support developing countries, including just under €500 million in additional investment from Germany, an additional €1 billion per year from France from its previous target, as well as a World Bank commitment to ensure that 35% of its portfolio includes climate co-benefits, and an EIB commitment to ensure that 50% includes climate co-benefits, as well as 100% alignment of EIB's activities on Paris agreement. However, it is clear that there is much more to do to ensure that no one is left behind. Covid-19 has impacted international climate finance flows this year. 2021 will be a critical year to show that finance is flowing and to meet and surpass the \$100 billion goal.

The summit also saw commitments from business, cities and investors. Over 2,500 businesses, cities, regions, investors and members of the Climate Ambition Alliance representing nearly 70% of the global economy have now got commitments to net zero by 2050.

The Race to Resilience campaign, launched at the summit, brings together non-state actors and initiatives which commit to building resilience actions to safeguard by 2030 the lives and livelihoods of 4 billion people from groups and communities vulnerable to climate risks. Examples of actions include: Zurich Insurance (Switzerland) announced that the Zurich Flood Resilience Alliance will triple funding by 2025 and expand its reach from 11 to 21 countries, and the Mayor of Freetown (Sierra Leone) committed to planting 1 million trees between 2020 and 2021.

Net Zero Asset Managers Initiative (Global)—representing US\$9 trillion of assets under management has seen each of the 30 founding members unequivocally commit to achieving net zero emissions by 2050. This includes setting individual portfolio targets, as well as engaging companies in each member's portfolio to set decarbonisation goals in line with limiting global temperature rise to 1.5C.

C40 Cities (Global)—announced the launch of the Cities Race to Zero campaign and that 70 cities and local governments have joined in the first month.

Godrej & Boyce (India)—a manufacturing company, announced commitments to key global initiatives including the business ambition for 1.5C, setting science-based targets, and advancing energy efficiency, in line with their overall ambition to achieve carbon neutrality by 2050.

International Airlines Group (Spain/UK)—are the first airline group worldwide to commit to achieving net zero emissions by 2050, and the Oneworld Alliance of 13 airlines

representing 20% of global aviation is investing US\$400 million in the development of sustainable aviation fuels (over the next 20 years).

Dalmia Cement (India)—40 of the world's leading producers of cement issued an industry commitment to deliver carbon-neutral concrete by 2050. The Indian cement company has gone further and established a roadmap to become carbon negative by 2040 and is working globally to meet its 100% renewable energy objectives.

Movida-Rent-a-Car (Brazil)—presented the actions that will underpin their pledge of net zero emissions by 2030 and becoming carbon positive by 2040.

Apple (United States)—pledged carbon neutrality for its supply chain and products by 2030 and announced new progress that 95 of its suppliers have committed to moving to 100% renewable energy.

Artistic Milliners (Pakistan)—a textile company announced joining the UN fashion industry charter for climate action and shared their actions on the circular economy to reduce their carbon footprint and provide zero emissions energy to thousands of homes.

[HCWS655]

EDUCATION

Education: Covid-19 Testing

The Secretary of State for Education (Gavin Williamson):

As a Government we have made it a national priority that education and childcare settings should continue to operate as normally as possible during the coronavirus (covid-19) outbreak, and we have continued to work with the profession to continue full-time face-to-face education.

We are therefore deploying the latest rapid-result coronavirus tests to schools and colleges from January. This will help us to find those with the virus and isolate them quickly to break chains of transmission. It will also help us keep close contacts of positive cases—whether staff or students—in education as we will test them every day rather than asking them to self-isolate.

Testing, along with existing infection prevention and control measures such as ventilation, increased hygiene, and wearing of face coverings in communal areas where appropriate, can ensure pupils are given the best chance of continuing face-to-face education.

The testing programme builds on the success of testing pilots in schools and colleges over the past few months. It will start with secondary schools and colleges, with staff eligible for weekly rapid tests.

This will help identify asymptomatic cases—which make up a third of all cases—limiting the spread of the virus.

Staff and students who are close contacts of positive cases will be eligible for daily testing, preventing the need for self-isolation. Only if a daily test returns a positive result will the person need to isolate.

Using daily testing for close contacts of positive cases will help tackle covid-19 related absence among the workforce and students, allowing them to continue in face-to-face education, with all the benefits that this brings.

To support delivery of asymptomatic testing in schools and colleges, settings will be able to apply for reimbursement for reasonable administrative costs such as staff time.

We realise that this year has been incredibly difficult for staff, students, pupils and parents. I want to thank all involved in education for their tireless dedication.

The hard work of our education workforce has already substantially reduced the risk of transmission of coronavirus within education settings and we will now use this new testing approach to ensure more young people are able to remain in education, benefiting from the national priority of keeping education open for all.

As with all policy, this will be kept under review in light of scientific evidence, and the Government will provide further advice if necessary.

[HCWS656]

HOME DEPARTMENT

Group-based Child Sexual Exploitation

The Secretary of State for the Home Department (Priti Patel): Today I am publishing a paper on the characteristics of group-based child sexual exploitation, which was prompted by high-profile cases of sexual grooming in towns including Rochdale and Rotherham.

An external reference group, consisting of independent experts on child sexual exploitation, reviewed and informed this work. Members included Labour MP for Rotherham Sarah Champion, Conservative MP for Wakefield Imran Ahmad Khan, survivor and campaigner Sammy Woodhouse, and Simon Bailey, National Police Chiefs Council lead on child protection.

The paper summarises studies which suggest individuals committing group-based child sexual exploitation are predominantly, but not exclusively, male and often under the age of 30.

Studies indicate that motivations differ between offenders, but that a sexual interest in children is not always the predominant motive. Financial gain and a desire for sexual gratification are common motives, and misogyny and disregard for women and girls may further enable the abuse.

Offenders can come from a range of social backgrounds—some have been stable middle-class professionals, some of whom were married, whilst others have had more chaotic lifestyles.

Some studies have indicated an over-representation of Asian and black offenders. However, it is difficult to draw robust conclusions about the ethnicity of offenders as existing research is limited and data collection is poor.

This is disappointing because community and cultural factors are clearly relevant to understanding and tackling offending. Therefore, a commitment to improve the collection and analysis of data on group-based child sexual exploitation, including in relation to characteristics of offenders such as ethnicity and other factors, will be included in the forthcoming tackling child sexual abuse strategy.

Victims and survivors of these abhorrent crimes have told me how they were let down by the state in the name of political correctness. What happened to these children remains one of the biggest stains on our country's conscience. I am determined to ensure the Government, law enforcement and other partners better understand any community and cultural factors relevant to tackling offending—helping us to safeguard children from abuse, deliver justice for victims and survivors, and restore the public's confidence in the criminal justice system's ability to confront these repulsive crimes.

The paper is available on gov.uk <https://www.gov.uk/government/publications/group-based-child-sexual-exploitation-characteristics-of-offending>. A copy of the paper will also be placed in the Libraries of both Houses.

I thank Members for their continued engagement on this important issue.

[HCWS648]

PRIME MINISTER

Investigatory Powers Commissioner: Annual Report 2019

The Prime Minister (Boris Johnson): I have today laid before both Houses a copy of the annual report of the Investigatory Powers Commissioner 2019. The report was drafted and submitted by the Investigatory Powers Commissioner, Sir Brian Leveson QC.

Overall, this report demonstrates that the security and intelligence agencies, law enforcement agencies and other relevant public authorities show extremely high levels of operational competence combined with respect for the law. The report also sets out the breadth and complexity of the powers covered by Investigatory Powers Act 2016 and other legislation, and offers constructive criticism on the practical framework and individual instances of how these are used. Where IPCO has identified problems, Departments and agencies have worked rigorously to address these.

Further to Section 234 of the 2016 Act, the Commissioner has also submitted to me a confidential annex to the report, dealing with the work of the intelligence agencies. I concur with the Commissioner that publication of this annex would be prejudicial to national security and not in the public interest. However, I can confirm that the annex does not raise substantive concerns or criticisms not covered in the main report.

I would like to add that this report demonstrates the high quality of the oversight of our security and intelligence agencies' use of the most intrusive powers. I am satisfied that our arrangements are amongst the strongest and most effective in the world.

I would like to place on record my thanks to the current and previous Commissioners and their staff for their work, as well as echoing the Commissioners' thanks to the agencies and Departments and civil society organisations which have helped with the establishment of IPCO over the past few years.

I commend this report to the House.

[HCWS649]

Investigation of Unauthorised Disclosure on 30 October

The Prime Minister (Boris Johnson): At the beginning of Prime Minister's Questions on 18 November, I updated the House on the Cabinet Office investigation into the unauthorised disclosure on 30 October of the decision to put in place further restrictions across England to combat the spread of covid-19 (*Official Report*, col. 909044).

This investigation remains ongoing. If the final aspects of the investigation identify the source, the Government will provide a further update to the House.

[HCWS650]

Petition

Tuesday 15 December 2020

OBSERVATIONS

FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE

Resolving conflict in Nagorno-Karabakh region

The petition of residents of the constituency of Ealing Central and Acton in London,

Declares that the UK Government should play a greater diplomatic and humanitarian role in resolving the conflict in the Nagorno-Karabakh region; further that the UK Government should impose firmer sanctions on parties that break the terms of ceasefires; and further that ceasefires between the two States must be unconditional and strictly observed by both parties.

The petitioners therefore request that the House of Commons urges the Government to play a greater diplomatic and humanitarian role in resolving the conflict in the Nagorno-Karabakh region.

And the petitioners remain, etc.—[Presented by Dr Rupa Huq, *Official Report*, 10 November 2020; Vol. 683, c. 866.]

[P002622]

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

The UK Government welcome the news that the Governments of Armenia and Azerbaijan have agreed to a cessation of hostilities which will ensure the safety and security of the citizens of both states. The UK Government continue to support the efforts of the OSCE Minsk Group Co-Chairs of France, the United States and Russia as the primary format through which a peaceful negotiated final settlement should be reached.

The UK Government continue to encourage both parties to abide by the terms of the peace deal and are not looking at imposing sanctions at this time. Additionally, the UK Government have provided £1 million to the International Committee of the Red Cross to support their humanitarian efforts on the ground and are evaluating what further support may be required.

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**not later than
Tuesday 22 December 2020**

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