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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 14 December 2021

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Misuse of Drugs Act 1971

1. **Chris Law** (Dundee West) (SNP): What recent discussions he has had with Cabinet colleagues on the effectiveness of the Misuse of Drugs Act 1971. [904744]

21. **Alison Thewliss** (Glasgow Central) (SNP): What recent discussions he has had with Cabinet colleagues on the effectiveness of the Misuse of Drugs Act 1971. [904767]

The Minister for Crime and Policing (Kit Malthouse): There are no plans to amend the Misuse of Drugs Act 1971. The principle remains that drugs are dangerous and need to be controlled appropriately.

Chris Law: I am not surprised by the reply we have just heard from the Minister. However, in Germany, the incoming Government have agreed to join Canada and many US states in legalising cannabis, while across Europe drug consumption rooms are operating with positive results. As countries around us move forward, what message does the Minister think it sends to the rest of the world to see the UK stuck in the last century on drugs policy?

Kit Malthouse: I refute the claim that we are stuck in the last century. In fact, we launched a world-beating strategy just last week, if the hon. Gentleman was paying attention, that proposes a three-pronged approach on drugs, which we believe will have some success over the next decade. I understand that the hon. Gentleman and his colleagues often push for the legalisation of cannabis, but I point him to the mixed experience of various parts of the world that have done so, not least California, where it is widely agreed to have been a disaster.

Alison Thewliss: I visited a drug consumption room in Geneva, right next to the central station in that city. Has the Minister visited a drug consumption room? It is important to make Government policy on the basis of evidence and what actually works in other countries.

Kit Malthouse: I have not visited a drug consumption room, although I did have a very illuminating meeting with Ruth Dreifuss, the former President of Switzerland who has been promoting the policy, to discuss the issues they have faced in Switzerland and elsewhere. While I

understand that repetition is not uncommon in this place, the hon. Lady will not elicit from me an answer that expands on the ones I have given to her previously.

Dr Jamie Wallis (Bridgend) (Con): Foreign-born criminals have long used human rights legislation to avoid deportation to their country of origin. Can my right hon. Friend confirm whether recent announcements to reform human rights will include the introduction of a British Bill of Rights?

Mr Speaker: Sorry, that question is unrelated to Question 1; it relates to Question 2. I call Peter Grant.

Peter Grant (Glenrothes) (SNP): The Minister, as every Minister does these days, describes the strategy announced last week as world-beating. I suggest we maybe wait to see how it works before we make those claims. I also suggest that he also looks at what is actually working in the rest of the world. Can he explain why this world-beating strategy still insists on putting the medical and health needs of drug users in second place at best to treating them as criminals to be ostracised and punished, rather than sick people who desperately need to be helped?

Kit Malthouse: As usual, SNP Members mischaracterise what we are trying to do. The key feature of the strategy is twofold. First, we are ramping up restrictions on supply, building on our success thus far, particularly on dismantling county lines, which will have a direct impact on drug supply in Scotland. The reason we are doing that is that by restricting supply we believe we can create more space for the £780 million we will be spending on therapeutic interventions, particularly with heroin and crack users, to have an impact. Critically, the two have to go together. If we are dealing with a heroin or crack addict, very often they will leave a therapeutic intervention—I am sure hon. Members see this in their own constituencies—and walk straight back out into the hands of a drug dealer. We need to make that less likely if we are going to ensure those therapies stick and have an impact. As far as criminalising addicts is concerned, large numbers of them do commit crime. They commit crime from which there are victims. Those victims deserve to see justice done, too.

Sir Christopher Chope (Christchurch) (Con): Will the Minister be supporting my new clause to the Local Government (Disqualification) Bill, which is coming up for debate on 14 January? My new clause would make offences against the Misuse of Drugs Act 1971 a ground for disqualification from being able to serve as a local councillor.

Kit Malthouse: It is unusual that the doings of my hon. Friend pass me by in this House, but sadly that amendment has. It is an interesting proposal, but I hope he will give me a moment to consider it before I give him a response.

Reoffending Rates

2. **Stephen Hammond** (Wimbledon) (Con): What progress his Department has made on reducing reoffending rates. [904745]

13. **Paul Holmes** (Eastleigh) (Con): What progress his Department has made on reducing reoffending rates. [904757]

The Lord Chancellor and Secretary of State for Justice (Dominic Raab): This Government are tackling the drivers of reoffending to keep our communities safer. That includes the investment of £70 million this year to keep prison leavers off the streets and £80 million for substance misuse treatment services.

Stephen Hammond: I thank the Lord Chancellor for that answer. Will he confirm that some of that £70 million will go to schemes that rehabilitate, offering long-term opportunities in both employment and housing, because that is a successful way to keep reoffending rates down?

Dominic Raab: We are investing £183 million in the expansion of electronic monitoring, which includes £90 million to fund and promote innovation, including in respect of drugs and tags. We are also working carefully on prisoner passports, which are all about resettlement, to make sure that we reduce prisoner and offender homelessness, and there is a big push to encourage them to work with local businesses to get them into work.

Paul Holmes: Does the Deputy Prime Minister agree that education and employment are key drivers in getting reoffending down and allowing communities that are blighted by crime to heal? Will he therefore outline to the House the progress that has been made in the prisons strategy White Paper in this area specifically?

Dominic Raab: I thank my hon. Friend for that, as he is absolutely right: those are two core drivers of reoffending. So in the White Paper we set out plans to deliver a prisoner education service that will focus not only on the big challenges we see with inmates on numeracy and literacy, but on encouraging vocational qualifications—a step up during their course in prison. We will be driving better outcomes on work by implementing dedicated employment advisers in prisons and a digital tool to match prisoners to jobs on release.

Kerry McCarthy (Bristol East) (Lab): One way of preventing reoffending would be to make sure that appropriate sentences are imposed in the first place, so what is the Minister doing to ensure that pre-sentence reports are available before prisoners are jailed or given alternative community sentences?

Dominic Raab: I do not see these things as binary opposites; we need to see robust punishment and robust deterrence. I am disappointed that Opposition Members voted against the Police, Crime, Sentencing and Courts Bill, which would end automatic release at the halfway point. [Interruption.] If the hon. Member for Stockton North (Alex Cunningham) wants to vote against stronger sentences for dangerous criminals, he can stand on that record. But in answer to the hon. Lady's question, let me say that we are looking at all the other drivers: drugs rehabilitation and, in particular, drugs recovery wings in prisons; vocational educational training; and, crucially, providing hope and the chance to get inmates into work, be it during their time in prison or while they are on licence.

Jim Shannon (Strangford) (DUP): Like others, I have concerns about what help the Prisons Minister or the Lord Chancellor can give those who have served in the armed forces and fallen to post-traumatic stress disorder or other difficulties. What will be done to help veterans in particular?

Dominic Raab: The hon. Gentleman is absolutely right on this. A proportion of people are, in effect, mentally unwell and then trip up into prison, and we know that veterans are among them. That is why I have been liaising with the Health Secretary to look at mental health care and provision, in the community and for those who go into prison, to make sure that we can tailor what happens to them during their sentence to try to give them a better chance to get the support to go straight.

Sir Robert Neill (Bromley and Chislehurst) (Con): The Lord Chancellor is absolutely right to say that the protection of the public and rehabilitation are not mutually exclusive. Does he agree that one key factor here, as outlined in the White Paper, is early assessment of prisoners when they come into prison to make sure that we pick up issues of mental health, lack of literacy and drug addiction and that we have a proper plan throughout their time in incarceration for release into the community in a much better place than they were before? Is that not the key issue that we need to be looking at?

Dominic Raab: My hon. Friend the Chair of the Justice Committee is absolutely right; it is important that on early admission into prison we evaluate all the different factors—the level of numeracy and literacy, the level of addiction, whether the offender has a qualification and the mental health issues—to make sure that the offender's time in prison takes them forward in each of those regards and that we then, with the prisoner passports, link up the support they will get on release. That is the way we will drive down reoffending, give offenders a second chance, if they want to take it, to turn their lives around, and ultimately protect the public.

Anna McMorrin (Cardiff North) (Lab): The Sentencing Council says that most domestic abuse perpetrators will receive a sentence unlikely to reduce reoffending. Coercive and domestic abuse is a hidden pandemic, getting worse every day, and it is the hardest thing in the world to come forward and report it. I pay particular tribute to the hon. Member for Burton (Kate Griffiths) for her courage in pursuing and exposing the horrific case of coercive and domestic abuse by her husband, former MP Andrew Griffiths. It can happen to any one of us. But the justice system is indifferent to the victims it was set up to protect. I spoke to a young woman last week who told me that her experience of the system was worse than the abuse itself. Labour has a plan ready to go to protect and support victims. When will this Government act?

Dominic Raab: First, I associate myself with the hon. Lady's comments about my hon. Friend the Member for Burton (Kate Griffiths) and her experience. She showed incredible courage.

The hon. Lady asked when we started to act. We did that when we came into government—[Interruption.] Can the hon. Lady listen? We have tripled the amount

of support for victims during our tenure. We will invest £150 million this year. On top of that critical support for the independent sexual violence advisers and the independent domestic violence advisers, we have also published a victims law consultation, which, for the first time, will make victims' experience central to the functioning of the criminal justice system. *[Interruption.]* I remind the hon. Lady again: triple the amount of funding for victims during our tenure.

Child Sexual Exploitation: Support for Victims

3. **Robbie Moore** (Keighley) (Con): What steps his Department is taking to support victims of child sexual exploitation. [904746]

The Parliamentary Under-Secretary of State for Justice (Tom Pursglove): Getting the right support at the right time is crucial for all victims, particularly children and young people. The Department has provided £150 million to victim support services this financial year, which includes support for children and young people. We are also consulting on a victims Bill so that we can make tangible improvements for all victims. That will include reviewing what more can be done to strengthen victim advocate roles, including those supporting children and young people; looking at joining up services better across agencies; and reviewing standards, guidance and frameworks.

Robbie Moore: We can provide full justice and protection to victims of child sexual exploitation in Keighley and across the wider Bradford district only if we fully understand the extent of those horrific crimes and, indeed, the complexities of how child grooming actually happens at a local level. The Minister will be well aware that I am calling on Bradford Council to instigate a full, Rotherham-style inquiry. I ask him to join me in my calls for that and to outline how we can support victims better locally.

Tom Pursglove: My hon. Friend is a tireless advocate on behalf of his constituents in raising these most distressing matters. The Government believe that it is right for the authorities in individual towns and cities to commission local inquiries. It is crucial that answers are provided where failings have occurred, and that we work nationally and locally to improve services' response to this horrendous crime. The Government welcome Bradford's work to do that through commissioning and disseminating its recent review. The local authority and police must now do everything possible to understand the current threat and ensure that children at risk are safeguarded and offenders prosecuted.

I also just add that, at a national level, the independent inquiry into child sexual abuse continues to investigate public bodies to ensure that they are doing everything that they should to protect children.

Prison and Probation Officers: Recruitment and Retention

4. **Mary Glendon** (North Tyneside) (Lab): What assessment he has made of the adequacy of the recruitment and retention of prison and probation officers. [904748]

The Minister for Crime and Policing (Kit Malthouse): Since October 2016, band 3 to 5 prison officer numbers have increased by more than 4,000 from 17,955 to 22,325 full-time equivalents. In the year to March 2021,

we recruited more than 1,000 trainee probation officers and we will recruit a further 1,500 by the end of March next year.

Mary Glendon: The prisons White Paper concedes that attrition rates among prison officers are too high, "causing an unsustainable level of turnover in the system... contributing to a vicious cycle of staff dissatisfaction and lack of retention."

With even the Prison Service's new retention framework conceding that low wages are key driver of attrition, when will the Minister stand up for both prison officers and probation officers and give them the proper pay rise the Government's own experts recommend?

Kit Malthouse: We do recognise that attrition among prison officers is an issue, which is why we have put in place retention toolkits in prisons, providing governors with the support and tools that they need for employee retention. As far as pay is concerned, the hon. Lady knows that the economic ravages of the pandemic meant that there did need to be a pause in pay, but now that the Department has received a three-year spending settlement, it means that we can commence more coherent conversations with unions and others about what pay might look like in the years to come.

Mr Philip Hollobone (Kettering) (Con): I welcome the Government's plans to recruit 5,000 new prison officers, but recruitment of prison officers and their retention would be made easier if the number of assaults in prison were to come down. In the 12 months to June, there were 7,612 assaults on prison officers, one third of which were categorised as serious. What is being done to prosecute and extend the sentences of each and every convict who assaults a prison officer?

Kit Malthouse: Obviously the issue of assaults against our staff in all its forms is one that we take extremely seriously. My hon. Friend is quite right that we hope and expect that prison governors work closely with their local police forces to ensure that any crimes that are committed against prison staff are appropriately pursued and prosecuted, and that sentences are handed out where appropriate. He will know though that much of the violence in prisons is driven by drugs, and I hope he will recognise and welcome the work that we are doing as part of the prevention approach to reduce drug consumption and therefore abuse within the secure estate.

Youth Custody Estate: Safety

5. **Mrs Emma Lewell-Buck** (South Shields) (Lab): What steps he is taking to maintain safety across the youth custody estate. [904749]

The Minister for Crime and Policing (Kit Malthouse): The number of children and young people in custody is at a historically low level, falling from around 2,600 in 2008-09 to 515 at the end of October 2021. Although welcome, this has resulted in a concentrated cohort of children with particularly complex needs. Fifty-five per cent. of children in custody last year had been sentenced for violent offences. We are clear that levels of violence within the youth estate are too high, which is why we are taking a number of measures to reduce it.

Mrs Lewell-Buck: I thank the Minister for that answer, but the reality is that youth offenders institutions and secure training centres are not safe places for children. Two have closed after children there suffered significant harm. At the two remaining institutions, violent assault on children has reached 70%, resulting in admissions to accident and emergency. Children are locked in their dilapidated cells for up to 22 hours per day. Ofsted described one institution as barely meeting “minimum standards of human decency”.

This is state-supported and state-sanctioned child abuse. Why has he not put a stop to it yet?

Kit Malthouse: We do acknowledge the problems within the secure estate, although I hope the hon. Lady will also acknowledge the difficulties faced in handling the remaining cohort of young people. We have put in place steps to try to improve the situation—for example, allocating a member of staff to every child to support them with weekly therapeutic interventions. I know that, as one of her first acts on getting the job as Prisons Minister, the Minister of State, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), engaged with a number of providers in the secure institutions to outline to them that their performance was not acceptable.

Short Prison Sentences for Women

7. **Chris Evans** (Islwyn) (Lab/Co-op): What assessment he has made of the effectiveness of short prison sentences for women. [904751]

The Parliamentary Under-Secretary of State for Justice (James Cartlidge): We want fewer women serving short sentences in custody and more managed in the community. We welcome the fact that, in the decade between 2010 and 2020, the female prison population has decreased by 21%. We have also seen a 32% fall in sentences of less than 12 months in the five years since 2016.

Chris Evans: I raised this issue four years ago in Westminster Hall with one of the Minister’s predecessors. Short prison sentences for women have a huge impact on society. Children of women offenders are more likely to be in care. Women are more likely to be victims of domestic violence. When they leave the prison gate, they are locked in the same cycle that brought them there. Will the Minister now launch an urgent review of the way that women are treated in the justice system?

James Cartlidge: The hon. Gentleman speaks with great passion on this matter and I do understand where he is coming from, but that is precisely why we have put in place £46 million of wraparound support over three years for women leaving prison or serving community sentences, to address some of the root causes, such as accommodation, substance misuse, education, training and employment, financial management and family relationships.

Alex Cunningham (Stockton North) (Lab): An estimated 17,000 children are affected by maternal imprisonment every year, yet the sentencing guidelines are designed to ensure that judges and magistrates consider sole or primary carer status as a mitigating factor, and research by Crest Advisory suggests that awareness and application

of these guidelines is low. We recognise that the number of women in prison has fallen in recent times, but with the majority of women serving short sentences for non-violent offences, what will the Minister do to cut these numbers even more by ensuring that the rights of the child are explicitly considered in every case where a primary carer is sentenced to custody?

James Cartlidge: First, may I put on record that I am sad that the hon. Gentleman is standing down at the next general election? He has been very constructive in our engagements to date on these important matters.

The care of children and other dependants and the impact of the loss of a parent or carer are well-established mitigating factors in sentencing. Sentencing guidelines issued by the independent Sentencing Council include as a specific mitigating factor being the “sole or primary carer for dependent relatives”

and are clear that the court can consider the effect of the sentence on the health of the offender and the unborn child. The case law in this area, particularly *R v. Petherick*, makes clear that the court must perform a balancing exercise between the legitimate aims to be served by sentencing and the effect the sentence has on the family life of others, especially children.

Protections for Shop Workers

8. **Robert Halfon** (Harlow) (Con): What discussions he has had with Cabinet colleagues on improving protections for shop workers against violence and abuse. [904752]

The Parliamentary Under-Secretary of State for Justice (James Cartlidge): Everyone has the right to feel safe at work and the Government share the concern that reports of abuse and assaults against retail workers continue to increase. The Government have therefore tabled an amendment to the Police, Crime, Sentencing and Courts Bill which will place in statute an aggravating factor based on that currently used by the courts and set out in sentencing guidelines. This will apply where an assault offence is committed against those providing a public service, performing a public duty or providing a service to the public. It will reinforce in statute the seriousness with which the court should treat these offences and will send a strong message to the public that assaults of this kind on retail workers are totally unacceptable.

Robert Halfon: I recently visited hard-working shop workers in the Co-op in the ward of Bush Fair in my constituency of Harlow. They have faced abuse, intimidation and often assault, and other shop workers I have met in other supermarkets face the same experiences; that is unacceptable. They have asked me if they can get the same protection as NHS workers are now rightly given. Given that shop workers provided an important public service during covid, does the Minister agree it is important to do that?

James Cartlidge: My right hon. Friend is a brilliant champion of his constituency. My message to those shop workers is that they may have received abuse from a tiny minority, but the overwhelming majority in the country think they are heroes. I am sure that every single MP thinks our retail workers are heroes; we know

the important job they do, and to underline that my right hon. Friend the Secretary of State with the Home Secretary and the Attorney General will be meeting senior representatives of the retail sector today to talk about this very subject. We are backing them in spirit and we are backing them in law.

Afzal Khan (Manchester, Gorton) (Lab): No one deserves to work in fear of violence and abuse, but this is the daily reality of many shop workers. These same workers will now face an increased risk of violence and abuse as they enforce new Government rules on mask-wearing and social distancing. Scottish Labour has led the charge in legislating to protect retail workers in Scotland by instituting a new specific offence for attacks on shop workers. Will the Minister now commit to doing the same in England and Wales so there is equity across the country and ensure that it is backed by the necessary resources to charge and convict offenders?

James Cartlidge: I welcome the hon. Gentleman to his place, as I did in the Committee considering the statutory instrument earlier, which went through very quickly with his co-operation, for which I am grateful.

On the reforms, it is not just about the change to statute that we will put in place by amending the Police, Crime, Sentencing and Courts Bill, important though that is. I emphasise that such reform has been strongly supported by the sector—the Union of Shop, Distributive and Allied Workers, the British Retail Consortium and others—but it is not just about the law: we are also putting in place the necessary mechanisms to encourage such crimes to be reported, regaining confidence in the police and criminal justice system by bringing the perpetrators to justice, and looking at the root causes of abuse and violence such as drug and alcohol addiction.

Rape Cases: Conviction and Prosecution Rates

10. **Wera Hobhouse** (Bath) (LD): What steps he is taking to improve conviction and prosecution rates for cases of rape. [904754]

The Parliamentary Under-Secretary of State for Justice (James Cartlidge): In June we published the interim rape review report and action plan, which sets out plans to significantly improve the way the criminal justice system responds to rape. We are expanding pre-recorded cross-examination under section 28 for victims of rape and sexual violence, rolling out a new investigatory model known as Operation Soteria and introducing a single source of 24/7 support for victims of rape and sexual violence.

Wera Hobhouse: According to a recent report from the Victims Commissioner, just 1% of rape cases made it to trial. The Minister is telling me that these new measures are trying to improve that record. However, many rape victims recorded that their sexual history and mental health records were “pulled apart”, so will he commit to a radical reform of Crown Prosecution Service governance as called for by the End Violence Against Women Coalition to make sure that victims of rape are not treated as suspects?

James Cartlidge: The hon. Lady makes an excellent point. Given the location of her constituency she will be aware that the main pilot we will be holding for Operation Soteria is with Avon and Somerset police. Let me explain

to the House the importance of this pilot. Instead of the usual single officer investigating allegations of rape, we will instead have two officers, one of whom will have primary responsibility for liaising with the victim. A key part of that is to avoid the attrition whereby those who have been victims drop out and lose confidence in the system. We want to restore confidence in the system and show the whole country that we have a joined-up approach to tackle the root causes and improve investigation of all rape cases.

Kate Griffiths (Burton) (Con): Does my hon. Friend think it is right that victims of rape and domestic abuse should have to pay child contact costs to maintain their abuser's contact with their child?

James Cartlidge: Let me first add my comments to those of the Secretary of State in terms of the experience of my hon. Friend. She has been incredibly courageous. I am speaking on behalf of the Minister of State, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), who I will ask to write to my hon. Friend on that specific point. I do not have an immediate answer to hand but it does sound an important issue and she is right to raise it.

Ellie Reeves (Lewisham West and Penge) (Lab): I, too, place on record the courage that the hon. Member for Burton (Kate Griffiths) has shown.

The first rape review scorecard published last week made for pitiful reading. Just 0.6% of adult rape cases reported to police resulted in a charge. It takes three times as long for rape cases to get through the justice system compared with other crimes. Victims are being told that they are lucky if they get justice within three years. While we welcome the roll-out of section 28, Labour was calling for this back in March. It is not good enough. The Government have apologised and admitted that they have failed, but it has been almost three years since the rape review was commissioned. How much longer will survivors have to wait for justice?

James Cartlidge: I am glad the hon. Lady raises the issue of the rape scorecards. While it is obviously disappointing that key 2020-21 data show that performance is consistently lower than the baseline in the priority areas, it is important to note that these metrics reflect the period before the rape review was published and the action plan was implemented. But we have a choice, and it is a really important one. We can spend our time using the scorecards to pick out individual statistics for political point-scoring or we can take a joined-up collaborative approach to recognise that the whole reason for bringing forward the scorecards is to shine light on what exactly is happening out there in the system, focus on where the problems are, and work with the CPS, the police, victims and victims' groups and all the key stakeholders to improve the whole system. That is the important thing to do. The whole point is that by bringing these figures into daylight we will improve the system.

Offenders in Prison: Numeracy and Literacy

11. **Mr Steve Baker** (Wycombe) (Con): What steps he is taking to improve the numeracy and literacy rates of offenders in prison. [904755]

The Minister for Crime and Policing (Kit Malthouse):

We are working to deliver a transformed prison education service that will improve numeracy and literacy of all prisoners. Prisoners will be assessed on entry and a personal learning plan will be created to monitor and track progress against starting points and resettlement goals. This will include learning in workshops, kitchens and sports activities.

Mr Baker: I am glad to hear it. Should core skills not always be part of the prison regime for everybody who needs them? Will the Minister continue to take steps to make sure that people's employability is enhanced by their stay in prison?

Kit Malthouse: My hon. Friend is exactly right. Education is very often the solution to so many of society's problems. It is a stepping stone towards employment, which, in itself, reduces reoffending very significantly. He will be pleased to know that as part of our plans we will establish a literacy innovation scheme to incentivise new providers to work with us to deliver these kinds of improvement programmes. We will also introduce specific measures of progress to track how successful each prison is at improving prisoners' English and maths, with governors held to account for poor performance. We agree with my hon. Friend that these basic building blocks of education are key to future success.

Mr Gregory Campbell (East Londonderry) (DUP): The reduction in reoffending rates is marked where the furtherance of numeracy and literacy skills is ongoing in prison, such as in my constituency in Magilligan prison. Will the Minister, in any discussions that he has with the relevant devolved Justice Minister in Northern Ireland, re-emphasise the need for support for prisons that offer such facilities?

Kit Malthouse: This is obviously an issue that affects all the home nations, and I will be more than happy to work collaboratively with counterparts across the whole of the United Kingdom, as we do on so many issues with great success.

Child Cruelty: Sentencing

12. **Simon Jupp (East Devon) (Con):** What steps his Department is taking to strengthen sentencing for child cruelty. [904756]

The Lord Chancellor and Secretary of State for Justice (Dominic Raab): Child cruelty requires the strongest response possible from our justice system, and we will ensure that our sentencing powers are the most robust to protect the most vulnerable.

Simon Jupp: The harrowing case of Arthur Labinjo-Hughes makes it clear that child protection must be at the heart of our sentencing policy. What steps will my right hon. Friend take to ensure that child killers are never released from prison?

Dominic Raab: I thank my hon. Friend and totally agree with him about the appalling case of little Arthur. He is right, and in the Police, Crime, Sentencing and Courts Bill, child murder will be where there is premeditation, and will carry a whole-life order as its starting point. I hope that all hon. Members across the

House will join us in supporting that measure. May I also mention Tony's law, which we are introducing to increase the penalties for causing death and causing serious injury from child cruelty.

Offenders: Illegal Drug Addiction

14. **Simon Baynes (Clwyd South) (Con):** What plans his Department has to support offenders to end an illegal drug addiction. [904758]

The Minister for Crime and Policing (Kit Malthouse): Our landmark cross-Government drugs strategy sets out an ambitious long-term vision and includes £780 million of additional investment in treatment and recovery—the largest ever single increase. This will increase and improve treatment services, including providing 950 additional drug and alcohol criminal justice workers. The specialist drug and alcohol workers will give the police, courts and probation the facilities that they need to assess offenders and give sentencers confidence that they can make greater use of community sentences, because they will know that the treatment will be available.

Simon Baynes: The police in Clwyd South and Wrexham deserve great credit for their work in breaking up county lines in north Wales. Will the Minister please provide more information about the other main aspect of the Prime Minister's 10-year drug strategy, the £780 million devoted to new approaches to treatments, and how that will be put into effect in Clwyd South and elsewhere in the UK?

Kit Malthouse: I am pleased that my hon. Friend is seeing the impact in his constituency of the remarkable work that his police force have been doing, mainly with Merseyside police, who are the chief exporter to his part of the world of that appalling practice of county lines. We have indeed been remarkably successful in driving the numbers down, but if we are to make that a permanent reduction we need to reduce the demand for those drugs, particularly from heroin and crack addicts. So we will be spending significant amounts of money, as he outlined, on treating their addiction, as well as making sure that they face the consequences of their crimes. That money will be channelled through local authorities. It will take time for them to rebuild and retrain the people required to deliver those services, but I am confident that over the next 10 years we will make a significant difference.

Road Traffic Offences: Sentencing Guidelines

15. **Kim Leadbeater (Batley and Spen) (Lab):** What steps he is taking to review the sentencing guidelines for people convicted of road traffic offences. [904759]

The Parliamentary Under-Secretary of State for Justice (James Cartlidge): The Government take road safety very seriously and I commend the hon. Lady for her campaign to tackle bad driving and improve road safety through, I believe, a parliamentary petition. I want to reassure her that this Government want to see safer roads for all users. That is why, in the Police, Crime, Sentencing and Courts Bill, we are increasing from 14 years to life imprisonment the maximum penalties for causing death by dangerous driving and for causing

death by careless driving when under the influence of drink or drugs. As for sentencing guidelines, these are produced by the Sentencing Council, which is independent of Parliament and Government.

Kim Leadbeater: I welcome that response. Road safety is a huge issue for people in Batley and Spennings, so I have launched a petition to the House calling for additional support, resources and funding. I also recently attended a local memorial service for victims of road traffic incidents. Does the Minister agree that as part of the review into road traffic offences, we must put victims and their support at the heart of any strategy?

James Cartlidge: The hon. Lady is absolutely right. I congratulate her on championing those issues. Many hon. Members raise their harrowing cases of serious road traffic incidents at Justice questions. In addition to the increase from 14 years to life for the offences I referred to, in the Police, Crime, Sentencing and Courts Bill, we are also creating a new offence of causing serious injury by careless driving. In Government amendments, we will increase from two years to five years the minimum period of disqualification from driving for offenders convicted of causing death by dangerous driving or causing death by careless driving when under the influence of drink or drugs. That sends a strong signal that we want to put victims first, which is why we are bringing forward those changes.

Court Cases Backlog

16. **Mrs Sheryll Murray** (South East Cornwall) (Con): What steps his Department is taking to reduce the backlog of cases in the court system. [904760]

20. **Andrew Gwynne** (Denton and Reddish) (Lab): What estimate he has made of the length of time required to clear the backlog of Crown court cases resulting from the covid-19 outbreak. [904766]

The Parliamentary Under-Secretary of State for Justice (James Cartlidge): We are already seeing the results of our efforts to tackle the impact of the pandemic on our justice system. Outstanding cases in magistrates courts are falling and are close to recovering to pre-pandemic levels. In the Crown court, the backlog is stabilising. The spending review provides an extra £477 million for the criminal justice system, which will allow us to reduce Crown court backlogs caused by the pandemic from about 60,000 today to an estimated 53,000 by March 2025.

Mrs Murray: What steps is my hon. Friend taking to ensure that evidence is not compromised by the passage of time if there is a delay?

James Cartlidge: My hon. Friend makes an excellent point. Since 2000, outstanding cases in the Crown court have never been below 30,000, so it is inherent in the criminal justice system that some cases take time. It is important that we consider how to preserve evidence and section 28 is a key part of that. Since November 2020, vulnerable witnesses have had the option to pre-record cross-examination evidence in advance of a trial. In September, we extended the pilot to allow intimidated witnesses to pre-record their cross-examination evidence

to a further four Crown courts. We recently set out that we want to go much further and roll it out to all Crown courts.

Andrew Gwynne: Reducing the Crown court backlog to 53,000 still does not take it back to pre-pandemic levels. We cannot just blame covid for the backlog, because in the year before the pandemic, it grew by 23%. Does the Minister regret the Ministry of Justice's decision to slash sitting days in 2019?

James Cartlidge: The key point is that we have lifted and removed the limit on sitting days in the Crown court for the moment. In February 2010, the last comparable full month when the Labour party was in power, the backlog in the Crown court was about 48,000. It was 40,000 in the month before we went into the first full lockdown. As anyone in the court system knows—our professionals and our judiciary—the pandemic has had a huge impact.

We are confident that we have a wide package of positive steps that we are bringing forward, including the funding that I just announced plus the steps in the Judicial Review and Courts Bill that will see more cases moved from Crown court to magistrates court. Perhaps with a new shadow spokesman—I welcome him to his position—the Opposition will finally accept the importance of those measures and join us in supporting the Bill on Third Reading.

Violence Against Women and Girls

17. **Gill Furniss** (Sheffield, Brightside and Hillsborough) (Lab): What steps his Department is taking to tackle violence against women and girls. [904761]

19. **Laura Trott** (Sevenoaks) (Con): What steps he is taking to protect women and girls from violent and sexual offenders. [904764]

The Parliamentary Under-Secretary of State for the Home Department (Tom Pursglove): We have introduced legislation to tackle crimes including stalking, forced marriage and female genital mutilation in the Domestic Abuse Act 2021. The Police, Crime, Sentencing and Courts Bill will also introduce measures to crack down on serious violent and sexual offenders, including by ensuring that the most serious sexual and violent offenders spend longer in prison; to reform pre-charge bail to better protect vulnerable victims and witnesses; and to enable positive obligations to be imposed on those who pose a risk of sexual harm through sexual harm prevention orders and sexual risk orders. The victims Bill consultation has also launched, which will ensure that victims feel properly supported.

Gill Furniss: Since Sarah Everard was murdered, at least 104 more women have been killed by men. That endemic violence against women must be met with the national urgency that it deserves. Will the Minister take the opportunity to show that he is serious about the issue by committing today to classing misogyny as a hate crime?

Tom Pursglove: I am very grateful to the hon. Lady, who raises this very important issue for all Members of this House. As she would expect, this Government take

incredibly seriously the issue of violence against women and girls, and all our thoughts are with the families of those affected. Of course, I welcome the measures that we are taking on sentencing that I set out in my earlier answer. On misogyny specifically, we are grateful to the Law Commission for the detailed consideration it has given to its review of hate crime laws. We are of course giving that proper consideration, and we will respond as soon as we can.

Laura Trott: Can the Minister assure me and the women and girls of Sevenoaks and Swanley that funding for Kent's Nightingale court will continue past March next year? Kent's Crown court case load stands at 93% above pre-pandemic levels, and we know that sexual violence crimes are most likely to be dropped due to delays. We urgently need this court to continue.

Tom Pursglove: I am very grateful to my hon. Friend, who is a very passionate advocate for her constituents on these matters. It is worth pointing out that more than £1 billion has been allocated to boost capacity and accelerate recovery from the pandemic in courts and tribunals, and we have been able to reopen more of our existing court estate. The Nightingale courts provide additional capacity for the Crown court either directly or by hosting other work, which makes space for jury trials on the existing estate. These temporary courts supported our recovery, and that is why we extended their use until the end of March 2022. Decisions on future spending will be subject to ongoing spending review allocation discussions, but her point is very much heard.

Topical Questions

T1. [904735] **Debbie Abrahams** (Oldham East and Saddleworth) (Lab): If he will make a statement on his departmental responsibilities.

The Lord Chancellor and Secretary of State for Justice (Dominic Raab): Over the last month, I have visited HMP Isis with my right hon. Friend the Prime Minister, and the South Essex Rape and Incest Crisis Centre. We have launched a White Paper on our prisons strategy and a consultation on a new victims law. I have also met Lissie Harper, and I have announced Harper's law to bring in mandatory life sentences for those who unlawfully kill emergency workers in the course of their duty.

Debbie Abrahams: The Justice Secretary's book "The Assault on Liberty" attacks the Human Rights Act 1998 for having "opened the door" to challenges against the Government, so in his drive to amend the Human Rights Act, which rights does he want to stop—rights against torture, rights against medical experimentation on British military personnel or rights preventing discrimination against disabled people in our social security system?

Dominic Raab: I shall be making a statement to the House on our plans for reform of the Human Rights Act and its replacement with a Bill of Rights shortly. I am sure the hon. Member will listen to that and contribute.

T4. [904738] **Rob Roberts** (Delyn) (Ind): In 1976, Janet Commins was killed in Flint in my constituency. The wrong person was initially convicted and served a significant prison sentence. In 2016, DNA evidence came to light

that finally led to the conviction of Stephen Hough for her death, but on a plea agreement from murder down to manslaughter, for which he received a 12-year sentence. He is due out under the 50% rule in 2023, and Janet's family are rightly concerned. Can my right hon. Friend confirm what options may be available to stop an early release and ensure that her violent killer is not let back on to Delyn's streets?

The Minister for Crime and Policing (Kit Malthouse): I do understand the concerns of the hon. Gentleman and obviously of the victim's family. It was a dreadful crime, and I am obviously pleased, although it took some time, that the right person was put behind bars for it. As he will know, release at the halfway point is automatic. However, I am happy to write to him to outline what steps will be put in place to manage this individual in the community.

Steve Reed (Croydon North) (Lab/Co-op): The Government have closed nearly 300 courts since 2010. One of them was Runcorn magistrates court, and two weeks ago the police found criminals using it as a cannabis farm. While 60,000 cases are still waiting to be heard because of a lack of court capacity, can the Secretary of State tell us how many other former courts are now in the hands of criminals, and does he regret that, under the Conservatives, courts that used to hand out justice now hand out spliffs?

Dominic Raab: I welcome the hon. Gentleman to his place. I look forward to working with him, where we can, constructively and usefully. However, if the Labour party wants to start suggesting that it is tough on crime, it needs to deal with its voting on police numbers and the mess that it has made of voting on tougher sentences. I remind the hon. Gentleman that we have trebled funding for victim support.

In relation to the courts backlog, as part of the spending review we are investing £477 million in the criminal justice system over the next three years. We have extended the Nightingale courts and removed the limit on the number of days for which the Crown court can sit this year. We are also using the cloud video platform, which enables 13,000 cases to be heard each year; this is an important lesson from the pandemic.

Steve Reed: I am grateful for the Secretary of State's kind words, but I regret that he did not seem to quite answer the question, so let us see if we can do better with this one. BBC Radio 4's "You and Yours" programme has exposed serious fraud relating to lasting power of attorney. A criminal was granted full control over a member of the public's home and finances, and tried to sell her home without her knowledge. The fraudster was granted lasting power of attorney by the Office of the Public Guardian, after filling in an official form using fake names and signatures. Astonishingly, the Government do not require the Office of the Public Guardian to carry out basic identity checks on people applying for lasting power of attorney—

Mr Speaker: Order. We have to get this right. Topicals questions, by nature, mean short answers and questions. Both of you are taking the time of Back Benchers. If you really want to ask a question, do it early when there is more time. Please do not use up Back Benchers' time.

Dominic Raab: The hon. Gentleman actually raises an important point. We are reforming the system. If he writes to me about the specific facts of that case, I would be happy to respond.

T5. [904739] **Lee Anderson** (Ashfield) (Con): Now then, for far too long foreign dangerous criminals have used the Human Rights Act to avoid deportation. Unlike the Labour party, the vast majority of Ashfield residents want to see dangerous foreign criminals deported as soon as possible. Will my right hon. Friend please advise us on what plans he has to put the rights of UK residents first and those of foreign criminals second?

Dominic Raab: My hon. Friend talks a lot of common sense, as ever. I will be saying something shortly about our plans to reform human rights. One thing that we can do is to avoid that kind of abuse of the system, on top of the efforts that the Home Secretary is making; since January 2019, we have removed close to 10,000 foreign national offenders, and the early removal scheme in the Nationality and Borders Bill will allow foreign national offenders to be removed earlier.

Brendan O'Hara (Argyll and Bute) (SNP): Last week, the Under-Secretary of State for the Home Department, the hon. Member for Corby (Tom Pursglove) steadfastly refused to confirm that the UK would remain in the European convention on human rights. This morning, we read that the UK will do so. Can the Secretary of State confirm that we will remain a signatory and will continue to respect the provisions of the ECHR in full?

Dominic Raab: I have already made it clear before this House that we plan to stay, and will stay, a state party to the European convention.

Brendan O'Hara: The former Justice Secretary, the right hon. and learned Member for South Swindon (Robert Buckland), warned that any attempt to alter the Human Rights Act would make the UK less secure. Yesterday, GCHQ, MI5 and MI6 warned that changing the Human Rights Act would make it more difficult to fight terrorism. What assessment has the Secretary of State made of what they have said? As he launches his consultation today, will he commit himself to taking very seriously what senior figures in our security services have said?

Dominic Raab: I am not going to respond to claims or anonymous reports in the papers about what the security services may or may not say, but I am absolutely clear that the reforms that we will take will strengthen our protection in a whole range of areas that have been undermined by the Human Rights Act.

T7. [904742] **Stephen Crabb** (Preseli Pembrokeshire) (Con): The Justice Secretary is absolutely correct in his determination to drive up the employment rates of ex-offenders. Does he agree that today's unemployment figures, which show a further fall in unemployment and record numbers of job vacancies, underline the scale of the opportunity that we have to get many more prisoners into a job from day one, which is good for the economy, good for business and good for the whole of society?

Dominic Raab: My right hon. Friend is absolutely right. He will have seen in our prison strategy White Paper plans to roll out more employment boards, which link prisons to local businesses and industries in their communities. I hosted an employers summit to encourage employers to come forward and ensure that the prisons are better linked up. We are also expanding the new futures network, which is a dedicated part of the prison service that will support businesses to partner local prisons.

T2. [904736] **Bill Esterson** (Sefton Central) (Lab): It is no good blaming covid. The Crown court backlog was 41,000 before the pandemic, and the wholly inadequate announcement that the Justice Secretary gave a moment or two ago means that it will be 53,000 after the pandemic. When will the Secretary of State admit that the Government's approach is simply nowhere near that which victims of crime have every right to expect from their Government?

Dominic Raab: I just say to the hon. Gentleman that, as has already been pointed out, the backlog was lower before we went into the pandemic than that left behind by the last Labour Government. However, we are not for a moment complacent. That is why we have invested the money and we secured the money at the spending review, and it is why we have the Crown Nightingale courts and we have removed the limit on the number of days they can sit each year. I regularly consult the senior judiciary about what more we can do. Of course, technology—in particular the cloud video platform—can enable more than 13,000 cases to be heard virtually every week.

T8. [904743] **Mr Richard Holden** (North West Durham) (Con): Large numbers of my North West Durham constituents work at HMP Frankland, HMP Low Newton, HMP Durham and the young offenders institution at Deerbolt. One issue that they face is prisoners on drugs and psychoactive substances assaulting members of staff. Will the Minister outline what measures the Government are taking to tackle this scourge?

Kit Malthouse: My hon. Friend's regard for his constituents who work in the secure estate is very welcome. As he will know from the prisons strategy White Paper, we are taking a zero-tolerance approach to drugs, we will be spending about £100 million, and I hope he will have seen that we recently rolled out 74 X-ray body scanners, which have resulted in more than 10,000 positive scans. All of that will reduce the amount of drugs, and therefore violence, in prisons.

T3. [904737] **Jonathan Edwards** (Carmarthen East and Dinefwr) (Ind): What consideration has the Secretary of State given to the need for a specific offence or amended sentencing guidelines for those who desecrate or conceal a murdered body, to reflect the extra suffering faced by bereaved families?

Dominic Raab: If the hon. Gentleman wants to write to me about that and make the case—I do not know whether his question relates to a particular constituency case or a more general concern—I will be very happy to look at it and make sure that we engage with him further on it.

Jerome Mayhew (Broadland) (Con): The brilliant news on unemployment rates means that businesses in Broadland are crying out for staff. Bernard Matthews has been working with HMP Norwich to provide jobs for ex-offenders immediately on their release, and it tells me that there have been great results from that. Other local businesses have told me that they want to do the same, so what can the Government do to encourage such practices?

Kit Malthouse: At last, a Christmas story to warm the heart. I am sure that all those tucking into their Bernard Matthews turkey this Christmas will not only find it delicious and a celebration of their family, but recognise that they are playing their part in a better future for all those individuals who are working with Bernard Matthews, which is to be congratulated on its work. My hon. Friend is quite right that there is an enormous amount that can be done with the private sector to help get ex-offenders back on to the straight and narrow. My right hon. Friend the Secretary of State recently held a summit with employers to do exactly that, and we will be building a network of business partnerships across the country where businesses and prison governors can sit down together and talk about how to get ex-offenders into employment in exactly the way that Bernard Matthews has done with remarkable success.

Sarah Champion (Rotherham) (Lab): If we are to get prosecutions of child abusers, we need the support of victims and survivors, so I am really angry that this Government have cut £500,000 from children at risk of child sexual exploitation. What is the Minister doing to make sure, through the forthcoming victims Bill, that the resources are in place to help those at risk?

The Parliamentary Under-Secretary of State for Justice (Tom Pursglove): I am grateful to the hon. Lady, with whom I have worked closely on other matters that the House is considering at the moment. The Government continue to be a global leader in tackling child sexual exploitation and abuse. The tackling child sexual abuse strategy that we launched is the first of its kind and very much cutting edge. I would be happy to have a conversation with her, and I encourage her to make her views known as part of the victims Bill consultation.

Dr Jamie Wallis (Bridgend) (Con): Foreign-born criminals have long used human rights legislation to avoid deportation to their country of origin. Can my right hon. Friend confirm whether plans to reform human rights laws will include the introduction of a British Bill of Rights?

Dominic Raab: My hon. Friend is right about the problem that he has diagnosed, and in the not-too-distant future I shall make a statement about our plans for reform.

Alison Thewliss (Glasgow Central) (SNP): The Minister confirmed earlier that he had not visited a drug consumption room in any of the European countries where they have been operating for years. Will he come instead to my constituency to see where people are injecting—on waste ground, in bin sheds and in lanes away from Christmas shoppers—so that he can see what the alternative is under his plans?

Kit Malthouse: I am always more than happy to visit Members' constituencies, as the hon. Lady knows. In fact, just 18 months ago, I held a home nations drugs summit in Glasgow to deal with exactly these issues. The hon. Lady consistently and persistently badgers me on these issues; I just wish she would apply the same persistence and badgering to her colleagues in the Scottish National party, who have been in government in Scotland for many years now and have presided over the worst drugs misuse and deaths numbers in the western world. I have committed to working closely with the Minister in Scotland on trying to improve those numbers; I wish the hon. Lady would do the same.

Siobhan Baillie (Stroud) (Con): When we think about the family courts, we must be mindful of the experiences of not only families who desperately need court intervention to work smoothly but the families who should be nowhere near a judge and would not be if they had other support to resolve their differences. I know that the Justice team cares deeply about this complex issue and that welcome changes are coming next year, so what progress has been made on the implementation of the Divorce, Dissolution and Separation Act 2020 ahead of April 2022?

Dominic Raab: My hon. Friend is absolutely right that a certain category of case, particularly in respect of the private family law courts, needs to go before a court because of safeguarding issues or domestic abuse. Such cases account for 60%, more or less, while the others ought to avoid going to court through the use of mediation or alternative dispute settlement. Not only is that the right thing to do for all those involved, and particularly for children, but it saves the precious resource of the family courts for when they are really needed.

Peter Grant (Glenrothes) (SNP): Will the coming review of human rights legislation explicitly acknowledge the concept of universal human rights—rights that are ours for no reason other than that we are human beings, that do not need to be conferred by any Parliament and that cannot be revoked by any Parliament on earth?

Dominic Raab: I do not know whether the hon. Gentleman was making the case for the wholesale repeal of the Human Rights Act, but we are not going that far. We need to put in place a legal framework and that will, of course, respect this country's proud tradition of freedom under the rule of law.

Scott Benton (Blackpool South) (Con): The courts complex in Blackpool is due to be relocated to allow a £400 million regeneration scheme to go ahead. The business case has already been submitted to the MOJ, so will my right hon. Friend the Secretary of State meet me to discuss it, get it approved and allow the ambitious regeneration scheme to proceed?

The Parliamentary Under-Secretary of State for Justice (James Cartlidge): I am grateful to my hon. Friend for raising that scheme. I would be delighted to meet him; it sounds like an exciting project.

Robert Halfon (Harlow) (Con): Given what my right hon. Friend the Secretary of State is doing on prison education, will he support an amendment to the Skills

and Post-16 Education Bill that I plan to table to allow prisoners to do apprenticeships, to change their employment status and ensure that they get the minimum wage? The amendment is backed by members of the Education Committee, and I have discussed it with the Secretary of State for Education.

Dominic Raab: I thank my right hon. Friend the Chair of the Select Committee for his question. I have been talking to other Members about this important issue. If he would like to write to me or, indeed, meet me, I would be very interested in considering his idea further with the Secretary of State for Education.

Human Rights Legislation

12.32 pm

The Lord Chancellor and Secretary of State for Justice (Dominic Raab): Today, I am launching our consultation on proposals to overhaul the Human Rights Act and replace it with a Bill of Rights. I thank Sir Peter Gross and the panel he chaired for conducting the independent Human Rights Act review—the report of which is published today—which has influenced and informed our thinking in this regard.

The Government's proposals for a Bill of Rights will strengthen this country's proud tradition of freedom, curtail abuses of the human rights system and reinforce the democratic prerogatives of elected Members in this House over the legislative process in respect of the expansion of human rights. Above all, we will restore some common sense to the system.

At the outset, let me reassure the House—this issue was raised earlier in oral questions—that the UK will remain a party to the European convention on human rights. As we have shown with the introduction of our Magnitsky regime for human rights abuses, we will continue to lead internationally in the championing of freedom around the world.

Our objective in overhauling our human rights legislation will be to change, reform and revise the domestic interpretation and application of the convention by the UK courts. Following the reforms to the convention system reflected in the 2012 Brighton declaration, we will assert the margin of appreciation, as appropriate, in the UK's dialogue with the Strasbourg Court.

As I said, we have a long, proud and diverse history of freedoms in this country that stretches back to Magna Carta through the 1689 Claim of Right Act and Bill of Rights, the Slave Trade Act 1807 and the Representation of the People Act 1918. It is a tradition steeped in great thinkers such as John Locke, John Stuart Mill and Isaiah Berlin, and in the advocacy of great champions of freedom and human rights from Emmeline Pankhurst through to Violet Van der Elst.

As we take the next step in our country's reforms, and as we look to the future, we can and, I believe, should confidently build on those traditions and values.

Our proposals will recognise the right to trial by jury, as it applies variably across the different nations of the United Kingdom in important ways, as part of the common law tradition of human rights. We also have the opportunity to reinforce the weight we attach to freedom of speech, a quintessentially British right—the freedom that grants all the others—that we have seen eroded of late by a combination of case law that has introduced continental-style privacy rules and the incremental narrowing of the scope for respectful but rambunctious debate in politically sensitive areas, which is something we in this House should resist both on principle and in the interest of effective decision making that comes only from a full airing of contrary views. Freedom of speech sometimes means the freedom to say things that others may not wish to hear.

While retaining the European convention on human rights, we will prevent the misuse and distortion of those rights that we have seen from time to time through elastic and innovative expansions that go well beyond

anything the architects of the convention had in mind during the post-war settlement. Some of this has arisen from Strasbourg case law, and some has arisen from UK case law, and I make it very clear at the outset that my critique is levelled at the Human Rights Act and how it operates; it is not levelled at the UK judiciary, who have quite properly sought to implement legislation passed by this House.

I will give three examples of the problems we have encountered and a sense of how we can address them. Under our proposals, we will be able to prevent serious criminals from relying on article 8, the right to family life, to frustrate their deportation from this country. One example—the case law is littered with them—is the case of the convicted drug dealer who was also convicted of battery against his partner. He paid no child maintenance but, none the less, he claimed the right to family life to trump the public interest in his removal.

To give a sense of scale, because it is easy to cite one case or another and people will say it is not representative of the problem, article 8 claims now make up around 70% of all successful human rights challenges by foreign national offenders against deportation orders. Our proposals will enable us to legislate to curtail that abuse of the system, and hon. Members will have to decide whether they are for or against that proposition.

Secondly, under our proposed reforms we will be better able to protect the public in other ways by addressing our well-intentioned but, frankly, distorting jurisprudence. I cite the example of the Osman case, which has skewed the operational priorities of some of our major police forces. The ruling has required police forces to divert officers, resources and focus to protect criminal gangs from the threats they make to each other, which are of course time, effort and resources that could otherwise be prioritised towards protecting law-abiding members of our society.

Thirdly, these changes will help to deliver root-and-branch reform of parole proceedings, which hon. Members on both sides of the House raised with me in the aftermath of recent cases, including the case of Colin Pitchfork.

In these areas and others, our reforms will enable Parliament to act and, where necessary, assert the margin of appreciation with respect to Strasbourg while remaining party to the convention. We will achieve these objectives through carefully targeted reform under our Bill of Rights, which will revise and replace the framework provided under the Human Rights Act.

Our independent judiciary and parliamentary sovereignty are the cornerstones and the foundations of our democracy and, indeed, our success as a country. With that in mind, we will sharpen the separation of powers and reform the duty in section 2 of the Human Rights Act that requires UK courts to take account of Strasbourg case law, but has at various times been interpreted as a duty to match the Strasbourg jurisprudence, which is neither necessary nor desirable—[*Interruption.*] I see hon. Members shaking their heads, and I point them to the Ullah case in particular, but of course the case law has ebbed and flowed. That ebb and flow has created uncertainty, so it is right that we provide greater legal certainty by making clear the primacy of the UK's own case law and primary legislation and the role of the UK Supreme Court, not Strasbourg, as the ultimate judicial arbiter when it comes to interpreting the European convention on human rights in this country. We will

make it crystal clear that the UK courts are under no duty to follow Strasbourg case law, which itself does not operate a doctrine of precedent.

Next, we will replace section 3 of the Human Rights Act so that our courts are confined to judicial interpretation and are no longer—effectively, in practice—licensed by the Act to amend or dilute the will of Parliament expressed through statute. One of the consequences of the elastic extension of rights has been the incremental expansion of so-called positive obligations on public authorities by the courts, which are something that has no basis in the convention, as even a cursory reading of the *travaux préparatoires* to the convention—the negotiating history—will demonstrate. That was the case in the *Osman* ruling, which I referred to; it has had the much broader effect of skewing public service priorities and allocation of precious public resources. Our approach will provide a check on what is quite properly a legislative function that ought to be left to elected lawmakers in Parliament.

Finally in this regard, as we reinforce a clearer demarcation of the separation of powers, we will consult on plans for a democratic shield. This will help to promote meaningful dialogue with Strasbourg—which we achieved in cases such as prisoner voting, which hon. Members on both sides of the House will remember—by asserting the margin of appreciation where it is appropriate. It will recognise the proper role of Parliament in responding to adverse rulings from Strasbourg, but let me be crystal clear: hon. Members in this House must have the last word on the laws of this land.

Next, one of the consistent complaints that we hear from the public is that human rights can be subject to abuse. Our proposals will address this in a number of ways. We will introduce a permission stage, similar to that which exists in continental jurisdictions, including in the German Constitutional Court and indeed the European Court of Human Rights itself. This will bring an appropriate check by requiring claimants to demonstrate that they have suffered a significant disadvantage, which will help to prevent spurious or unmeritorious claims.

We can also do more to recognise that rights come with responsibilities, so we will reform the approach to remedies so that our courts give greater consideration to the behaviour of the claimant and the wider public interest when considering the compensation that may be paid out. That will give judges greater discretion to strike the right balance between claimants' rights, their responsibilities and indeed the rights of others in our society when considering human rights cases. It is not right that those who have broken the law can then reach out and claim human rights, to claim large chunks of compensation at the taxpayer's and the wider public's expense.

Our proposals also recognise the diverse legal traditions across the United Kingdom, as well as the common heritage that binds us together. That is the linchpin of our success as a Union. We will consult with each of the devolved Administrations and across the UK to get that balance right. We want to guarantee protections across the Union in accordance with a common framework reflecting our common traditions, while respecting devolved competences.

In this country, we have a long and proud tradition of liberty, but we must actively cherish and nurture it. As we write the next chapter in that proud history, our

proposals for a UK-wide Bill of Rights will strengthen our freedoms, reflect our legal traditions, curtail those abuses of the system, reinforce the separation of powers between the judicial and legislative branches and respect the democratic authority of this House, which—as so often in our history—has been a bulwark and the protector of our freedoms. I commend this statement to the House.

12.43 pm

Steve Reed (Croydon North) (Lab/Co-op): I am grateful to the Secretary of State for advance sight of his statement, but the truth is that this country's criminal justice system is in crisis. There are record backlogs and delays in the Crown courts, drug use by prisoners is out of control, and just 0.6% of rape cases reported by women and girls ever result in a charge. If the Secretary of State really wanted to restore confidence in the system, his priority would be sorting that out, but he is choosing to fiddle with the Human Rights Act instead of stretching every muscle and sinew to make sure that rapists and violent offenders are banged up behind bars where they belong.

Every time the Government are in trouble politically, they wheel out reforming the Human Rights Act. It is a dead cat distraction tactic by a Government who do not know how to fix the criminal justice system that they have broken and are desperate to divert attention from the corruption scandals that they started. This is little more than an attempt to wage culture wars because they have surrendered in the war on crime and corruption.

The Secretary of State says that he will restore the role of Parliament and the UK courts in interpreting rulings from Strasbourg, but they already have those powers under the margin of appreciation that gives national courts freedom to implement convention rights on the basis of local laws and custom, so he is offering nothing new. He is telling us today that it is not necessary to leave the ECHR to deport foreign criminals, so why have his Government done nothing about that in their past 11 years in office? A quarter fewer foreign criminals have been deported in the last year than in the previous year, so it is clearly not the Human Rights Act that is preventing foreign criminals from being deported; it is this incompetent Conservative Government.

The Secretary of State has become so overexcited by his empty rhetoric that he has missed warnings from senior figures in the intelligence services telling him that his reforms could actually make it harder to deport foreign criminals, including terrorists. They warn that, if the Government go too far in raising the evidence threshold a person must prove to claim that deportation would disrupt their family life, that could affect the ability of MI5 and MI6 to provide evidence in secret to the relevant courts and lead to more cases going directly to the European Court, where evidence cannot be submitted in secret. Perhaps this is the level of detail that we should expect from a Secretary of State who does not know that the police can investigate crimes a year after they are committed—even in Downing Street—but is he really prepared to stand by as cases collapse and terrorists walk free?

These proposals are all mouth and no trousers. They do nothing to deal with the severe failings in the criminal justice system, they repatriate no powers that are not

[Steve Reed]

already based here, and, astoundingly, they actually threaten to make it harder to deport the most dangerous foreign criminals, including terrorists. Labour will always defend the human rights of the British people to live in freedom, safety and security, but we face a Conservative Government who are high on tax, soft on crime and desperate to distract from their political failings. If the Secretary of State really wants to restore trust in the criminal justice system, his priority should be to fix it and bring wrongdoers more swiftly to justice. If he is prepared to ditch the empty rhetoric and political posturing, I will offer him my party's full support in doing that.

Dominic Raab: I thank the hon. Gentleman for his response. I read his remarks, which were quoted in the early hours of this morning, before we had published our consultation and hence before he had read the proposals in it. He accused me of merely tinkering with human rights and, in the next sentence, of ripping human rights to shreds. That is an impressive feat of flip-flopping in a single press statement, but I think it highlights the fact that the Labour party, or at least its current Front Bench, has absolutely nothing to say about this issue.

The hon. Gentleman talked about rape. We have published scorecards and in the new year we will publish local scorecards, which will highlight various points where the challenge is so we can tackle it. We have published a consultation on a victims' law. We are rolling out section 28 of the Youth Justice and Criminal Evidence Act 1999 to allow pre-recorded evidence from rape victims, and Operation Soteria is being piloted to bring about a better approach on the part of police and prosecutors. In fact, we are doing all the things that the hon. Gentleman mentioned. If he wants to be tough on criminals, as he claims, he should have supported our Police, Crime, Sentencing and Courts Bill. If he wants to come down hard on drug dealers and serious offenders whom we should remove from this country, he should back our proposals to allow them to be deported.

The hon. Gentleman asked about security, and seemed to warp even the ludicrous reports about it that have appeared in the papers. Let me be absolutely clear: the reforms that we propose would strengthen our ability to deport foreign national offenders, and the reason we have faced a challenge is Labour's Human Rights Act. If he looks at the data—if he is remotely interested in the facts—he will see that. We are not talking about deporting someone back into the arms of a torturing tyrant. I would not support that, and my party and this Government would not support it. We are not talking about article 3, but we are talking about article 8 and the right to family life, which makes up 70% of all successful human rights challenges. Let me quote to him what the architect of the Human Rights Act, Jack Straw, said:

“There is a sense that”

the Human Rights Act has become
“a villains charter”.

I have not used language like that. There is a sense and a genuine concern that terrorists are not being deported and that criminals are benefiting—that was from Labour's own architect of the Human Rights Act.

The hon. Gentleman went on to criticise the approach we take to the Strasbourg Court. Let me read to him from one of the premium textbooks on the subject. The author said that the Strasbourg Court is primarily concerned with supervision and its role is subsidiary to that of the domestic authority. That author stated that it “has no role unless the domestic system for protecting human rights breaks down”.

I agree with that, but it is not what we have in the Human Rights Act. That quote actually comes from the leader of the Labour party, in his seminal textbook on the subject back in 1999. I have to say to the hon. Gentleman that Captain Hindsight rarely makes predictions for the future, but on this occasion he did and he was proved right, and that is exactly what our proposals for reform will deliver.

Sir Robert Neill (Bromley and Chislehurst) (Con): The Lord Chancellor has made an important and considered statement and I am particularly grateful that he paid tribute to Sir Peter Gross and the work of his committee. Their report, such that I have been able to read it, because it is a detailed one, is very thoughtful and stands head and shoulders above the rather trite comments we get in politics and in the media. I commend the report to anyone who is seriously interested in the topic.

Does the Lord Chancellor agree that it is important that he has confirmed, as Sir Peter's report confirms, the reality that the Strasbourg jurisdiction has never been binding on UK courts in the way that the European Court of Justice's decisions once were, that the margin of appreciation is well established in the jurisprudence and that, therefore, as we make sensible reforms, which is always proper and appropriate, this is precisely the sort of area ripe for pre-legislative scrutiny through a Bill? Does he agree that, when we make changes, we should take on board, in particular, that we should not inadvertently permit legislation to go directly to Strasbourg, which would undermine the protections that our own domestic procedures have in relation to issues of security and other sensitivity? Surely that is capable of being dealt with in our reforms.

Dominic Raab: My hon. Friend is absolutely right. He refers to the Independent Human Rights Act Review report by Sir Peter Gross, and I again thank Sir Peter and his panel for the extensive work they have done. They have not only shown us the challenges that the Human Rights Act has presented, but given us a range of options and influenced the approach that we have taken—they have certainly informed it. My hon. Friend is also right to highlight the confusion there has been with the case law of the Strasbourg Court, which does not operate, as many civil law courts do not, by adopting precedent; and the way in which, in the UK courts, particularly as a result of section 2, it has virtually been turned into a system of precedent. That is clearly an area where we can reform, and I think we can do it in a sensible way that respects the primacy of the UK courts and gives greater legal certainty for everyone involved.

Brendan O'Hara (Argyll and Bute) (SNP): I thank the Secretary of State for prior sight of his statement, which says that these reforms are necessary to “curtail abuses of the human rights system”.

This Government regularly tell us that abuses of the system are the reason for all manner of reforms of legislation that simply does not suit them. I know from my experience of the Elections Bill recently that they rarely manage to produce anything other than anecdotal evidence—ironically, evidence that would not stand up in a court of law. So, this time, where is the empirical evidence for this enormous change and where can we see it? The Secretary of State says that the UK will remain a party to the ECHR, but, again, different Ministers give different answers, so will he confirm, once and for all, that every provision in the ECHR will be adhered to in full, without tinkering or equivocation? It takes some brass neck for this Government to invoke a history of upholding human rights, given that this statement comes hot on the heels of multiple dreadful pieces of legislation designed to absolutely trash those rights, be it the Police, Crime, Sentencing and Courts Bill, the Elections Bill, the Judicial Review and Courts Bill or, most appallingly, the Nationality and Borders Bill.

On Scotland, does the Secretary of State have any appreciation of how the Human Rights Act is fundamental to how the devolution settlement works and that any change to that would be a recasting of the UK's constitution? I have no doubt that he will come back to me saying, "We will consult the devolved Administrations" but that is not enough. We expect—no, we demand—a guarantee that nothing will be done without the Scottish Government's permission. The Scottish Government have made it absolutely clear that any attempt to erode the Human Rights Act will be robustly opposed. The Secretary of State may have scant regard for the democratically elected Government of Scotland, but he needs to understand just how much the people of Scotland value their human rights and how outraged they will be about this.

The SNP and the Scottish Government will fight to protect human rights across these islands and indeed across the globe. The best way we can do that is simply by voting yes in our next independence referendum, and I thank the Justice Secretary for the part he has played in ensuring that that happens.

Dominic Raab: The hon. Gentleman asked about the evidence basis for what we are doing. That has been set out at some length in the independent Human Rights Act review, if he takes the trouble to read it, which was published today and chaired admirably by Sir Peter Gross. It is also set out in the pretty extensive consultation document that we have published. I have said it once today but I am happy to reaffirm that we will stay within the European convention on human rights. We will qualify areas such as article 8—[*Interruption.*] The hon. Gentleman says "Ah", but he will know that paragraph 2 of article 8 invites qualification—it admits of it—in the interests of a whole range of reasons, including security. That will allow us to deport more foreign national offenders, in which we have been hamstrung by article 8 as it has been interpreted under the Human Rights Act. I am pretty sure that the people of Scotland, and the people across the UK, want us to be able to deport more serious, dangerous offenders from these shores.

The hon. Gentleman asked about the devolved Administrations. We are very sensitive to the devolved settlement. As he knows, the Human Rights Act is UK-wide legislation and a protected enactment under

the devolution settlement, and ending it is therefore a matter for the UK Government, but we also recognise that the devolved legislatures can legislate on human rights in areas that are devolved to them, and that will remain the case. I look forward to consulting with the relevant devolved Administrations and with civil society in all the nations of the UK.

Sir William Cash (Stone) (Con): Would my right hon. Friend accept that this article 8 issue has been at the root of a great number of extremely unsatisfactory appeal decisions? Does he agree that, in the light of our sovereignty and our right to govern ourselves and have our own legal system in this context, the combination of that change and the Nationality and Borders Bill that we put through this House only last week will be of great benefit to the people of this country and immensely popular up and down the land in dealing with illegal immigration?

Dominic Raab: I thank my hon. Friend for the huge amount of forensic legal work and analysis he has put into this, as well as for his political and parliamentary contribution to the debate. He is right to say that the reforms will enable us to take measures to deal with the very real problems that his constituents and mine, and those in all four corners of the UK, are concerned about.

Article 8 is an interesting illustration. A lot of people say, "Well, we will still have to comply with Strasbourg", and it is true that ultimately we will still have to accept the obligations under the convention, but the democratic shield will provide us with a proper means of stretching the margin of appreciation within the boundaries of the convention. Also, the case for article 8 expanded far more aggressively and energetically in this country, and it was later that the Strasbourg Court followed the case law in this country. So what we do is important, and the relationship is two-way. That is why the margin of appreciation, the dialogue and the provisions in the consultation document are so important.

Ms Harriet Harman (Camberwell and Peckham) (Lab): I thank the Justice Secretary for his statement. It sounds as if he has come to the House with many of the complaints that all his predecessors since the Conservatives have been in government have made when they pledged to change the Human Rights Act, but those proposals have ended up amounting to nothing. We shall see whether he is able to turn his concerns into anything of substance. In the Joint Committee on Human Rights, we will obviously look carefully at his consultation and respond to the Gross review. Can I just say how pleased and relieved I am that he has made such a strong commitment to the European convention on human rights and all the rights protected therein, including article 8—the right to private and family life? I hope he will be able to confirm that he will do nothing to make it take longer or cost more for people to enforce their rights. He pledged to stand by the European convention. We cannot have a situation where those rights are available only for those who can afford to enforce them.

Dominic Raab: I thank the right hon. and learned Lady for her perfectly reasonable and thoughtful response. She is right that we will stay within the European convention. If she looks me up on the record, she will see that I have consistently said that the problem is not

[*Dominic Raab*]

the convention, which is totally unobjectionable as a list of rights. She asked about Conservative politicians bringing these concerns to the House of Commons. That is right. There have been long-standing issues with the Human Rights Act, but it is not just Conservative politicians. I cited Jack Straw—there have been others—as one of the architects of the Act who has been seriously concerned and has made the case for reform. So there are, across the political divide, strong arguments for making a change. We have put proposals forward—that is the difference—including draft illustrative clauses precisely to stimulate the kind of debate we should have. I think that that answers not only the right hon. and learned Lady's point, but that of my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), the Chair of the Justice Committee, about pre-legislative scrutiny. By putting text out there for consideration, we can get right to the crux of these issues.

The right hon. and learned Lady rightly asked about remedies. We will, of course, retain effective domestic remedies, but what we will do with the permissions stage is have a check, which the Strasbourg Court itself has, on unmeritorious claims. It is also right that it has been a long-standing principle in this country that he who comes to equity must come to the court with clean hands. [*Interruption.*] She is nodding. I hope she agrees. So I think it is right for us to look at strengthening the provisions for the courts, within their discretion, to be able to take into account the wrongdoing of those who claim human rights.

John Howell (Henley) (Con): As the leader of the UK delegation to the Council of Europe, which looks after the ECHR, I am pleased to hear that we will remain in the convention. I think that that is very important to us. The ECHR is itself badly in need of reform. Will my right hon. Friend join me in the work I am already doing to try to achieve a reform of that court, so that it better deals with the human rights problems across the whole of Europe?

Dominic Raab: I thank my hon. Friend, who has been a champion of the ECHR and makes, in a powerful and eloquent way, the case for trying to deliver better outcomes at international level. We want that as well, so I will work with him and support his efforts. We, of course, want to ensure that the Council and ECHR system, post the 2012 Brighton declaration, is properly implemented. We were told—my hon. Friend the Member for Bromley and Chislehurst, the Chair of the Justice Committee, is nodding—that the Court was entering an age of subsidiarity, which also picks up on the point made by the leader of the Labour party back in 1999. What we are doing goes with the grain of that, but we will also hold Strasbourg and the Council system to its word to see through those reforms.

Valerie Vaz (Walsall South) (Lab): It is the Justice Secretary who is contradictory, is it not? All the convention did was to be enacted in the Human Rights Act, so he cannot say he is keeping the convention and taking away the Human Rights Act. We are talking about evidence, not opinion. Will he publish a list of cases where British judges have not applied British law and have been hamstrung by European law?

Dominic Raab: I always enjoy engaging with the right hon. Lady on these subjects. She will see a list of the cases set out, the diagnosis, in both the IHRAR report by Sir Peter Gross and the consultation document. She will not have had a chance to read it cover to cover yet, but I encourage her to do so. She talks about it as if there is only one way to incorporate or implement the ECHR in UK law, but there is no one on either side of this debate who thinks that that is the case. We had proposals. I remember that when I sat on the Joint Committee on Human Rights there was consideration of a next stage of a Bill of Rights which took a different approach. We have seen in every Council of Europe member state different ways of enacting the ECHR, so I gently say to her that the convention and how it is interpreted and applied, in particular the operation of the separation of powers between the judicial, the Executive and the legislative branch, can be done in different ways and we want to sharpen that demarcation.

Mr John Whittingdale (Maldon) (Con): Does my right hon. Friend agree that recent court judgments appear to have extended privacy law in this country against the provision of section 12 of the existing Human Rights Act and without the debate or approval of Parliament? Can he say whether his reforms will strengthen section 12 to right the balance, and will he stress once again the importance of freedom of expression?

Dominic Raab: My right hon. Friend, as ever, hits the nail on the head. We will be looking precisely at that provision. We think it was introduced with a legitimate aim. It is one of those things that we actually support, but that has not delivered the kind of emphasis and protection around freedom of speech. I agree with the point that he made about avoiding the incremental extension of continental-style privacy law into the UK; we have a common law tradition, and tend to have a greater emphasis on free speech and transparency. That is coupled with the EU influence—I do not want to get wholesale into that debate, but he will remember proposals for a right to be forgotten—and the sensitivities that we increasingly see around debate, which, in this Chamber, in our country and in our society, we have to protect, and our proposals will allow us to do just that.

Wera Hobhouse (Bath) (LD): After 96 people were crushed to death in the Hillsborough disaster and the victims themselves were blamed, it was the Human Rights Act that helped their families finally to have their voices heard. The Human Rights Act is also a cornerstone of the Good Friday agreement. Why do the Government see the need to create greater uncertainty and jeopardy in Northern Ireland just for the sake of political posturing? By the way, I have seen a very interesting poll by Lord Ashcroft, which is about what people in Northern Ireland think about the future. More than 60% now believe that there will probably be a united Ireland within the next 20 years.

Dominic Raab: I say gently to the hon. Lady that, if she looks at the Good Friday agreement, she will see that it talks about incorporation of the ECHR, not incorporation of the Human Rights Act. We have made it clear that we will maintain our position as a state party to the European Convention on Human Rights, which is complemented by our stalwart support of the Good Friday agreement.

Sir David Evennett (Bexleyheath and Crayford) (Con): I warmly welcome my right hon. Friend's statement today on overhauling our human rights framework. Does he agree that his reforms, after discussion and deliberation with colleagues and a wide variety of people, must strengthen the role of Parliament and the UK courts, rather than relying on judgment from Strasbourg?

Dominic Raab: I thank my right hon. Friend. He has been a long-standing champion of this issue, and has had a long-standing interest in it. I think the separation of powers between the legislative, the Executive and the judicial branches is really important. We want a robust judiciary, which is why we are proposing to strengthen the primacy of the Supreme Court—it is called a Supreme Court for a reason, and there is not a doctrine of precedent in Strasbourg. We also need to make sure that if there are expansions of human rights, the shifting of the goalposts that frustrates many of our constituents, they are subject to the democratic scrutiny of this House.

Sir Mark Hendrick (Preston) (Lab/Co-op): The Secretary of State said in his statement that the Government will make it crystal clear that the UK courts are under no duty to follow Strasbourg's case law, so will it be a matter of pick and mix from the articles contained in the convention? If that is the case, using the Secretary of State's logic, what is the point of being signatories to the ECHR when he has made it clear that the Government will choose only those articles they feel are appropriate?

Dominic Raab: With the greatest respect to the hon. Gentleman, he has not followed the point that I was making. We will stay within the European convention. There are some articles, such as article 8(2), which admit a qualification to protect security. We will avail ourselves of that. The issue is about the interpretation of the application. There is no doctrine of precedent in Strasbourg, which is one of the areas of confusion that has arisen because we do have a doctrine of precedent in the UK courts. We will make it clear that it is for UK courts to apply in relation to UK case law and UK circumstances and, above all, to follow the will of the elected lawmakers. When there is a declaration of incompatibility and the courts will be free to still use that tool, that should come back to this House to decide what to do.

Mr Jonathan Djanogly (Huntingdon) (Con): When speaking with politicians from former Soviet countries, it is invariably the European convention on human rights that they value as the protector of their, and indeed our, western democratic values. My right hon. Friend has made it quite clear that he is not intending to pull out of the ECHR or to change it, but I can foresee that this will cause upset with our allies, so will he today say that he will go to our allies and make it quite clear that he actually wants to back the ECHR and will be backing their democratic values?

Dominic Raab: I think the message we send—that we will remain a state party to the European convention—is important. We know how important it is in relation to our allies and partners and the Good Friday agreement. It is also incumbent on us to lead by example, as we have done for many years, and ensure that we have a system that is well regarded the world over. That means

getting our own house in order. Reforming the Human Rights Act and making sure we have clear separation of powers, and ensuring that, when the goalposts shift, this House—elected Members, accountable to our constituents—makes those decisions, are absolutely crucial.

Clive Lewis (Norwich South) (Lab): If we were playing authoritarian bingo, after today's statement, we would have a full house. Not only have the Government come for our trade union rights, our rights to vote and our rights to protest, now our human rights are up for grabs. Today's statement does nothing to strengthen human rights and everything to weaken them. The Conservative party is not a party of freedom, but one of growing authoritarianism and many of them over there know it.

Dominic Raab: The hon. Gentleman has done one thing with his words: highlight the importance of protecting free speech and rambunctious debate, even though he is wrong in everything he said.

Sir John Hayes (South Holland and The Deepings) (Con): The Secretary of State is to be commended on the statement, but will he be clear that we need to challenge the very principle of natural rights, which gave rise to the Human Rights Act? It has had the effect of emphasising individual interest above social solidarity, weakening communal will and undermining the sovereignty of this Parliament, which is and always has been the primary guarantor of Britain's rights. Will my right hon. Friend conduct a root and branch reform of that assumption about rights, put aside consideration of the Human Rights Act, which is part of the Blairite legacy, and challenge those parts of the convention that frustrate this Parliament and the wishes of the British people?

Dominic Raab: I always enjoy hearing my right hon. Friend's side of the argument. As John Stuart Mill said: "He who knows only his own side of the case knows little of that."

I do not take quite the same view as my right hon. Friend, but I welcome his iconoclasm and his challenge to ensure that we get a better balance between individual rights—which, as he has often said to me, Bentham described as "nonsense upon stilts"—and communal and societal needs, and particularly public protection in the areas that I outlined, whether parole reform, police forces or deportation of foreign national offenders.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Diolch yn fawr iawn, Mr Llefarydd. During the course of devolution, Wales has developed a distinct body of law, which safeguards specific rights arising from international law, including the rights of children and older people. Schedule 7A of the Government of Wales Act 2006 makes it clear that

"observing and implementing international obligations and obligations under the Human Rights Convention"

are the responsibility of our Senedd.

In Wales, we learn fast. We learn that, for this Government, the word "consult" means a tick-box exercise. I therefore ask the Secretary of State how the proposed consultation on the UK's international human rights obligations will not undermine the Senedd's ability to protect and promote human rights in Wales.

Dominic Raab: We will consult not only the devolved Administrations, but practitioners, academics and civil society in all the devolved nations. As I mentioned earlier, the Human Rights Act is UK-wide legislation and its enactment is protected under the devolution settlement. Amending it is for the UK Government. However, we also recognise that devolved Administrations can legislate on human rights in areas that remain devolved competences. That is the position. We respect it and I look forward to consulting the right hon. Lady and proving her cynicism wrong.

Sir Christopher Chope (Christchurch) (Con): The welcome reforms are long overdue and now urgent, so will my right hon. Friend guarantee that the primary legislation to implement them after the consultation will be introduced before the summer recess of 2022?

Dominic Raab: It is important to have the consultation, to listen carefully and look at how we can refine, hone and chisel the proposals, given all the sensitivities we are very mindful of, but we want to introduce the Bill of Rights and get it enacted in this Parliament.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I am not a lawyer, but this piece of legislation really worries me, because with legislation I always look at where the drive for it comes from. I cannot find it supported in the academic community, the legal community or the business community, and it is increasingly clear that it comes from the increasingly strident right wing of the Conservative party and the Back Benchers so positively in favour of it. Will the Secretary of State, even today, look at all the serious leaders in the newspapers—*The Times*, *The Daily Telegraph* and *The Independent*? He has very few friends on this.

Dominic Raab: I think the hon. Gentleman must have read the papers a little bit quicker than I did. It is not just Conservative politicians. Indeed, former members of the judiciary make the case for reform very powerfully, and there is of course the Labour architect of the Human Rights Act in Jack Straw, who has made the case for reform. But the real truth is that the calls for reform and a bit more common sense in the system have come from our voters—the public—and he would do well to remember that.

Sir Edward Leigh (Gainsborough) (Con): I am a member of the Council of Europe, which I think has lost its way. It lets Russia literally get away with murder but interferes in the minutiae of so-called human rights in western democracies. I support what the Secretary of State has said today, but I want to be convinced that if we stay in the European Court of Human Rights and the Council of Europe, what he is doing will actually make much difference. He can convince me in one way. At the moment, our deportation policy is a complete joke. We never deport anybody. Illegal migrants know that they can vanish in the community. Will he now convince me that after we pass this we will be able to deport these people and stop this illegal migration?

Dominic Raab: Human rights reform will no more be a silver bullet for all the ills of the world than any other reform, but it will deal with a whole range of serious and significant issues that the people of this country,

my right hon. Friend's constituents and mine, want dealing with. The reason I give in the consultation paper—I wrote about it in *The Times* today—is that article 8 is an example of a qualified right that allows us to stretch, or to press, the margin of appreciation. Some 70% of the successful human rights challenges to deportation orders by foreign national offenders come from people claiming under article 8 on the right to a family life. That is a very good example of what we can address.

Ms Karen Buck (Westminster North) (Lab): Leading human rights lawyer and expert, and former adviser to the Joint Committee on Human Rights, Adam Wagner, said of these proposals this morning that this Government may be the first in the history of liberal democracies to enact a Bill of Rights that has the effect of reducing rather than increasing rights and protections. Are a Government who have traditionally provided themselves on the defence of the individual against the state proud of that description?

Dominic Raab: I do not accept it, but I know that a number of people, including the shadow Justice Secretary, have commented on the proposals before having read them. Freedom of speech, and trial by jury and the recognition that we can give to it, are just two examples of the way we can strengthen human rights, but also strengthen the credibility of human rights so that they are not dirty words in the minds of many of the public.

Mr Philip Hollobone (Kettering) (Con): Significant planning harm is being caused in the Kettering constituency and across the country by Gypsies and Travellers deliberately building permanent, unauthorised structures in the open countryside, against all the planning regulations. When the local planning authority seeks to enforce against this in the planning courts, more often than not the authority is overruled by the Human Rights Act. Will the reforms that the Secretary of State has proposed today help to rebalance the planning system so that planning laws apply equally to everyone, everywhere?

Dominic Raab: My hon. Friend raises an issue that I have heard raised quite widely across the House. He will know that the Home Secretary has already announced proposals to strengthen our powers in relation to illegal encampments. The critical thing that our proposal for a Bill of Rights will do is protect legislation enacted in this House by elected Members accountable to our constituents and stop it being whittled away, revised or amended as a result of the Human Rights Act and what it requires the courts to do.

Claire Hanna (Belfast South) (SDLP): The Lord Chancellor's statement made a cursory reference to the devolved regions. I am not sure if he ever got round to reading all of the Good Friday agreement after he revealed at the Northern Ireland Affairs Committee that he had not read it, but the prospect of the Human Rights Act was critical in those negotiations and has proved crucial in the years since, both for victims and survivors and for all those seeking good governance in all areas of life, because it puts those safeguards in the hands of citizens. Has he received specific legal advice on the interaction of his proposals with Northern Ireland and the Northern Ireland Act 1998?

Dominic Raab: Of course we are very conscious of any impact on the Good Friday agreement settlement, which is why it is important to stay in the European convention. I hope that gives the hon. Lady the reassurance she needs.

Scott Benton (Blackpool South) (Con): The residents of Blackpool are sick and tired of the way in which the Human Rights Act has been abused by foreign criminals so they can remain in the UK. My constituents will be delighted by my right hon. Friend's statement, but can he reassure them that the measures he outlined will help to make it easier to deport dangerous foreign criminals and will work alongside our new Nationality and Borders Bill to make it easier to deport failed asylum seekers?

Dominic Raab: Let me be clear that, as we have set out at some length, there are some things that we cannot do. We cannot send people back to the arms of a torturing tyrant in violation of article 3. Even if we came out of the European convention, there would be other international treaties and frankly, morally, I do not think that is the right thing to do. The reality is, however, that the majority of the challenges that we have had—70% of those in relation to foreign national offenders—have come under not article 3 but article 8. That is a good example of why this reform will be meaningful and far-reaching, and will have the support of our constituents.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): My fear is that the consultation on our Human Rights Act is more about giving more power to the Executive and there being fewer challenges to it than about meaningful reform. Will the Justice Secretary answer my earlier question on which of the following breaches of human rights, on which the courts ruled that the Government could be challenged, will no longer apply: rights against torture, rights against medical experimentation on British military personnel, or rights preventing discrimination against disabled people?

Dominic Raab: Of course it is right to say that in none of those areas will our reforms prevent accountability through constituents being able to bring cases to the courts. I will correct the hon. Lady on a broader point. If she looks at the consultation, she will see that it is not about accumulating authority or power to the Executive; it is about the separation of powers between the judicial and legislative branch. As the goalposts shift on human rights, which is fundamentally a legislative function, hon. Members on both sides of the House should be responsible for that, and ultimately should be responsible to our constituents for that.

Peter Grant (Glenrothes) (SNP): I first send best wishes for a speedy recovery to my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry), who, had she not tested positive for covid, would certainly have been here with some difficult questions for the Secretary of State. I have no doubt that those questions will be coming as soon as she is restored to full health.

The Secretary of State said that hon. Members in this House must have the last word on the law of the land, by which I presume he means this land. He will not forget that there are three other lands—three other nations—that are only partially under the jurisdiction

of this place and partly under the jurisdiction of their respective national Parliaments. Will he give an absolute guarantee that if any of those national Parliaments seeks to use its devolved powers to grant its citizens a higher level of human rights protection than is covered in UK legislation, the rights of those devolved Parliaments will be respected?

Dominic Raab: I pass on our best wishes to the hon. and learned Member for Edinburgh South West (Joanna Cherry). I hope that she is back up and running and well soon.

I say to the hon. Gentleman that we think that it is elected lawmakers who should have the last word on the laws of the land—that includes the devolved competencies. What he is saying, logic would suggest, is that he wants Strasbourg to be able to overrule not just Westminster but the Scottish Parliament. We are supporting democracy in all the nations of the UK and in this House.

Andy Slaughter (Hammersmith) (Lab): This is the third or fourth attempt by successive Tory Governments to fillet the Human Rights Act, and it is no more coherent than the ones that were abandoned. We know that it is intended to pick on what are perceived as the easier or unpopular targets, but it will mainly disadvantage ordinary citizens of this country who are victims of unlawful decisions by the state. It purports to repatriate powers from Europe, but we are rightly staying in the European convention on human rights, so more decisions will go to Strasbourg. Judges will no longer be bound by the decisions of the European Court of Human Rights, but they are not now. Will he take the opportunity of the consultation to look at that again and see whether the measures are coherent in any way?

Dominic Raab: I think this is the first time that a consultation document has been put forward to the House of Commons. The hon. Gentleman is right that it has been much debated; we are now taking action. I am afraid that I disagree with him: we are very much focused on protecting and strengthening our tradition of freedom, of which I have given freedom of speech as an example.

Frankly, the hon. Gentleman has a choice to make. He can sit back and bask in the generalities of what he has said, or he can recognise, as the former Home Secretary and architect of the Human Rights Act does, that there has been abuse of the system and that if we reform and take our responsibilities in this House seriously, we can make a change for the better and introduce some much-needed common sense.

Kate Green (Stretford and Urmston) (Lab): The Justice Secretary has made much of his concerns about article 8, the right to family life. To the extent that it affects the best interests of children, it is of course a particularly important article. Can he assure me that the changes that he intends to bring in will in no way water down our obligations to serve children's best interests, as prescribed in the Children Act 1989, or our obligations under the United Nations convention on the rights of the child, to which we are of course a signatory?

Dominic Raab: Of course we live up to our international obligations, and it is precisely partly the aim of these reforms to protect the bespoke, tailored approach to

[*Dominic Raab*]

primary legislation when it comes to protecting the most vulnerable in our society, including through the Children Act.

Tony Lloyd (Rochdale) (Lab): How will the Secretary of State convince me that his biggest supporters in this will not be President Erdoğan of Turkey and President Putin in Russia? Can he also tell me this: if the Government move ahead with his proposal to give an amnesty to those who committed murder during the troubles in Northern Ireland—and they do have that intention—and given that he says he supports the article 13 of the European convention, on the right to an effective remedy, how will the families of those murdered get justice if there is not proper access to the Strasbourg Court?

Dominic Raab: We are very confident that the proposals that we have put forward, given the passage of time, are ECHR-compliant. The hon. Gentleman talks about being friends with dictatorial countries. Frankly, this reform will be about restoring some common sense and some credibility to human rights in this country. He asks whose side we are on. We are on the side of the British public, and he should get on board.

Jim Shannon (Strangford) (DUP): I thank the Secretary of State for his statement. The prospect of a Bill of Rights is an overwhelming project, as we all recognise. What steps will the Secretary of State take to ensure that all minority groups receive protection, and that religious freedom and the expression and sharing of faith are explicitly protected as a foundation of this great nation of the United Kingdom of Great Britain and Northern Ireland—better together?

Dominic Raab: I thank the hon. Gentleman. Of course there are provisions for non-discrimination in the ECHR, but also in UK law. This reform will allow us to strengthen the protections that we in this House provide, including the hon. Gentleman, and make sure that they are not whittled away, not undermined, and not revised through a combination of section 2, section 3 and the other provisions of the Human Rights Act.

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind): The Human Rights Act is entrenched in the Welsh constitution, so what amendments would need to be made, if any, to the Government of Wales Act if these proposals were to be implemented? Will the Secretary of State give an undertaking not to proceed to legislate unless he receives prior consent from the Welsh Government, the Scottish Government and the Northern Ireland Executive?

Dominic Raab: I thank the hon. Gentleman. As I said, it is a protective enactment. We will respect the devolved competences. Until we have got to the stage of full legislative proposals—which we will, and I look forward to having the discussion then—I think it is a bit too early to touch on the points that he made.

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): New licensing rules for arms trade announced last week are already causing concern that they could make it easier for international human rights abuses to be ignored when the Government make decisions on sales. Has the Secretary of State considered how changes to domestic human rights legislation could have a knock-on effect on our international strategies?

Dominic Raab: I would say we have one of the most robust and rigorous approaches to export licensing, and we will continue to do so.

Points of Order

1.28 pm

Christian Matheson (City of Chester) (Lab): On a point of order, Mr Speaker. Twice in the last couple of days I have been confounded in my attempts to represent my constituents by public authorities—[HON. MEMBERS: “Who?”] NHS England and National Savings & Investments. They have refused to deal with me because they tell me that I do not have the permission of the constituents to share their details. Now, I do not know about your office, Mr Speaker, and I do not know about the offices of other hon. Members, but we are far too busy dealing with plenty of genuine cases to get a phone book, pick a name at random and make up a bogus case to write to these public authorities.

So can you confirm, please, Mr Speaker, that if a constituent comes to see us and asks us to make representations on their behalf, that should be considered by any public authority—not just NHS England or National Savings & Investments—to be permission granted by the constituent, and they should stop hiding behind such rules that do not exist?

Mr Speaker: I thank the hon. Member for giving me notice of his point of order. Although I cannot comment on individual cases, I am aware that the data protection regime recognises the importance of constituency casework and that schedule 1 to the Data Protection Act 2018 allows that data to be shared with elected representatives in certain circumstances. I am surprised that public authorities such as NHS England—which should know better given how many cases it deals with—and other public authorities do not appear to be aware of this. I am very disappointed that NHS England in particular should prevent hon. Members such as the hon. Member for City of Chester (Christian Matheson) from getting on with their duties. I hope that it will get the message quickly and reflect on what we are saying in this House.

Mr John Baron (Basildon and Billericay) (Con): On a point of order, Mr Speaker. At Defence questions on 15 November, I raised the plight of nearly 200 Afghans who had worked with the British Council but are still hiding in Afghanistan in fear of their lives, moving from safe house to safe house, often with no money, as they flee the Taliban. These individuals are eligible for the Afghan relocations and assistance policy scheme, but are facing long delays in their applications being processed. At Defence questions, the Secretary of State committed

to arranging a meeting with the Foreign, Commonwealth and Development Office and the Home Office, but despite regular chasing through the normal channels, this still has not taken place.

Mr Speaker, I seek your guidance as to how we can ensure that this meeting takes place, because a number of us across this place want to ask why there is such a delay in the processing of applications. I opposed and voted against the Afghanistan intervention once al-Qaeda were evicted, but I believe that we are now compounding our error by not honouring our debt of honour to these individuals—and it needs to be put right now.

Mr Speaker: I thank the hon. Gentleman for giving me notice of his point of order. I am sorry to hear that the meeting with the Secretary of State that was offered almost a month ago has not yet happened. I am sure that this matter will be brought to the attention of the Secretary of State, and I expect the meeting to take place as quickly as possible. The hon. Gentleman has certainly put it on the record, and I would like to hear from him if the meeting does not happen.

Layla Moran (Oxford West and Abingdon) (LD): On a point of order, Mr Speaker. On 6 December, I tabled two named day questions to the Cabinet Office, asking about a simple matter: have air filtration systems been installed in rooms in No. 10 and No. 11; which rooms have they been installed in; and how much did that cost? Of course, the motivation was to see whether No. 10 has better protections than, say, schools. There are two days left before the recess and I am keen to get an answer before the House rises to those simple questions, which should have been answered by now. What more can I do to get the answers that we need before we all go on our Christmas break?

Mr Speaker: I thank the hon. Lady for giving me notice of her point of order. I am disappointed that the answers to named day questions were not given on the day specified, as they should have been. The hon. Member may well want to raise the issue with the Procedure Committee, which monitors the performance of the Government in this area. In the meantime, I am sure that the exchange will be brought to the attention of the Department, and hope that the answers will be provided quickly. The rules should be taken seriously by the Government. I am sure that everybody will be listening, and I am sure that the disappointment will be reflected on and responded to with an early answer.

Cold Climate Allowance

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

1.33 pm

Neale Hanvey (Kirkcaldy and Cowdenbeath) (Alba): I beg to move,

That leave be given to bring in a Bill to require the Secretary of State to report to Parliament on providing additional allowances to people in receipt of the state pension and other social security benefits in places with colder climates to reflect the increased cost of domestic heating; and for connected purposes.

The Bill seeks, on a cross-party basis, to introduce a cold climate allowance throughout the United Kingdom. I am grateful to the colleagues from eight parties, along with an independent Member, who have lent it their support. I am pleased that, as well as having cross-party support, the Bill has attracted support from MPs in each of the constituent nations of the UK. Indeed, as someone who was born in the north of Ireland, I am pleased that every party from Northern Ireland represented in this Chamber supports the Bill. That is no small achievement.

In essence, the Bill is the same as Bills introduced in the 1980s by the former SNP leader Gordon Wilson MP and in the 1990s by the former SNP parliamentary group leader Margaret Ewing MP. I consider it a great honour to follow in their footsteps.

The Bill is UK-wide in its scope and seeks to tackle income, as one of the recognised causes of fuel poverty, by paying a cold climate allowance: an additional monetary payment during the winter months that would be paid directly to eligible people in receipt of the state pension and other social security benefits. The amount of the proposed cold climate allowance is based on paying 10%, 20% or 30%—depending on location—of the annual equivalent service charge for fuel and associated costs that is calculated in respect of housing benefit. It would be an automatic and continuing payment, over 17 weeks from December to March.

The Bill would divide the United Kingdom into four climatic zones: zone 4 would cover the highlands and northern Scotland and would result in an automatic weekly payment of £45.05; zone 3 would cover central and southern Scotland, Northern Ireland and northern England and would provide a weekly payment of £27.56; zone 3 would cover central England and Wales and would entail a weekly payment of £13.78; and zone 1 would cover the remainder of the United Kingdom but would not produce an automatic payment. Existing cold weather payments would continue to apply in zone 1, as they would throughout the UK during cold weather snaps.

The Bill has been welcomed by those organisations in the UK that are committed to ending fuel poverty—namely, Energy Action Scotland and its sister body National Energy Action, which operates in England, Wales and Northern Ireland.

Why should we introduce a cold climate allowance now? People right across the UK face a perfect storm this winter, with rising energy bills combined with an increase in the energy price cap and falling incomes for families, particularly in the wake of the removal of the universal credit uplift. The Bill would go some way towards shielding our most vulnerable from that perfect storm. In addition, there is a crisis in the energy market

as large energy suppliers go out of business. With the rise in wholesale gas prices, 28 suppliers have gone out of business in the UK, including Bulb Energy, Britain's seventh-largest supplier with 1.7 million customers.

Energy Action Scotland predicts that, as a result of high energy prices, poor levels of energy efficiency in homes and falling incomes, this winter

“many lives will be lost and unnecessary pressure placed on the NHS”.

Already, 2,000 more lives in Scotland are lost across the winter months than in the summer because people are living in cold, damp and difficult-to-heat homes.

All Members will be aware of rising household energy prices. The surge in the market price of gas is unprecedented and has more than quadrupled in the last year. National Energy Action estimates that the expected increase in gas bills in April could mean that the cost of heating the average home will have doubled over the past 18 months. Energy prices are already high and are set to rise substantially in April 2022, with high prices expected for some time to come.

New research published only last week by the Global Change foundation predicts that household energy bills are set to rise by up to £900 per annum in the coming year. Customers on standard tariffs will see a rise of between £450 and £650, and those who switch from cheaper fixed-price deals as they expire will go on to the price cap, which could see a rise of between £700 and £900.

According to National Energy Action, the cost of living is at its highest level in a decade, with household energy bills being the principal driver. NEA estimates that average domestic energy bills have soared by more than £230 per customer compared with last winter. This leaves 4.5 million households across the UK now struggling to heat and power their homes. Many are sinking further into debt; others are forced to ration their energy use or turn off the heating altogether, leaving them at acute risk of serious ill health or even premature death.

Unfortunately, many energy experts predict that bills will soar again this coming April, possibly by as much as £550 for the average dual fuel bill. Those calculations are based on average energy use; larger families and people who live in poorly insulated homes are likely to pay even more.

Last week, E.ON Energy chief executive Michael Lewis told ITV:

“Many people are in for a shock”.

He said that rising energy bills

“will certainly cause hardship to customers.”

The Bill would go some way towards addressing that hardship for some of our most vulnerable constituents this winter. According to a new study published earlier this month by Citizens Advice Scotland, 36% of people in Scotland—one in three—are now struggling to pay their energy bills. Of those, 80% cited rising energy bills as a reason.

Why pay a different cold climate allowance in different parts of the UK? The stark reality is that it is colder in different parts of the UK and that weather conditions are predictably more severe in some areas than others. The different rates of cold climate allowance that the Bill proposes would reflect those climatic variations. It is thanks to the campaigning efforts of Margaret Ewing

and others in decades past that the UK Government finally conceded the difference in heating costs across the UK. According to the Building Research Establishment domestic energy model, taking Bristol as a baseline, heating a typical semi-detached house with gas central heating requires 23% more fuel in Glasgow, 28% more in Edinburgh, 32% more in Dundee, 41% more in Aberdeen, 53% more in Braemar and a staggering 66% more in Lerwick.

We know that there are extreme pressures in remote, rural and island communities. Households, particularly in off-gas areas, face some of the highest energy costs anywhere in the UK. Households in Orkney, Shetland and the Western Isles of Scotland endure the highest rates of fuel poverty. The Bill would provide those households with welcome additional support. It is beyond doubt that significant climatic variation exists across the UK; the Bill would allow us to balance it and do something meaningful about it.

Why use incomes to tackle fuel poverty, not home insulation or other energy efficiency measures? It is not a case of either/or. Someone may have the most energy-efficient home in the world, but if they have insufficient income, they may be too afraid to turn on their heating system or use it to the level required to provide adequate warmth. Indeed, the home energy efficiency standard in the social rented sector in Scotland is an exemplar in these islands, but many of the people occupying those homes are on low incomes or in receipt of the retirement pension or other social security benefits. Further help for households struggling to afford the rising cost of energy is therefore necessary in Scotland and across the UK. The Bill seeks to provide that support.

Frazer Scott, chief executive of Energy Action Scotland, put it well:

“Far too many people are facing a cold, cold winter, unable to afford to heat their homes to the levels that support their health and wellbeing.”

Age Scotland and Age UK have both highlighted the financial challenges that older people face this winter. These people are our constituents and we have a duty to act. Energy Action Scotland and National Energy Action believe that more must be done to amplify support

when extreme weather has an impact on already financially stressed households. People should never feel compelled to self-disconnect or otherwise ration their energy supply. National Energy Action says:

“We hope the Bill is successful or, at the very least, it prompts the UK Government to come forward with their own proposals to help more vulnerable households afford a warm home”.

As we move into winter recess, hon. Members may view winter scenes on Christmas cards with warm fondness. However, it is likely that too many of our constituents will be filled with fear and dread if such wintry conditions descend upon their reality. My Bill would provide practical help in the winter months when it is needed most, help to keep people warm, reduce pressure on the NHS and, ultimately, save lives. I commend it to the House.

Question put and agreed to.

Ordered,

That Neale Hanvey, Kenny MacAskill, Angus Brendan MacNeil, Grahame Morris, Mr Alistair Carmichael, Liz Saville Roberts, Jim Shannon, Claire Hanna, Stephen Farry, Margaret Ferrier and Alison Thewliss present the Bill.

Neale Hanvey accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 14 January 2022, and to be printed (Bill 218).

BUSINESS OF THE HOUSE (TODAY)

Ordered,

That, at this day's sitting, notwithstanding the provisions of Standing Order No. 16 (1) (Proceedings under an Act or on European Union documents), proceedings on the Motions in the name of Maggie Throup relating to Public Health (SI, 2021, Nos. 1400, 1415 and 1416) and the Motion in the name of Secretary Sajid Javid relating to the draft Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) (No. 2) Regulations 2021, shall be brought to a conclusion not later than 6.30 pm; the Speaker shall then put the Questions necessary to dispose of proceedings on those Motions forthwith; such Questions, though opposed, may be put after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—
(*Craig Whittaker.*)

Public Health

[*Relevant documents: First Special Report of the Joint Committee on Statutory Instruments, Rule of Law Themes from COVID-19 Regulations, HC 600 and the Government Response, HC 774; Fourth Report of the Justice Committee, Covid-19 and the criminal law, HC 71.*]

Madam Deputy Speaker (Dame Eleanor Laing): The Business of the House (Today) motion just agreed to by the House provides for the motions on the four statutory instruments on today's Order Paper, each relating to public health, to be debated together until 6.30 pm. At the end of the debate, the Deputy Speaker will call the Minister to move each motion formally and will put the Question on each motion separately. I hope that that clarifies the situation for the House.

1.46 pm

The Secretary of State for Health and Social Care (Sajid Javid): I beg to move,

That the Health Protection (Coronavirus, Wearing of Face Coverings) (England) (Amendment) Regulations 2021 (SI, 2021, No. 1400), dated 9 December 2021, a copy of which was laid before this House on 9 December, be approved.

Madam Deputy Speaker: With this we will take the following motions:

That the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) (Amendment) (No. 6) Regulations 2021 (SI, 2021, No. 1415), dated 13 December 2021, a copy of which was laid before this House on 13 December, be approved.

That the Health Protection (Coronavirus, Restrictions) (Entry to Venues and Events) (England) Regulations 2021 (SI, 2021, No. 1416), dated 13 December 2021, a copy of which was laid before this House on 13 December, be approved.

That the draft Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) (No. 2) Regulations 2021, which were laid before this House on 9 November, be approved.

Sajid Javid: The covid-19 pandemic has caused upheaval across the world, forcing Governments everywhere to wrestle with how to keep their citizens safe while protecting the liberties that we all hold dear. We have learned a lot from our experience and the experience of others, and of course we are still learning. But we can take huge pride that thanks to the defences that we have built, so much of this year has been a year of recovery. We have enjoyed greater freedom than at any time during the pandemic so far. Thanks to the rapid progress of our vaccination programme, our investment in treatments and our decision to open up during the warmer summer months, we are in a far stronger position than we were last winter.

But even as I stood at this Dispatch Box back in July to announce the major milestone of taking step 4 in our road map, I said that

“we know that the greatest risk to the progress we have made is the possibility of another new variant, especially one that can escape immunity and puncture the protective wall of our vaccination programme”.—[*Official Report*, 12 July 2021; Vol. 699, c. 22.]

We have always known that variants have the potential to knock us off our course, and we have built the capacity to identify and respond to those that pose a threat.

The vast majority of new variants present no risk whatsoever. Since the summer, there have been hundreds of new variants, but only one of them—omicron—has been designated a variant of concern. For example, just

last month, I updated the House from this Dispatch Box on AY.4.2, a new form of the delta variant, which preliminary analysis showed at that time might be more infectious. I said then that we would keep it under review, and that is what we did—and we took no action.

But omicron is a grave threat. We acted early to slow its spread, strengthening our testing regime and placing 11 countries on the travel red list, but despite those swift steps, the data over the past few days has shown more cause for concern. I would like to reinforce to the House today—to all hon. Members—why omicron represents such a risk to the progress that we have all made so far together.

Mr Mark Harper (Forest of Dean) (Con): I am listening carefully to the Secretary of State's comments and am grateful that he has brought these measures before the House. I asked him yesterday whether he would give a commitment at the Dispatch Box to recall the House if the Government had to bring further measures in other than those being proposed today, so that we could be involved on behalf of our constituents in making that decision. He kindly agreed to take that matter away and discuss it with the Prime Minister. Is he able now, at the Dispatch Box, to commit that if the Government were to take further measures to deal with omicron during the recess, they would recall the House of Commons so that we are able to have all the evidence and participate in taking those decisions on behalf of the constituents we represent?

Sajid Javid: I of course understand the importance of my right hon. Friend's question; as he said, he asked it yesterday and, understandably, has asked it again today. I hope he will understand that I am not able to give that commitment alone; it would not be a decision for me and my Department alone, but I know the Government would consider it together seriously.

Dr Andrew Murrison (South West Wiltshire) (Con): Might the Secretary of State consider going a little further? Since the data is changing all the time—almost by the minute—it is inconceivable that in a week's time and a week after that we will be in the same place that we are in today. This House needs to consider the information available to it in near real time, so will he go away and consider whether it would be appropriate now to ensure that the House is able to consider these matters for sure next week and the week after that?

Sajid Javid: I will consider that. My right hon. Friend is right to point out that this is a fast-moving situation and it is right that the Government continue to monitor it and respond when necessary, but I hope my right hon. Friend will agree that right here and now the matter being debated and the regulation before the House is the best possible response that can be given by this Parliament today.

Andy McDonald (Middlesbrough) (Lab): Will the Secretary of State give way?

Sajid Javid: I will, but then I will need to make some progress.

Andy McDonald: I am grateful to the Secretary of State for giving way. If he is going to consider those matters will he also consider the following issue? The

virus spreads if people are not able to isolate, so will he think about addressing the issue of statutory sick pay, and in particular spreading the scope of SSP and raising it to a proper rate so that people can isolate and therefore not spread the virus and not end up in our hospitals?

Sajid Javid: The hon. Gentleman will know that some measures are already in place such as the ability to get sick pay from day one and that there are hardship funds, but I understand the hon. Gentleman's question: he asked us to look at that further and we will do so. All these matters are under review.

Mr Toby Perkins (Chesterfield) (Lab): Will the Secretary of State give way?

Sajid Javid: No, I will take an intervention from the hon. Gentleman later.

I want to turn now to some of the things we have learned about the new variant. This is a fast-moving situation and in the last week we have been able to determine the following things with a high degree of confidence. First, omicron is more transmissible than the delta variant. We can see that the growth in omicron cases here in the UK is now mirroring the rapid increase in South Africa, and the current observed doubling time is around every two days. Although yesterday we reported that there were 4,713 confirmed cases of omicron in the UK, the UK Health Security Agency estimate for the number of daily infections was 42 times higher at 200,000. Scientists have never seen a covid-19 variant capable of spreading so rapidly, so we have to look at what we can do to slow omicron's advance.

Several hon. Members *rose*—

Sajid Javid: I give way first to the hon. Member for Brighton, Pavilion (Caroline Lucas).

Caroline Lucas (Brighton, Pavilion) (Green): The Secretary of State is making a strong point about exactly why we need to do far more to address the threat of omicron, but does he accept that the Government's mixed messaging has been incredibly unhelpful? Telling people that a tsunami of omicron is on the way but at the same time saying we can go on partying absolutely undermines that message. Will he have the moral courage to say that we actually do need to reduce our social contacts, and will he make it possible for people to do that both with the sick pay we have already talked about and by ensuring businesses get the financial support they need if fewer people are going into their premises?

Sajid Javid: What I think we need to do are the measures that are in front of the House today, and I hope the House will support them. I think those are the most important measures we can take right now.

Andrew Bridgen (North West Leicestershire) (Con): But has the Secretary of State seen the statement from Dr Angelique Coetzee, the head of the South African Medical Association, today? She says that the Government's measures on lockdown may be counterproductive, that omicron is a mild form of covid-19 that will have huge benefits for herd immunity and protection, and that delaying its spread may give time for more virulent and pathogenic variants to take hold and cause more deaths in the UK.

Sajid Javid: First, I think my hon. Friend, if I heard him correctly, talked about the "Government's measures on lockdown". I am not sure where he has seen these measures on lockdown, because they are certainly not being presented by this Government here today. On whether the omicron variant is milder, I will come to that issue very shortly.

Alec Shelbrooke (Elmet and Rothwell) (Con): Building on the point from my hon. Friend the Member for North West Leicestershire (Andrew Bridgen), which my right hon. Friend says he is about to expand on, the question is: when will we know whether omicron gives severe or mild disease? If it is mild, how quickly could the decision be made that this would be an advantage to get rid of delta and to get herd immunity while it does not create strong disease?

Sajid Javid: If my right hon. Friend will allow me, I am about to come to precisely the point he raises.

The second thing about omicron that I want to share is that, although we do not yet have a complete picture of its severity, even if its severity is significantly lower, the much higher transmissibility of omicron means that it still has the potential to overwhelm the NHS. Let us take the current observed doubling time of two years—*[Interruption.]* Sorry. Let us take the current doubling time of two days. If, for argument's sake, omicron is only half as severe as delta, after the lag between cases and hospitalisations has taken effect, that would buy us only two days before omicron hospitalisations reach the same level as for delta.

Neale Hanvey (Kirkcaldy and Cowdenbeath) (Alba): Will the Secretary of State give way?

Sajid Javid: I will do so later.

In England, 10 people are confirmed to have been hospitalised with the omicron variant. I know that some hon. Members have said that, because confirmed hospitalisations from omicron are low, we do not need to act, but it is the fact that omicron hospitalisations are low that means now is the best time to act. We have seen during previous waves—we have already seen this—that the lag between infections and hospitalisations is about two weeks. When infections are rising so quickly, we are likely to see a substantial rise in hospitalisations before any measure starts to have an impact, so there really is no time to lose.

Bob Seely (Isle of Wight) (Con): I understand the nuanced point that my right hon. Friend is making, but on the forecasts, does he accept that many academics have doubted the previous forecasts, describing them as "hysterical", "substantially inflated", "consistently overconfident", "lurid" and "severely flawed"? We have had a problem with inaccurate forecasts. Does he accept that point?

Sajid Javid: Yes, I absolutely accept that point. With previous variants of covid, we have seen forecasts and estimates—whether from academics, think-tanks or others—that have been completely off the mark, but all I would say, gently, to my hon. Friend and other hon. Members is that, just because several forecasts in the past have been wrong, it does not mean that every estimate or forecast is always wrong. I hope my hon. Friend will note that.

Greg Clark (Tunbridge Wells) (Con): My right hon. Friend talks about hospitalisations and the danger they may cause to the NHS, but will he reflect on the fact that it is not just hospitalisations but the length of stay in hospitals that determines how many beds are occupied? Evidence from South Africa suggests not only that there are fewer hospitalisations, but that people are in hospital for a much shorter time. Is that reflected in his calculations?

Sajid Javid: Yes, I can confirm that to my right hon. Friend. First, he is absolutely right to make that point. Of course it is not just about individuals entering hospital but about how many days they are likely to stay in hospital. I believe that for the delta variant an individual stays, on average, about nine days in hospital. If that was cut to five or six days, of course it would help with capacity. First, we cannot assume that, because what we are seeing in terms of the impact in South Africa is that hospitalisations there are rising rapidly; there are hundreds of people in intensive care units and on ventilators. It is hard to completely read that across, given that the average age of the South African population is about 27. I hope he would agree that, as with the point I just made on severity, even if the hospital stay is half of what it is at the moment, the rate at which this thing is growing—and if it continues to grow at that rate—means that that benefit could be cancelled out in two days.

Mr Perkins: The Secretary of State is facing a lot of criticism from behind him, but he should be assured that on these Benches we absolutely recognise the dangers of the variant before him. Does he accept, however, that having come in to his post saying that the end of restrictions was “irreversible”, he has created an expectation that he is going to constantly ignore the scientific advice, which is why he is facing so much disappointment from those behind him now?

Sajid Javid: The hon. Gentleman may have heard earlier, when I started my remarks, that I talked about what I said at this Dispatch Box in July and, specifically, about the risk of a vaccine-escape variant. I do want to talk about the vaccines and this variant—

Several hon. Members *rose*—

Sajid Javid: I will give way one more time for now and then I will come back to other colleagues.

Mr Steve Baker (Wycombe) (Con): I am grateful, and I think my views on this are pretty well understood. Given the case the Secretary of State is setting out, one thing I am puzzled by is why he is only going as far as he is. Will he explain to us why, in his estimation, the measures he is taking are equal to the situation that he is describing?

Sajid Javid: That is a very fair question, as always from my hon. Friend. In the measures we are setting out, we are taking into account the very best advice we are being given—this includes making sure that we are not just listening to every piece of advice or every forecast we are seeing. He will recall that back in the summer had we listened to some of the advice we were receiving we would not have opened up in the way we did. So we are taking account of the advice, deciding

whether it should influence our decision making and then coming to a balanced and proportionate response: the measures I have talked of and, for example, increasing the booster programme, which I will turn to in a moment too.

Several hon. Members *rose*—

Sajid Javid: I must make some progress, but I will take further interventions in a moment. I wish to talk about the importance of what we have learned about omicron and the vaccines. Vaccines have proven to be highly effective against previous variants, such as the alpha and delta variants. That has weakened the link between cases, and hospitalisations and deaths, and it has allowed us to reopen our country once more. But recent analysis from the UK Health Security Agency has shown that two doses of a vaccine provide much lower levels of protection against symptomatic infection from omicron when compared with the delta variant. More encouragingly, effectiveness rose considerably in the early period after a booster dose, providing about 70% to 75% protection against symptomatic infection. This data starkly shows the importance of booster doses and why we are working so hard to get many more boosters into arms. I will say more about that in just a moment. Our strategy is to take proportionate action now, to come down hard on this virus and strengthen our defences, rather than waiting until it is too late.

Richard Graham (Gloucester) (Con): Surely the whole point is that we cannot be complacent and assume that this likely huge increase in infections is all going to result in very mild symptoms. What the Government are doing, therefore, is taking modest steps to ensure that if that does not happen, we will be prepared. Will he promise that if this situation does not materialise, he will be able to relax again?

Sajid Javid: We all want to relax. I wish I was more relaxed now than I already am. My hon. Friend is absolutely right on that, and I agree with him.

Rachael Maskell (York Central) (Lab/Co-op): I appreciate that this is an escalating situation which needs urgent attention, but the fact is that if we are enabling social mixing, that is the very context in which we will see transmission, as we did with delta last December. Will the Secretary of State review these measures, as it seems that the statutory instruments before us today are already out of date?

Sajid Javid: It is of course important that we keep measures under review, but, for the reasons I gave earlier, I will continue to present this set of measures to the House. They strike the right balance and are a proportionate response.

Aaron Bell (Newcastle-under-Lyme) (Con): My right hon. Friend may be interested to learn that Dr Angelique Coetzee gave evidence to the Science and Technology Committee this morning, and, rather contrary to her piece in the *Daily Mail*, she actually endorsed what the Government are doing. She said that the boosters were definitely the absolute priority, but she also referred to masks and avoiding mixing. When asked specifically

about the covid pass proposals, she said that they sounded like a proportionate response to the requirements of the situation.

Sajid Javid: I thank my hon. Friend for sharing that with the House. I think it is important to hear that support from South African experts too.

Chris Grayling (Epsom and Ewell) (Con): We are all, of course, concerned to hear that plan C measures are already being discussed, and I should be grateful if my right hon. Friend could lay that to rest. However, I want to raise the question of hospitalisations. There is a difference between people who have been hospitalised with omicron and those who have hospitalised from omicron. Will my right hon. Friend tell us what he knows about those cases? How many people have been admitted to hospital for other reasons, and how many have arrived in hospital because they are seriously ill with omicron?

Sajid Javid: What I can tell my right hon. Friend is that there are approximately 6,000 people in English hospitals who have tested positive for covid, and of those—I have shared information like this with the House before, because I was determined to obtain it when I first became Health Secretary—approximately 80% are there because of covid symptoms, while about a fifth are there for other reasons, but were tested for covid and happened to have it. I hope that that is helpful to my right hon. Friend.

Richard Burgon (Leeds East) (Lab): I really must press the Secretary of State on this issue, on behalf of workers in my constituency and across the country, particularly low-paid workers. Why are the Government not offering us a vote today on whether to increase sick pay to real living wage levels? We cannot have a situation in which the Government are making the case that this matter is so serious—which it is—while forcing low-paid workers to choose between food on the table and self-isolating to protect the rest of the community.

Sajid Javid: Where I agree with the hon. Gentleman is on the importance of using measures to support people. Support is already there, but I recognise from the way in which he phrased his question that he thinks there should be more support. I understand that we have a difference of view on that, but it is something we keep under review.

When I announced our autumn and winter plan to the House in September, I explained that we would hold measures in reserve in case the NHS was likely to come under unsustainable pressure and stop being able to provide the treatment that we want all our constituents to receive. Yesterday NHS England announced that it would return to its highest level of emergency preparedness, incident level 4, and unfortunately there is now a real risk that the exponential rise in omicron cases will translate into a spike in hospital admissions and threaten to overwhelm the NHS.

We have done so much to boost the capacity of the NHS. Over the past year we have increased the number of doctors by 5,000 and the number of nurses by almost 10,000, and we have expanded the number of beds available, but we have also had to put in place measures

for infection control which have limited that capacity, and there are already more than 6,000 covid-19 patients in hospital beds in England.

Despite the progress that we have made, the NHS will never have an unlimited number of beds, or an unlimited number of people to look after people in those beds. If we think that capacity risks being breached, we simply have to step in, because we know what that would mean in practice for both covid and non-covid care. It would mean one of the hon. Gentleman's constituents, maybe a child, is in a car crash and is in need of emergency care, and the NHS has to make difficult decisions about who deserves treatment and who does not. Now, I know that some hon. Members think that this is merely hypothetical, but it is not. We have seen health services around the world become overwhelmed by covid-19 and we cannot allow that to happen here.

Layla Moran (Oxford West and Abingdon) (LD): I am extremely grateful to the Health Secretary for mentioning frontline NHS staff. The all-party parliamentary group on coronavirus had a hearing this morning where we heard that staff are suffering moral injury because they are having to make exactly the decisions he outlined. The other thing we heard is that there is a worrying suggestion that omicron may be worse for children than delta. What assessment has he made of that risk? What is his plan for children to protect them against this deadly new wave?

Sajid Javid: First, I very much agree with the hon. Lady about the phenomenal work everyone in the NHS has been doing at all times, but especially over the past two years during this pandemic. They could not have delivered more. On her question about children and omicron, I am afraid we do not have any evidence on that yet that I have seen. We take the impact of omicron very seriously—I hope she can see that—and we will keep that under review.

Several hon. Members *rose*—

Sajid Javid: I will take some interventions in a moment, but I want to just finish this section.

We are also giving the NHS more time to put boosters in arms. I can assure the House that we will not waste a single second in doing that. We have already given more booster doses than anywhere else in Europe and 44% of the people in this country over the age of 18 have already been boosted. However, the recent data showing the importance of booster doses for our fight against omicron has highlighted the need to go even faster. Yesterday, I set out to the House how we are bringing forward the target we set ourselves, so that everyone who is eligible and aged 18 and over in England will be offered the chance to get their booster dose before the new year. This is a new national mission: a race between the virus and the vaccine to get as many people protected as soon as possible.

Just as we embark on this huge logistical endeavour in the short term, we are also looking at the long term. We have already signed contracts to buy a total of 114 million extra doses of future-proof vaccines that will help our country's vaccination programme over the next two years. The deals we have struck will give us the earliest access to modified vaccines to combat omicron and future variants of concern should we need them.

Dr Luke Evans (Bosworth) (Con): The Secretary of State is absolutely right. I am overjoyed that boosters are the key to getting the country out of this issue. I have raised, over the past couple of weeks and last week in PMQs, the issue of the 15-minute wait post-Pfizer. I wonder if the Medicines and Healthcare products Regulatory Agency or the Joint Committee on Vaccination and Immunisation have come to a conclusion on that, because that would free up a huge amount of capacity when it comes to delivering the boosters?

Sajid Javid: My hon. Friend did raise that point yesterday. It is being looked at very urgently. I am sure he will agree that if it is done, it should be done in a safe way that our regulators are happy with. I can confidently say that I expect an urgent update later today as soon as I leave this Chamber.

Alec Shelbrooke: I entirely agree with what my right hon. Friend said about the pressure on the NHS and the difficult problems that will occur if we have unvaccinated people blocking ICU beds. As he said, however, variants come along. He is making the case that, even if symptoms are only mild there will be exponential growth of cases in hospitals. What is the plan going forward? There is a set of measures today to deal with the situation now—fair enough—but if this is going to keep happening, how do we avoid being sat here in three months' time, five months' time or six months' time debating the same thing? What is the plan?

Sajid Javid: That is a very fair question. I will say more about that in a moment, but I point my right hon. Friend to one of the things I have just mentioned, which is better and better vaccines. In the future, we will have poly-variant vaccines. Because of the orders we have already placed, we are at the front of the queue for such vaccines.

Dame Angela Eagle (Wallasey) (Lab): Has the Secretary of State noticed, as I have, the view that omicron may have originated in Africa in an immunosuppressed sufferer of HIV, where these viruses can mutate much faster than they would under other circumstances? Does he agree that the best way of dealing with this is to get vaccines into as many people in Africa as possible and to ensure that HIV/AIDS sufferers are given access to the proper treatment?

Sajid Javid: There is lots of speculation on how omicron may have originated. I will not add to that speculation now, but I agree with the hon. Lady's general point, which is a powerful point, about the need to get more vaccines to people in developing countries, whether in Africa, Asia or elsewhere. We can be proud of what the UK has already done—more than 20 million vaccines delivered through COVAX or directly, and almost another 10 million on the way. We are completely committed to meet our target of 100 million vaccine donations by June 2022.

Andrew Bridgen *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): Order. Just before the Secretary of State makes further progress, it is absolutely right that he should be taking a lot of interventions—there are a lot of questions to be asked—but people who have already made one intervention should not be making a second or a third intervention

and certainly not if they also wish to be called to speak later in the day. I have too many people who wish to speak and there is not going to be enough time for everybody. Be sure—if you keep intervening, you do not get to speak. Let us have a little consideration for others.

Sajid Javid: I shall indulge my hon. Friend the Member for North West Leicestershire (Andrew Bridgen) because he is going to be really short.

Andrew Bridgen: The Secretary of State knows that I have been short all my life. He said earlier that the average age in South Africa was 27.5 years. I fear that he may have mis-spoken or been badly advised. In fact, the median age in South Africa is 27.5 and the comparative median age in the UK is 40.5—not radically different.

Sajid Javid: I am pleased that I took that intervention because I do not want people to think in the way my hon. Friend has suggested. I have to disagree with him. There is a big difference between those two ages, and the last time I looked the median can be described as an average. But I am pleased that he shared that because it highlights my point.

Clive Lewis (Norwich South) (Lab) *rose*—

Sajid Javid: I do need to plough on, but I will take some interventions a bit later.

For the reasons that I have set out, I believe that the responsible decision is to move to plan B in England, drawing on the measures that we have held in contingency to give more time to get those boosters into arms. These are not steps that we would take lightly. I firmly believe in individual liberty and that curbs should be placed on our freedoms only in the gravest of circumstances. Not only that, but I am, of course, mindful of the costs that restrictions can bring to the nation's health, to our education and to the economy. So it is vital that we act early and we act in a proportionate way, doing whatever we can to build our defences and to preserve greater freedom for the long term. I am confident that these measures are balanced and proportionate, and that they still leave us with far fewer restrictions than are in place in most countries in Europe. I can assure the House that we will keep reviewing the measures that we have put in place and we will not keep them in place for a day longer than we have to.

Stephen Hammond (Wimbledon) (Con): Specifically on the regulations, given the regulation on refusal of entry, the small number of venues and the large number of exemptions and the lack of protection for double-vaccinated people, why not make it a necessity for everybody to show a lateral flow test, rather than showing double vaccination?

Sajid Javid: If my hon. Friend allows me, I will come to that point shortly.

I said a moment ago that we will not keep measures in place for a moment longer than we need to. For example, now that there is community transmission of omicron in the UK and that omicron has spread so widely across the world, the travel red list is less effective in slowing the incursion of omicron from abroad, so I can announce today that, while we will maintain our temporary testing measures for international travel, we will be removing all 11 countries from the travel red list, effective from 4 tomorrow morning.

I wish to turn to the details of some of the regulations before the House. Regulation No. 1400 proposes extending the use of face coverings. In October, UKHSA published an updated review of the evidence on the effectiveness of face coverings and concluded that there is good evidence that they can help to reduce the spread of covid-19 when worn in the community. The regulation proposes extending the legal requirement to most indoor settings, including theatres and cinemas. They are not required in places where it would not be practical—for example, in hospitality settings such as cafés, restaurants, pubs, nightclubs or other dance venues, or in exercise facilities such as gyms.

Regulation No. 1416 would mean that anyone over 18 would need to show a negative lateral flow test to get into a limited number of higher-risk settings, unless they were double vaccinated. As I announced to the House yesterday, however, in the light of new data on how vaccines respond to omicron, our intention is that boosters will be required instead of two doses as soon as all adults have had a reasonable chance to get their booster jab.

Clive Lewis: I thank the Secretary of State for being so generous in taking interventions. Does he agree that, if we are to get on the front foot in tackling the pandemic, we have to acknowledge that it is like our house being on fire and dealing with just one room rather than the rest of the house? Surely the TRIPS waiver, which gives other countries across the developing world and beyond the ability to produce the vaccine themselves, to increase the supply at a cost-effective rate and to stop big pharma from excessively profiteering, is the way to get on to the front foot in vaccinating the rest of the world and ensure that new variants do not continue to flourish.

Sajid Javid: As I said in response to an earlier question, in terms of getting vaccines to the developing world, donations through COVAX and bilateral donations are important. I must strongly but respectfully disagree, however, with the hon. Gentleman's suggestion that waiving intellectual property and patent rights will help. That will not help. That will undermine the world's ability to deal with the pandemic, because it will remove the incentive for pharmaceutical companies to develop these valuable drugs in the first place.

Several hon. Members *rose*—

Sajid Javid: I need to make some progress.

As I announced to the House yesterday, in the light of new data on how vaccines respond to omicron, our intention is that boosters will be required instead of two doses as soon as all adults have had a reasonable chance to get their booster jab. I reinforce to hon. Members that the proposal on getting a negative result from a lateral flow test, or not having to do so if you are double vaccinated, is not a vaccine passport.

It is really important to me, as a point of principle, that people have a range of different routes to show how they are eligible, and that is what is before the House today. Those options include showing proof of a negative test for the last 48 hours, proof of vaccination, proof of a medical examination, or evidence of participation in a clinical trial. The regulations cover a small number of settings that present particular risk.

Alexander Stafford (Rother Valley) (Con): My right hon. Friend knows that I am completely against vaccine passports and mandatory vaccinations. Can he confirm that lateral flow tests will always be used? That would allay my fears and those of my constituents that we are creating a two-tier system with mandatory passports. If lateral flow tests are always used, everyone can have access to all parts of our society.

Sajid Javid: I can give my hon. Friend that confirmation and I am happy to make that really clear. It is vital that there is always an option for a lateral flow test. I would not support a vaccine-only option.

Dr Ben Spencer (Runnymede and Weybridge) (Con): In terms of providing proof of a negative lateral flow test, is that possible for someone who does not have access to the internet or a phone? What is the evidentiary requirement?

Sajid Javid: Lateral flow tests are available for everyone. The vast majority of people will have access to phones or through other ways. Once people have taken the lateral flow test and registered the result, perhaps with the help of someone in their family or a friend, they can get printed proof of that by using the 119 service. If there are other ways to improve that, of course we will, but we have found that that is available to the vast majority of people, including those who might not be as familiar with technology.

Mr Alistair Carmichael (Orkney and Shetland) (LD): A vaccine passport with a lateral flow test alternative is still a vaccine passport. We have seen the use of vaccine passports in other parts of the country, in Scotland and in Wales. What difference have they made to the transmission of omicron in those parts of the country?

Sajid Javid: I will come to that specifically in a moment, but again I have to stress that this is not a vaccine passport. If the right hon. Gentleman wants to see a vaccine passport, he can do that in Scotland or he can go to France or some other countries. The measure is an attempt to reduce risk from covid in a high-risk venue. It is sensible and proportionate and provides several options and flexibilities.

Several hon. Members *rose*—

Sajid Javid: I must make some progress. I will take some interventions later.

The regulations—statutory instrument No. 1416—cover a small number of settings that present a particular risk: venues such as nightclubs, indoor events with 500 or more attendees likely to stand and move around, outdoor events with 4,000 or more attendees likely to stand and move around, and all events with 10,000 or more attendees. Those measures come into force tomorrow. We have given a week's notice of those changes so that venues have time to put arrangements in place. I am pleased that many venues are already using the measures.

We cannot eliminate the risk of covid-19—that is simply not possible, nor should it be tried—but we can reduce it. The proposals offer a pragmatic way of doing that. Under them, people can either show a negative lateral flow test result, meaning that they are less likely to be infectious, or they can be double jabbed, which means that they are less likely to become severely unwell if they are exposed to covid-19.

Ruth Edwards (Rushcliffe) (Con): Many of my constituents have contacted me concerned that the measures today are the first step in further restrictions on social gatherings and businesses. Will my right hon. Friend assure them that that is not the case and that, if we can rescind the measures before 26 January, we will?

Sajid Javid: I think that what I am about to say will give my hon. Friend that assurance. The plans will make high-risk environments safer than they would otherwise be, but all the regulations will be reviewed by 5 January and sunset on 26 January. I emphasise in response to her question that they sunset on 26 January and that even if the Government wanted to do something different and change matters in some way, we would have to come back to the House and seek its approval.

Mr Ben Bradshaw (Exeter) (Lab): The Secretary of State is right that the regulations do not provide for vaccine passports. Conservative Back Benchers and the Liberal Democrats are completely wrong about that. I warmly welcome what he said about abolishing the red list. Will he now release all those people who are currently incarcerated in so-called quarantine hotels in inhumane conditions in this country? Will he also get rid of the other extra restrictions he introduced only two weeks ago to try to keep the omicron variant out when it is already here?

Sajid Javid: The point about managed quarantine and those people who are already in it is important. I am told that the practice in the past was to require them to complete their quarantine period, but I understand the importance of the point. I have asked for urgent advice about what that means. I hope to add to that very soon.

Neale Hanvey: One of the things we know about omicron is the significant genetic mutations and changes that have happened to the spike protein. This morning, at the Science and Technology Committee, Kate Bingham, the Government's vaccine tsar, said that the Government's decision to pull the plug on the Valneva contract was mistaken. Will the Secretary of State make a commitment today to revisit that, given the specific technologies that exist with a whole-virus vaccine, which Ms Bingham described as "having the edge" over other vaccines, and which would help the distribution of vaccines to the rest of the world?

Sajid Javid: I think the hon. Gentleman will understand that when the Government make decisions on vaccines they take expert advice, most of which comes from the JCVI. We always listen carefully to that advice to make a final decision, but it is coming on a number of occasions and is constantly kept under review.

Karl McCartney (Lincoln) (Con): Referring back to the point made by the right hon. Member for Exeter (Mr Bradshaw), it is crazy that people who have been in self-isolation are going to have to remain there due to the 11 countries that have not been removed from the red list. Surely they should not only be released from their incarceration but reimbursed for the astronomical amount of fees they have had to pay.

Sajid Javid: I am very persuaded by what my hon. Friend says. I would love to stand here right now and just say that that is the case, but there are some issues

that need to be resolved, and they are urgently being looked at. I hope that we can say something more on this as a Government, even as early as today. I do understand what he said, for exactly the reasons that he said it, including on reimbursement.

As well as the new measures we are proposing, we are restoring freedoms too, drawing on the defences that we have already built. At the end of last month, this House passed regulations requiring all close contacts of a suspected or confirmed omicron case to self-isolate for 10 days, but given the increasing dominance of omicron, this approach no longer makes sense for public health purposes and nor is it sustainable for the economy. So we are drawing on the testing capacity that we have built to create a new system of daily testing for covid contacts that has started today. Instead of close contacts of confirmed cases or suspected cases having to self-isolate, all vaccinated contacts, irrespective of whether the contact was with an omicron case, will be asked to take lateral flow tests every day for seven days. Regulation No. 1415 allows us to put this plan into action by revoking the omicron-specific provisions for self-isolation.

Steve Brine (Winchester) (Con): The Secretary of State knows that I welcome that. The isolation regs that we passed two weeks ago that I did not support were sinister, and well done to him for getting rid of that. On test and release, though, he will know that many of our constituents—many of mine have contacted me to say this—cannot, for love nor money, get hold of lateral flow tests right now. Could he update the House on whether this problem has been resolved?

Sajid Javid: My hon. Friend will understand that there has been a huge surge in demand for lateral flow tests, perfectly understandably of course. The situation at present is that the warehouses of the UKHSA have plenty of stock, but the distribution channel has been limited, although it has added to that significantly in recent days, including building on the channels it has with Royal Mail, Amazon and other suppliers, and also opening up more access points other than direct ordering online so that people can pick up tests from far more pharmacies, for example, than they currently can. It is being worked on, and whatever the current situation is, it will be improved very, very quickly. I hope that reassures my hon. Friend.

Barbara Keeley (Worsley and Eccles South) (Lab): The Secretary of State is making some vital points about testing and self-isolation, but yesterday I raised a point with him about PCR testing that I would like to come back to. Although the supply of lateral flow tests is important, so is the PCR testing, which is a more reliable gold standard. Today there was a point when it was reported on social media that there were no PCR testing slots available in any region of England. Yesterday I asked him if he would authorise each director of public health across the country to have a float stock of 500 PCR tests they can use to disrupt covid outbreaks and to slow the transmission of omicron. This is a really important point. Only nine directors of public health have that float stock at the moment. Will he take this vital step and authorise it for all the other directors of public health?

Sajid Javid: We are, as the hon. Lady would imagine, working very closely with directors of public health throughout England, whether on testing or other areas. On PCR testing capacity specifically, capacity is usually roughly 600,000 a day, but it is already being expanded to about 800,000 a day, and it will be further expanded. It is important for hon. Members to know that testing is released at different times of day, so if someone checks the system and a test is not available, it might be available in their local area in the next couple of hours—it is not just a day-by-day process. As the process is surged, tests will become much more easily available. It is also important to remind people whenever one can that a PCR test should be used only if someone has symptoms; otherwise, lateral flow tests should be deployed.

Finally, I turn to measures to help keep the health and care system safe for the long term by making vaccination a condition of deployment for more health and social care settings. Across the UK, the overwhelming majority of us have made the positive choice to accept the offer of a vaccination against covid-19, and 91% of NHS staff have already had two doses, but we need that figure to go even higher. Uptake rates vary among health and care organisations and across the country; despite the incredible effort to boost uptake across the country, approximately 94,000 NHS staff are still unvaccinated. It is critical to patient safety that health and care staff get the jab to protect some of the most vulnerable people who are in their care and keep the NHS workforce strong in the wake of omicron.

We made vaccination against covid-19 a condition of deployment in care homes from 11 November this year. Contrary to what some people feared, we are not aware of any care home closures in which vaccination as a condition of deployment has been the primary cause. The regulations that we are putting before the House today will extend that requirement to health and other social care settings.

Sammy Wilson (East Antrim) (DUP): The Secretary of State pointed out that the capacity of the health service is important and should not be breached. If 9% of staff to date have decided not to be vaccinated and will presumably stick with that decision, how does he expect that that will not reduce the capacity of the health service in future? Is it not a fact that there are already many people staying in hospital because a care home cannot be facilitated owing to lack of staff?

Sajid Javid: The right hon. Gentleman asks a fair question. I will answer precisely that question in just a moment.

Mr David Davis (Haltemprice and Howden) (Con): We know that the vaccines are only 33% effective at reducing omicron infection. We know that the reduction of infectiousness falls dramatically—to zero after 12 weeks, in the case of AstraZeneca. What does the Secretary of State view as better for protecting people from infection: daily lateral flow tests or vaccination?

Sajid Javid: I think both have a role to play. In the NHS and in social care, there is very frequent testing—lateral flow testing, in the case of the NHS, and often PCR testing—but I think vaccination has a role to play. At this point in time, many people still have two doses;

that is rapidly changing. When they have a third dose or their booster dose, that gives them an even higher degree of protection.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I draw attention to my entry on the Register of Members' Financial Interests. The Secretary of State is making a very clear argument for the need to do something; he talks about how a very small proportion of a much larger number of cases could overwhelm the NHS in the way that a larger proportion of a much smaller number of cases might not. However, we know that the NHS has a huge backlog of people awaiting diagnostic and operative procedures. What evidence does he have that mandating vaccines for NHS staff will help? Given that we know that vaccination does not particularly reduce transmission, and given what he has said about the importance of choice, why does he not think that it would be reasonable to offer medical staff and nursing staff the option of daily testing instead of vaccination, should they make that choice?

Sajid Javid: In coming to this decision, we held an extensive consultation with thousands of responses. Importantly, we also consulted with the NHS itself; as I shall touch on in a moment, it has weighed up the decision. My hon. Friend is right if she is suggesting that there may be some people who choose to leave the NHS rather than stay and be vaccinated—that is a choice for them to make, but there is also an issue of patient safety. That is also the view of the NHS. As I said in response to my right hon. Friend the Member for Haltemprice and Howden (Mr Davis), testing can be used alongside, but vaccinations help as well.

I want to talk about settings.

Several hon. Members rose—

Madam Deputy Speaker (Dame Eleanor Laing): Order. Let us allow the Secretary of State to finish his speech. He has some important information to put before the House, and I now want to hear that information.

Sajid Javid: The settings to which this measure would apply include, of course, NHS hospitals, and GP and dental practices, regardless of whether a provider is publicly or privately funded. Anyone working in health or social care activities regulated by the Care Quality Commission will need to be vaccinated against covid-19 if their role will involve direct contact with patients, apart from a few limited exemptions—for example, for medical reasons. The definition of “fully vaccinated” is currently two doses, but we are keeping this under review, and of course I urge everyone who works in the NHS and social care to get their boosters too.

As we have just heard, concerns have been raised about the impact of the measures on the workforce, especially during these winter months, although even before the pandemic workplace policies were in place requiring the hepatitis B vaccine for those who have to perform certain clinical procedures. We are already allowing a 12-week grace period to give people the chance to make the positive choice to get protected, and we are aiming to start enforcing these requirements from 1 April next year—subject, of course, to the will of the House.

John Stevenson (Carlisle) (Con): If a member of the NHS decides that they do not want to be vaccinated, will they be given a redundancy payment; and if not, why not? But if they are and that is the policy, how much would it cost the NHS, and would that be a good use of taxpayers' money?

Sajid Javid: I believe that it would not be classed as redundancy because it would not be redundancy; that job would not have become redundant. If an individual chooses not to get vaccinated, that is of course a decision for them to make. The way in which this should be, and no doubt will be, implemented by the NHS is that getting vaccinated should always be a positive choice. The NHS has put in place a number of methods to try to provide the information that people want to share, including through one-to-one consultations and providing more information especially for those who may have received misinformation. The outcome when a similar measure was implemented for care homes was that many staff—when provided with the right, positive information—chose to be vaccinated, rather than to leave their jobs.

Several hon. Members *rose*—

Sajid Javid: I must make progress. I am sorry.

Madam Deputy Speaker (Dame Eleanor Laing): Order. The Secretary of State is right; he must make progress, as other people need to speak now. Please let us allow the Secretary of State to conclude his speech.

Sajid Javid: Thank you, Madam Deputy Speaker.

Today, the chief executive of NHS England has written to me, reinforcing the importance of getting the jab in the interests of patient and staff safety. I will be placing a copy of this letter in the Libraries of both Houses today. Despite the concerns that some people have raised, I am pleased to say that we have already seen a net increase of more than 55,000 NHS staff vaccinated with a first dose since we consulted on the policy in September.

Although I firmly believe that these measures are a proportionate way of protecting those at greatest risk, I know that hon. Members have questions about whether we would extend them further. Let me say clearly to the House today—once and for all—that although we have seen plans for universal mandatory vaccination in some countries in Europe, I will never support them in this country. I firmly believe that getting vaccinated should be a positive decision. I assure the House that the Government have no intention of extending the condition of deployment to any other workforces or of introducing mandatory vaccination more widely.

The regulations that we are debating today are not measures that any of us would like to be putting in place, but they are measures that the situation demands, because when the facts change, our response must change too. As we look ahead to a winter with omicron in our midst, the measures before the House today will fortify our national defences and guard the gains that we have all made against this deadly virus. I commend these regulations to the House.

Madam Deputy Speaker (Dame Eleanor Laing): Before I call the shadow Secretary of State, it might be helpful for the House to know there will be an immediate time limit of five minutes on Back-Bench speeches, which will reduce later in the afternoon.

2.44 pm

Wes Streeting (Ilford North) (Lab): I begin by acknowledging that there are sincere and deeply held views on both sides of this debate and, indeed, on both sides of the House. I respect those who take a different view from the one I will be outlining on behalf of the Opposition, but we owe it to our country to have a debate worthy of the finest traditions of this House.

In the light of comments made in recent days by at least one Conservative MP comparing these measures to the situation in Germany during the 1930s, it should not be for me, as shadow Secretary of State, to point out that we are not living in the 1930s and that the Secretary of State and his team are not Nazis. On their shoulders rest the health of our nation and the responsibility to protect our NHS. Indeed, it is a responsibility we all share. They need our support, and they are owed better treatment than they have received from some on their own side in recent days and even this afternoon.

No matter how dysfunctional the Conservative party has become, the country can rely on Labour. We will act in the national interest, as we have throughout the pandemic, by putting public health before party politics and supporting the motions under consideration this afternoon. We do not do so lightly. Throughout the pandemic we have asked the British people to make big sacrifices to support the national effort against coronavirus—sacrifices that have impacted on lives, livelihoods and liberties. Whenever this House considers such measures, we owe it to the British people to explain why they are necessary. We believe these measures are a necessary response to the omicron threat, necessary to protect ourselves, necessary to protect the ones we love and necessary to protect our NHS.

We cannot yet be sure about the severity of the omicron variant, but we can be certain it is spreading, and spreading fast—faster than any other variant. Even if a smaller proportion of omicron victims are hospitalised, the rapid advance of the virus through the population could see large numbers of people admitted to hospital during the months in which the NHS is under greatest pressure. There should be no complacency about this. The winter months present the greatest pressures on the NHS in any normal year and, as we know, this is far from a normal year. The NHS is contending with winter pressures, a serious backlog, the delta variant and now the omicron variant. When people invoke the story of the boy who cried wolf, of the warnings that came before but never materialised, they should remember that, in the end, there was a wolf.

Many of the challenges facing the NHS are understandable, given the unprecedented challenges of the covid-19 pandemic, but we have to be honest and acknowledge that confronting these challenges has been made much harder because we went into the pandemic with NHS waiting lists at a record 4.5 million, 100,000 staff vacancies and 112,000 vacancies in social care. It is not just that the Government did not fix the roof while the sun was shining; they dismantled the roof and removed the floorboards.

Now the NHS is locked in a race against time: a race against the fastest variant of covid-19 we have seen to date and a race to get as many people boosted as possible before the end of this month. The Opposition

support the Government in that task, and let me say on behalf of all of us in the Labour party to every NHS worker, every GP, every pharmacist, every public health official in local government, every member of our armed forces and every volunteer stepping up to meet this enormous task that we are with them 100%. If anyone can do it, they can.

John Stevenson: Can the hon. Gentleman explain why the Labour party did not support mandatory vaccinations for care workers but has changed its mind for NHS workers?

Wes Streeting: I will outline our position on that, but the hon. Gentleman will have to be patient because I will come on to that later in my speech.

We need to buy the NHS and its helpers some time. The measures put forward for consideration today are an attempt to do just that by slowing the spread of the virus whilst trying to protect Christmas so that people can enjoy the festive season safely, by limiting our interactions in the workplace, by wearing face coverings in settings where the virus finds it easier to spread, by testing before we attend large indoor gatherings, and by getting behind the booster roll-out to ensure that everyone is protected.

Mr Perkins: My hon. Friend is absolutely right that we are all very conscious of how important this time of year is to the hospitality sector, but does he agree that the greatest threat to the hospitality sector is not restrictions of the type that are before us today, but the sense that the virus is out of control, and widespread cancellations across the sector? So these restrictions enable the hospitality sector to survive in this really difficult time, but also enable us to take proportionate steps to ensure that the spike does not get out of control.

Wes Streeting: I wholeheartedly agree with my hon. Friend. Indeed, one of our primary reasons for supporting the measures for consideration today is that we on the Labour Benches support business, and we want to support it through a particularly difficult time, when normally trading would be at its busiest.

The goal in the end must of course be to learn to live with the virus. That means effective vaccination, antiviral treatments, and public health measures that have minimal impacts on our lives, our jobs and our businesses. So let me take each of the measures in turn and explain why Labour supports them, and no doubt take interventions.

First, on mask wearing, no one enjoys wearing a mask—I certainly do not, but it is nothing compared with the costs that more draconian restrictions have on our lives, livelihoods and liberties. Masks are simply a price worth paying for our freedom to go out and live our lives during this pandemic. They are proven to be effective, and not only that, but in times of rising infections, when people are feeling increasingly cautious, it is vital to our economy that people feel safe boarding a busy bus or entering a crowded theatre. In our view, the Government should never have got rid of the requirement to wear masks in those settings, but we know why they did. We have counted, in recent weeks, hon. Members on the Government Benches not wearing masks. I am glad to see that compliance has risen somewhat considerably. We know that the Prime Minister

no longer has the authority to lead his own party, but I am grateful that Members on the Government Benches have at least listened to their Health Secretary.

Turning to the vaccine pass, and testing to enter nightclubs and large events, I welcome the fact that the Government have listened to representations from Labour and responded. The Labour party has argued consistently against vaccine passports and insisted on people having the option of showing a negative test. Further, we argued that such passes should not be required for access to essential services. On both counts the Government have listened and amended the proposals, and we can support the measure before us today. It is not a vaccine passport. It is, in effect, a default requirement to show a negative test to enter venues where the virus is most likely to spread, with an opt-out available to those with an NHS covid pass.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): My hon. Friend makes a very good point on that. Is not the reality that if we did not introduce these measures there would be a danger that our night-time economy—pubs, venues and other events—would have to shut completely? So this pass is actually a pass for freedom to allow us to continue to enjoy activities that otherwise would be shut down, and the libertarians opposite should be welcoming it, not bemoaning it.

Wes Streeting: I wholeheartedly agree with my hon. Friend. Let me be clear: we in the Labour party support this approach because we support British business. This is about giving people the confidence to go out and about despite the presence of omicron.

Neale Hanvey: I thank the shadow Secretary of State for giving way. I wonder whether he shares my concern about reports over the past couple of days that there has been an absence, or a lack, of lateral flow devices to be sent out for testing. What is also alarming is the lack of support for the domestic diagnostics market and the manufacturers in this country of lateral flow devices that are much more accurate and reliable and superior to the current Government lateral flow devices. If these devices are to make a difference, we must have the best quality devices in place.

Wes Streeting: I agree with the hon. Gentleman. Of course, in order for this measure to work as effectively as we would wish, there has to be an adequate supply of lateral flow tests. I heard what the Secretary of State said yesterday about the availability of testing, but it is no good if the tests are in the warehouse; they need to be available to people where they need them, when they need them. We have had supply issues and those really do need to be resolved, not least in the light of other measures, which I will come to shortly.

Sammy Wilson: Does the shadow Secretary of State not accept that rather than giving confidence to people, these measures, and the background against which they have been introduced, have actually reduced confidence? We have predictions of 75,000 deaths and we are telling people that they cannot go to venues unless they have certain tests; the experience in Northern Ireland is that the hospitality industry has already lost millions of pounds in orders coming up to the Christmas period because people are afraid to go out.

Wes Streeting: I will say to the right hon. Gentleman that it is my understanding from dispatches from the shadow Secretary of State for Northern Ireland, my hon. Friend the Member for Hove (Peter Kyle)—of course, Northern Ireland is ahead of England on this—that he had a perfectly nice time out last night enjoying the best hospitality that the people of Northern Ireland have to offer. I think people are drawing confidence from this. Let me also say that we should draw on the experience of other countries. Look at countries with strict covid passport rules, such as Italy, France and Denmark; all have seen their retail and recreation sectors fare far better than those here in the UK because there has been consistency and confidence.

With passes and lateral flow tests, venues can operate at 100% capacity, punters can be confident that they are safe to attend and enjoy themselves, at this time of year the show goes on, and everyone stays in a job. Without these measures, with rising infections and more hospitalisations, we would risk seeing the Government forced to impose more draconian measures on these sectors, shutting down our cultural sector and collapsing the economy once again. I think we should be confident about this.

Let me address the tension—it is a reasonable question—in the message that people should work from home if they can but that they can go out. I make no apology for trying to safeguard social interactions between people, their families and their friends at Christmas time. I also make no apology whatsoever for supporting our hospitality industry, which has been battered by the pandemic and which enjoys our support—our confident support, our full-throated support, and our support at the table and the bar in the coming days.

Mr William Wragg (Hazel Grove) (Con): Can we take it from that that the hon. Gentleman is in favour of extending the certification, or vaccine passport, to all venues?

Wes Streeting: For now, we think the Government have struck the right balance. The measure is limited to nightclubs and larger venues. However, as the Secretary of State knows, we listen to the chief medical officer, we listen to the chief scientific adviser, we listen to the scientific advisory group for emergencies, we listen to the NHS and we make decisions based on evidence. If ever the Government want to come forward with further proposals, we will consider them in a genuinely bipartisan way and we will act in what we believe to be the national interest. I do not think anyone would expect less of us.

Munira Wilson (Twickenham) (LD): With the covid passes, there is the option of using a lateral flow test or double vaccination. Does the hon. Member recognise that double vaccination, which many people will use, gives a very false sense of security? We know that someone can be vaccinated and still transmit. Most of the people we know getting covid at the moment have already been vaccinated. Double vaccination is not very effective, and it will give a real false sense of security.

Wes Streeting: I think the hon. Member should look at the evidence from our friends on the continent, which is that this approach not only works in giving people confidence to go out and enjoy themselves, but

encourages people to take up vaccination. On that basis, I think the Liberal Democrats ought to reconsider their position.

Holly Mumby-Croft (Scunthorpe) (Con): The shadow Secretary of State has obviously spoken to lots of people and he is really concerned about transmission. Could he tell the House the Labour party's view on how much transmission is reduced by two vaccinations?

Wes Streeting: I direct the hon. Member to the SAGE advice, which is that there is some evidence—I would not put it any stronger than that—on the reduction of transmission. As I say, our primary reason for supporting the measure is to give people the confidence to continue to access hospitality and an added incentive to take up vaccination. On both those tests, our friends on the continent have shown us a better, effective way forward. I dare Government Members to suggest that France, for example, given its history and culture, is not a country that values liberty strongly.

Let me move on, because I must make progress. For the passes to work, people must be able to access tests easily and readily. We cannot continue with the situation in which tests are out of stock and unavailable to the public who are required to take them—not if covid passes are required to work and not if close contacts of covid cases are to be able to take the daily tests required. This morning, the Government's website showed PCR tests unavailable throughout England, and the only region where lateral flow tests are available today is the south-east. We need immediately to resolve such technical issues and the practical issues of test delivery. The measure on daily testing is the one measure that seems to have united the House in agreement, so the Secretary of State really needs to get a grip and ensure we have access to the tests we need.

On the flexibility to work from home, we have called for workers to be given that flexibility for months and we support the guidance for them to do so where possible. I have addressed the contradiction in respect of people working from home and going out to Christmas parties. We want to protect people's ability to enjoy Christmas safely this year, which is one of the key arguments for the measure. By limiting people's interactions at work without disrupting their ability to do their work, we thereby lower contacts and infections and hope to preserve people's ability to go ahead with the social interactions that they cherish most at this time of year.

As the Prime Minister rather clumsily and unhelpfully tried last week to open a "national conversation" on mandatory vaccinations for the country at large, I wish to make it crystal clear that we do not support mandatory vaccinations in general. I welcome what the Secretary of State has said this afternoon—not the first time he has had to clean up the Prime Minister's mess. We believe the vaccine is safe and effective and that everyone should choose to have it. I cannot give any stronger endorsement than to say that I have had my first two jabs and will be having my booster on Thursday. I would not take the vaccine or recommend it to others unless I believed it was safe.

I recognise that mandatory vaccination for NHS staff is a difficult issue for colleagues from all parties and in our NHS, but the NHS has asked us for it, patients want it and we are persuaded that the threat of omicron

makes it even more important for staff to be vaccinated to protect themselves and to protect the public they serve.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I draw the House's attention to my declaration, as a practising NHS doctor, in the Register of Members' Financial Interests.

I commend the hon. Gentleman for the consensual way he is approaching today's debate and for the many points he has made with which I agree. On mandatory vaccinations for NHS staff, before I could train in medicine I had to have a Bacillus Calmette-Guérin injection for tuberculosis and a hepatitis injection; otherwise, I could not have practised medicine. It was about protecting my patients. It is the duty of all healthcare professionals to put their patients first, which is why it is absolutely right that they should have mandatory covid vaccinations. Does the hon. Gentleman agree?

Wes Streeting: I strongly endorse what the hon. Gentleman said. Infection control is going to be a real challenge this winter because of the nature of the omicron variant. By ensuring that the NHS workforce is fully vaccinated, we will protect not only patients but staff, who already put themselves in harm's way enough. As the hon. Gentleman, who speaks with real knowledge and expertise, said, this is not a new precedent: NHS staff are already required to inoculate themselves against other diseases. It is a professional duty. The NHS clearly believes that the April deadline gives sufficient time to persuade the workforce to protect themselves, their patients and their loved ones without there being an exodus of staff.

Dr Julian Lewis (New Forest East) (Con): I supported the requirement for people working with vulnerable people in care homes to be vaccinated or, if they would not be vaccinated, to be removed from direct contact with vulnerable people. Can the hon. Gentleman tell me—I did not get a chance to ask the Secretary of State—whether this proposal for members of the NHS who have not been vaccinated will affect only frontline staff who interact with the vulnerable, or whether it will apply to people throughout the NHS who might have no contact with the vulnerable? That will affect the way I cast my vote today.

Wes Streeting: I hope I can reassure the right hon. Gentleman that it will not be a case of saying to people, "If you don't take up the jab, that's it—you're out." There will also be the opportunity for redeployment to other roles where vaccination would not be mandatory. I hope that gives him the reassurance that he needs.

Barbara Keeley: My hon. Friend is handling his speech in just the right way. There is a balance of rights here, and patients have a right to be treated by staff who are fully vaccinated to protect them. I have a constituent who is clinically extremely vulnerable. She contacted me to say that she was not willing to go to her necessary hospital appointments once she realised that the hospital staff were not fully vaccinated. Does my hon. Friend agree that we have to think of that pretty large number of clinically extremely vulnerable people in this country?

Wes Streeting: My hon. Friend is absolutely right.

We have heard the arguments in outline: this is about protecting staff and patients; it is not a new precedent; and there is a professional obligation, which makes it slightly different from the experience in the social care workforce. I will come on to talk about what the Government need to do. Those are broadly the arguments—

Simon Hoare (North Dorset) (Con): Will the hon. Gentleman give way?

Wes Streeting: If the hon. Gentleman just lets me make this point, I will certainly give way.

Those are broadly the arguments, but I would ask Members on both sides of the House to think about those NHS staff who go to work every day feeling unsafe because their colleagues are not vaccinated. If that is not persuasive enough, I ask them to think about how they would feel if a loved one were treated in a clinical setting or care home by an unvaccinated member of staff through whom they contracted covid and, with it, serious illness or worse. If I lost a loved one through serious illness in those circumstances, I am not sure that I would be very forgiving about the decisions made by Members of this House.

Anthony Mangnall (Totnes) (Con): I appreciate the point that the hon. Gentleman is making, but that is not what the results of the survey of NHS staff in the healthcare and social care workforce found, which was that 55% of people in the NHS were against this proposal. How does he respond to that?

Wes Streeting: I have no doubt whatsoever that opinion in the workforce is divided. I do not dispute that, and it is divided partly because people resent the mandate. Ultimately, however, it comes down to this. It is not just about the broad arguments I have outlined or the specific cases we might be confronted with without this protection; we have to ask whether we as a House think it is acceptable for people working in health and social care, who have a duty of care to their patients, to say, "I am making a choice to put them at greater risk. I am working against the very principles that encouraged me to sign up to my vocation in the first place." That is why, on balance, I think it is the right measure, but I will come on to talk about the way in which we need to take the workforce with us and what we need to do ahead of April.

Andy McDonald: My hon. Friend is setting out his response to these proposals with great care. On the vexed issue of mandatory vaccinations, does he acknowledge that 97% of those in my trust have been properly vaccinated and that a significant proportion of the remaining 3% are new starters making their journey towards proper vaccination? It is therefore not that clear. We have heard the responses from the British Medical Association, Unison, the Royal College of Nursing, Unite, the Chartered Society of Physiotherapy, the GMB and the Royal College of General Practitioners, who are opposed to making vaccination mandatory and prefer persuasion to coercion. Does he not think that we should be adopting that approach?

Wes Streeting: That is a helpful intervention from my hon. Friend. Let me be clear: I absolutely acknowledge the views that have been put forward by the royal colleges and by staff trade unions. Government ought

[*Wes Streeting*]

to take them seriously and work heavily with them in this next phase, where there is still a window for persuasion. I also point the Government to the success that the Welsh Labour Government have had in persuading the workforce; there is much to learn and time available, and we have to work in a spirit of partnership.

Several hon. Members *rose*—

Wes Streeting: I will say more about that in a just a moment, because the hon. Member for North Dorset (Simon Hoare), at the back, has been very patient.

Simon Hoare: I am grateful to the shadow Secretary of State for giving way. May I endorse and welcome what he said at the start of his speech with regard to comments about the Nazis? I called that out yesterday and he was right to do so at the Dispatch Box. I was looking through my inbox from the start of the pandemic and lockdown, and almost every person working in the care sector or the NHS in my constituency was saying, perfectly legitimately, “When the vaccine is available, we must be at the front of the queue, because we are dealing with the vulnerable and it is our duty to get vaccinated.” I do not think that has changed, and I think he is absolutely right, as is the Secretary of State, to say that those caring for the most vulnerable in society should, to try to reduce the risk that they face, be vaccinated.

Wes Streeting: I agree with the hon. Gentleman. We have a big effort to boost the booster this month and we have to boost the workforce as well, and make sure that people are supported.

Dame Angela Eagle *rose*—

Kim Johnson (Liverpool, Riverside) (Lab) *rose*—

Wes Streeting: This is a difficult decision—two Members from the same region—but my hon. Friend the Member for Liverpool, Riverside (Kim Johnson), right in the corner, has been very patient, so I will give way to her. I will then come to my hon. Friend the Member for Wallasey (Dame Angela Eagle).

Kim Johnson: I appreciate my hon. Friend giving way. He is making an excellent speech; however, the British Medical Association has identified some serious concerns about mandatory vaccines—the fact that we have a chronically under-staffed NHS. Does he believe that this policy is likely to have a significant impact and cause more harm than good?

Wes Streeting: That is such an important point, and I am grateful to my hon. Friend for making it. There is a reassurance I would like to offer her and a call to action that I would like to issue to the Government. The reassurance is that there were concerns about what would happen to the social care workforce, which very much influenced Labour’s position on that statutory instrument at the time, but we did not see the collapse in the social care workforce that was warned of and there was lots of evidence that there was a positive impact on take-up.

I say to the Secretary of State and his team that if they are asking the health and social care workforce to do their duty as professionals, the Government must show greater respect to their professional voice and experience—on pay, conditions and workload. It is often said that the NHS runs on goodwill, so I would like to see the Government showing greater goodwill in return and engaging with the royal colleges and staff trade unions, not just on the plan for vaccine roll-out to their members, but on the debate about the future of our health and social care systems and the big workforce challenge.

On vaccinations, there is still precious time to do the work on persuasion. I have met the trade unions in recent days, including a great meeting with Unison yesterday—I should declare that I am a member of Unison. Unison had some really helpful advice and practical feedback about the kind of conversations with occupational health that are making a big impact in giving staff the confidence to choose to take the vaccine well ahead of the deadline. Of course we would much rather persuasion than compulsion.

Ms Marie Rimmer (St Helens South and Whiston) (Lab): In St Helens, 99% of care home staff are vaccinated, and at Whiston Hospital, the best one in the country, 91% have had the first vaccine, 89% the second vaccine and 64% the booster. That has all been done with persuasion, not with the threat of the sack. These people are in a vocation. It is not just a job to them; they believe in the patients. We must not get to the stage where we are threatening people. The GPs have even been involved in persuading the care home staff. Everyone has been involved for some considerable time and that is the way to do it—

Madam Deputy Speaker (Dame Eleanor Laing): Order. Let me just make this clear: more than 40 people wish to speak this afternoon and if people make interventions, it is simply not fair on those at the end of the list who will be trying to speak later on. The hon. Lady is only one of many. The shadow Secretary of State is being very fair, as was the Secretary of State, in answering all the questions, but I must ask people to be reasonable.

Wes Streeting: It may have been a speech rather than an intervention, Madam Deputy Speaker, but I thought it was a very good one, and I welcome what my hon. Friend has said.

Dame Angela Eagle: Will my hon. Friend acknowledge that anti-vaxxers are using vicious and very effective psychological propaganda to upset and worry people who may be vaccine hesitant, particularly about issues with fertility, whether the vaccine is halal and all those things? Does he agree with me that the Government should do much more to counter this very vicious and damaging propaganda?

Wes Streeting: I wholeheartedly agree with my hon. Friend. This comes back to the point I made about the Government engaging with the staff trade unions and the royal colleges. Whatever their policy position on having mandatory vaccination, the Secretary of State will find in them willing allies who want to help the Government to persuade colleagues to engage with them and to deal with some of these dangerous conspiracy

theories that are knocking public confidence, and creating real fear and anxiety entirely without basis. When the Minister for the Cabinet Office concludes later, I hope that he will set out how the Government plan to engage and that he will give an undertaking to work with the staff trade unions and the royal colleges, because that would do so much to achieve the objectives that we all share, but also to raise morale in the workforce, who often feel that they are slogging their guts out for the Government, but do not get the hearing they deserve.

Bob Seely: The hon. Gentleman is making a very good speech, and I apologise for interrupting him, but on a point of science, will he just accept that he has got it a little bit wrong? Someone having the vaccine does not stop them spreading it; it just makes it much less likely that it will harm them badly. Someone can have the vaccine and still spread it, and to imply otherwise is just wrong.

Wes Streeting: The hon. Gentleman has called repeatedly from a sedentary position that I do not know the science, but I have said nothing of any sort to contradict the points he has just made.

With respect to Conservative Members, particularly those who oppose these measures, what they are missing is that it is indisputable that the booster does provide greater protection than the first and second jabs, that vaccination—full stop—provides better protection, and that if we are talking about NHS pressures and workforce pressures, the biggest danger is that the virus sweeps through the health and social care workforce, knocks a load of people out in the middle of the busiest period for the NHS, and then the system topples over. I do not know why it has to be explained again and again to Conservative Members that the objective is to protect the NHS and to stop it toppling over at a critical time. The points about the severity of the virus and the efficacy of the vaccine in preventing transmission or serious illness are largely secondary. We know that the virus is spreading, and doing so rapidly, and we know that if it rips through the health and social care workforce, that is the biggest risk to the NHS—that is what will topple it over. Conservative Members' constituents will not thank them one bit if they allow that to happen.

Clive Efford (Eltham) (Lab): My hon. Friend is making an excellent speech and putting his case very forcefully. On the issue of coercion versus persuasion and involving trade unions and the royal colleges in NHS managers taking the staff with them, what was not respected by the Secretary of State when he was asked about redundancies is that this is a retrospective change in people's terms and conditions, and even people who are vaccinated will be resistant to the change being imposed upon them. We have to go forward carefully and take the staff with us. Will my hon. Friend urge the Government to work with the royal colleges and trade unions to take this forward?

Wes Streeting: My hon. Friend makes such an important point. Going back to the staff surveys, particularly given that the overwhelming majority of staff are vaccinated, it is not that they do not want their colleagues to be vaccinated, but that they have concerns about the way in which the Government are going about this. We accepted from the Government and from NHS England a very clear view that omicron has raised the stakes in this regard, which has had a big bearing on our position.

It is very difficult for me and my colleagues on the Labour Benches to put ourselves in a position that is on the other side of the argument from the NHS and from the public, but the point about engagement is really important. The Government must work with and take the workforce with them. It is not good enough for us to just clap for the NHS, or clap for carers; we must work in partnership with them and respect that these are people who have given their lives to public service and caring for others. They do care. They will instinctively be on the right side, but they just need some persuasion, some patience and genuine engagement and that is where the Government have gone slightly wrong.

Graham Stringer (Blackley and Broughton) (Lab): My hon. Friend started off his speech in an excellent way and has got better as he has gone through it. I say that, but I will almost certainly not be in the same Lobby as him on some of the votes this evening. There is a general point to the specific point that he is making on vaccines, which is that the Government should be clear, explicit and transparent on every issue that they raise if they want to take with them people who are not just worried about vaccines but worried about this whole affair. Repeatedly, the Government have refused to do a cost-benefit analysis on the impact of their policies. We have before us now a number of statutory instruments without impact assessments. Does he agree that that information should be available?

Wes Streeting: Let me say to my hon. Friend that, in his intervention, he started off well, dipped in the middle and then got better at the end. He made some absolutely fair points about impact assessments and transparency. In fact, I can see the Vaccines Minister waving impact assessments at me, so I am sure that she will make them available to my hon. Friend.

It comes back, as we have discussed at various points today and previously in relation to these sorts of restrictions and measures—it is how I began, and will begin to close, my contribution—to how we really cannot be complacent when it comes to public support, public compliance and public consent for the measures that we are considering. We know that we have asked so much of the British people and they have played their part. We also know that recent events have dented their trust and confidence and their willingness to comply, because they have seen No.10 saying one thing and doing another. That makes it even more important that, when we discuss measures that impact on people's lives, livelihoods and liberties, we have these sorts of exchanges, look over the evidence rigorously, test each other's assumptions and come to a conclusion.

With some of the exchanges that we have heard today, people across the country on both sides of these arguments can at least take some reassurance from the fact that, when these matters are under consideration, we do take them seriously. The Government could do a little better sometimes on bringing measures forward in advance of their implementation and on setting out the rationale and argument, and not just assuming that, because measures have been supported by the public previously, they will be supported today. I think we have public support for the measures under consideration this afternoon, but we should not be complacent about it. That is why it is right that we spend so much time exploring these issues.

Several hon. Members *rose*—

Wes Streeting: I shall take one or two more interventions and then I shall conclude.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): My hon. Friend is making a very important point: we need to make decisions on the evidence that is available. Does he agree that having the debate today and passing these measures tonight is urgent? We have heard that the doubling rate of omicron is shortening. If we are to protect the public, our families, our communities, and the NHS in the run-up to Christmas and beyond, these measures need to pass today.

Wes Streeting: I agree with my hon. Friend, and particularly in this city. The reproduction rate of this virus is shortening every day and the numbers that the Secretary of State set out in his opening remarks should concentrate minds before people walk through the Division Lobby this afternoon. Fun though it might be to see the Government in hot water and struggling in votes, it is not in the national interest and that should be the thing at the forefront of our minds.

Sara Britcliffe (Hyndburn) (Con): Does the hon. Gentleman agree that one thing that will reassure Members across the House is a commitment from the Government at the Dispatch Box that, if further restrictions were to come into play, a vote will be had in this House?

Wes Streeting: I agree with the hon. Lady. I appreciate that she is a newer Member of the House but I dare say she watched our proceedings before being elected, and we cannot have spent so much time talking about parliamentary sovereignty only to then throw it out of the window in the next Parliament, so her point is well made. The shadow public health Minister, my hon. Friend the Member for Denton and Reddish (Andrew Gwynne), and I have already agreed: he will bring the dinner, I will bring the pudding, and we will see if the Commons shop is doing crackers on discount if we meet over Christmas.

Finally, and seriously, we think there are areas where the Government can go further without impacting on people's lives, livelihoods and liberties and should do so. On ventilation in schools, young people have borne the brunt of this pandemic and we owe it to them, to their education and to the staff who support them to make sure that their schools are properly ventilated. They cannot wait until October next year for a review to be published; we need action now. In winding up, can the Minister for the Cabinet Office say something about that? On jobs for young people, the Christmas holidays seem to us to be an ideal time to get young people vaccinated, so when do the Government think we can see action on that front?

Finally, on statutory sick pay, as we have heard very powerfully from my hon. Friends, there are people out there who are forced to choose between doing the right thing by their families and doing the right thing by public health because they simply cannot afford to isolate at home. So we again implore the Government to act by making sure that higher statutory sick pay is available to people immediately so that they can afford to do the right thing.

We have not played games with these votes: we are not exploiting the divisions in the Conservative party to inflict defeat on the Government for the sake of scoring political points. The threat facing the country is too serious and Labour takes our duty to the country seriously. The Tories may be in disarray but the public can rely on Labour to keep the country safe, to do the right thing and to support these measures today, and we trust the British people to do the same.

3.27 pm

Sir Peter Bottomley (Worthing West) (Con): I think the House will want to acknowledge the power of the speech that the Opposition spokesman, the hon. Member for Ilford North (Wes Streeting), has just given. We wish his predecessor well. One thing we can say about the hon. Gentleman is that his voice carries very well around this Chamber.

The Government are right to ask for support for these regulations. I am glad the Opposition will in general be supporting them, and I will do so as well. If the public health risk increases, we must ask what changes to regulations are proportionate and appropriate.

It may have been missed by some who have written to me, but some of the regulations are relaxations; others are not. The regulations are intended to make sure that some places can stay open if people abide by sensible precautions.

One constituent who has written to me today says he and his family and many of his friends will not go to places of public congregation because too many people are not vaccinated or showing they are not infected by the virus. That may be a minority view expressed, but I think it is one that is held in the hearts and minds of many of our constituents.

To those who have said an impact assessment has not been made, I say that it has and it has been published; those who invigilate assessments do not think it is adequate, but that is a side point. Annex B on pages 54 and 55 shows the proportion of people by age in the national health service who have been vaccinated.

We must recognise that one reason why half of those who are unvaccinated are aged under 40 is that the opportunity for vaccination came later for them than for those who are older. But if they do not think it matters to them, I would say to them that it does, for the reasons that our hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter), the practising doctor, gave. When caring for people who are vulnerable—obviously, people in medical care are, in the same way as those in social care—the most we can do to protect ourselves also has the impact of protecting them. If in doubt, get the protection that the vaccine and the booster give.

I was going to make a rather longer speech, but I will stop now because many hon. Members want to contribute, many of whom will disagree with me. I will respect what they have to say, but I will say very clearly that I back the Government in these regulations.

3.29 pm

Graham Stringer (Blackley and Broughton) (Lab): As you know, Madam Deputy Speaker, I was trying to help you with the intervention by withdrawing from the list, but I am grateful to be on top of the list for the Labour Benches.

I agree with my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) the Leader of the Opposition when he says that the Prime Minister is a threat to public health. I think that that is absolutely right. I draw a different conclusion from my hon. Friends on the Labour Front Bench on how we should respond: not by being irresponsible but by taking a look at the way the Government have dealt with the whole of the covid crisis from the very beginning to what they continue to do.

I am a member of the Science and Technology Committee. Together with the Health and Social Care Committee we produced a 150-page report. I hope that right hon. and hon. Members have had the time to read it. They may not agree with its conclusions, but it contains very valuable information. The key point, which a lot of the press missed, was not that the Government followed the science on the issue but that they got into a groupthink with the scientific advisers and did not challenge them. They assumed that science was something handed down on tablets of stone, whereas it is not. It is a process and it needs challenging by those of us who have responsibility in this House for making laws and policies, and by other scientists. We seem to be repeating that process.

My Committee had as a witness this morning Susan Hopkins. Let me say that at best—if I can use a word somebody else used—the advice we were getting from her as an adviser was opaque. The information we were getting was opaque when it should be transparent. This time last week, the Deputy Prime Minister stood up and said there was no plan to go to plan B. Some 36 hours later, we were starting plan B. Why was that? What was the scientific advice given?

We were told fairly definitively that no such advice was given to change the view. What changed the view was that the Prime Minister was in a state of crisis and under pressure from his own Back Benchers and everybody else. That is not a sensible way to make decisions. It is not a sensible way to make decisions to put forward statutory instruments that say—the Under-Secretary of State for Health and Social Care, the hon. Member for Erewash (Maggie Throup) was waving a sheet about, which may or may not have been the impact assessment—that no impact assessment has been done.

Mr Steve Baker: I have in my hand the impact assessment for vaccination as a condition of deployment in health and care providers—I was not able to get in earlier. I feel confident that the Front Benchers will know that the estimate is that 88,000 people will leave the health sector, 73,000 will leave the NHS, 15,000 will leave the independent health sector, and 35,000 workers will leave domiciliary care. Does the hon. Gentleman agree that that is reason enough to vote against imposing this on the nation?

Graham Stringer: That is very interesting. It is also interesting that papers circulated by the Vote Office said there was no impact assessment. That does not impress me.

The point I was just about to make—I do not know if other hon. and right hon. Members have noticed this—is that the 355-page Act passed at the start of the epidemic, the Coronavirus Act 2020, is barely being used. The Government could have used the Civil Contingencies Act 2004 to bring in some of the restrictions that they

have placed—maybe necessarily, maybe unnecessarily—on people's freedoms. The difference between the 2004 Act and the Public Health (Control of Disease) Act 1984 is quite simply that much less scrutiny is available under the latter. Once regulations are passed, if there is not a sunset clause, they last. The Government should not be rewarded for unnecessarily using tough authoritarian legislation when other legislation was available that would have allowed more scrutiny.

The Government have refused to give information. My hon. Friend the Member for Ilford North (Wes Streeting) began his speech by saying that different people have different views and weigh the factors of civil liberties and health in different ways. That is absolutely right, but the Government will not tell us the costs and benefits of their policies. We now know that three quarters of a million people have failed to be tested for cancer. This is not a win-win situation. Cancer patients who are yet to be tested will eventually die because of the decisions being taken, because services are not available; some people will die of covid.

To come to the right decisions, this House needs all the information available, but it is not coming from the NHS and it is not coming from Government Ministers. That is why I will not give the Prime Minister the benefit of my support for the way he has arranged to respond to this covid crisis.

3.36 pm

Sir Desmond Swayne (New Forest West) (Con): On a typical winter's day, between 200 and 350 people will die of flu. Do we hide behind our masks? Do we lurk at home, working from home? Do we demand that people provide their bona fides before going to a venue? Do we require people to be vaccinated as a condition of keeping their jobs?

The question whether the measures before the House today are proportionate comes down to a matter of opinion. Do we take seriously some of the extraordinary extrapolations that we have been given, particularly given the previous record? The fact is that those are things that might take place, and we have to balance them against the known costs and damage to enterprise, economy and society.

In the end, it comes down to a matter of opinion—a matter of our prejudice. Typically, we are capable of organising our lives and making those decisions for ourselves. We decide what our risk appetite is and what we are or are not prepared to encounter. Notwithstanding the carnage on our roads, which is certainly killing more people than covid at the moment, some of us still decide to drive. It is a matter of opinion.

It comes down to letting loose the dogs of war—getting the fear factor into it and getting the officials, the members of SAGE, Independent SAGE and SPI-M and all those who speak in their private capacity out there twisting the fear lever. What about the Health Protection Agency? What Stalinist minds thought up that nomenclature? Get them out there, twisting the fear button, and by and large you will get the reaction that you want: people will crave more enforcement and fiercer measures to protect them from the great danger that is out there. Let hospitality be just collateral damage—let the industry endure the deluge of cancellations at what should be its most productive time. That is the situation that we have delivered.

[Sir Desmond Swayne]

The Government, having administered this Ministry of fear, are absolutely complicit with their officials and organisations who have designed and delivered it. In doing so, they have abandoned any principle of social democracy or liberal democracy, absolutely beyond anything that we have endured in recent living memory, in the history of this pandemic. As a consequence, having abandoned what might have been their ideology, they are rudderless and so much more at risk of the opinions and predictions of the advisers to whom they are in hock.

3.39 pm

Caroline Lucas (Brighton, Pavilion) (Green): I have just come from a meeting of the all-party parliamentary group on coronavirus. We were given a shocking set of presentations, about which the hon. Member for Oxford West and Abingdon (Layla Moran) will say more shortly.

I want to bring three key messages from that meeting of scientists and NHS professionals. The NHS is already beyond full stretch, and some said that it was at breaking point. They pointed out that we are not South Africa, which started its omicron wave from a low level of cases. We are starting it on top of a rising number of delta cases, so we have to get transmission rates down now. The focus on vaccinations alone, although they are vital, will not be enough. We have to focus on a range of other measures such as ventilation in schools, as other hon. Members have mentioned, and the big issue of limiting social contact.

We need to be honest and to have consistent and clear messaging about the need to reduce social contact. There is a direct relationship between the number of contacts that we have and the spread of infection. Giving guidance to work from home while still giving the green light to Christmas parties is, as the professor of primary care in Oxford suggests, akin to giving people advice to wash their hands after a meal but not after going to the toilet. We are all dreading the prospect of not seeing loved ones again at Christmas, but that is exactly the direction in which we are heading unless the Government show some leadership and tell us the unwelcome truth that we might not like to hear.

Tim Loughton (East Worthing and Shoreham) (Con): The hon. Lady and I share a hospital trust. She will know that that hospital is being overwhelmed at the moment not by covid cases or covid pressure but by cases of non-covid illness that have been neglected during lockdown and by the inability to release people who are medically fit for discharge. Is it not correct that, as it stands, those are the real pressures on the health service, not a torrent of covid cases coming in?

Caroline Lucas: That may well be the case now, but I do not see why that is an argument against needing to get coronavirus cases down. If transmission rates go up on the trajectory that we are being told they will, we can be sure that there will be massive pressure on our hospitals and NHS trusts. I do not disagree with the hon. Gentleman's point, but it is not a criticism of my argument. It is precisely because of the multiple pressures on our hospital system that we need to get transmission rates of omicron and delta down. That is why I want the Government to get rid of the disincentives that are built

into the system and that stop people being able to self-isolate when they need to. Why do we still not have better sick pay for self-isolation? Why do we not have better support for our businesses? If there is going to be reduced social contact, as there needs to be, we know that has an impact, particularly on the hospitality sector.

We need VAT reductions to be extended beyond April, when they are due to end. We need businesses to be offered grants to help them through the next difficult weeks and to be given flexibility on paying back covid loans. My constituency is already feeling the impact of omicron, and the hospitality sector is extremely worried. Why can we not tell it, for example, that there will be extended and expanded business relief, with the Government ensuring that local councils do not lose even more funding? There should also be a proper support scheme for the self-employed who, as we know, play such a key part in our economy but were utterly left out of previous support mechanisms.

I regret that the Government have given MPs less than 24 hours to analyse the statutory instruments before us. Frankly, they have not advanced the scientific case for them. A Public Administration and Constitutional Affairs Committee inquiry earlier this year concluded that the Government had not made a robust case for vaccine passports, and I have not heard anything today that has persuaded me otherwise.

Although I recognise the civil liberty arguments on the measures, with which I have sympathy, my bigger concern comes from the strong body of evidence on the impact of vaccine passports on vaccination rates. That evidence makes it clear that, although they can accelerate take-up rates among those inclined towards vaccination, they also entrench opposition among those who are hesitant.

As Professor Stephen Reicher has said, people not getting vaccinated is not a cognitive problem—it is not that they do not understand the issues—but a social problem. People are not getting vaccinated because of a lack of trust, and trying to force them into it, either through vaccine passports or through mandatory vaccinations in some settings, compounds that mistrust, as does berating them or “othering” them. If we want more people to be vaccinated—and believe me, I absolutely do—that is the bottom line, but we have to build the sense that vaccination is being done for the community, not to it. It is for the common good. Behavioural science clearly indicates that coercion undermines the relationships we need to build and the respect we must show one another in order to increase vaccination rates, and we do everyone a massive disservice by ignoring that science.

I want to end by saying a few words about the wider global situation that we face. It is supremely reckless to have so catastrophically neglected vaccination in poorer countries, and it is extremely reckless of our Government to refuse to support the waiver on trade-related aspects of intellectual property rights at the World Trade Organisation. As Winnie Byanyima, executive director of UNAIDS, has said,

“Omicron is with us because we have failed to vaccinate the world.”

The Government should absolutely be changing their position on that TRIPS waiver: they should not be blocking it. The virus will be with us for years and years

to come, and it will mutate into other viruses and variants unless we treat this as a global crisis, not just a crisis here at home. I beg the Government to look at the evidence, to look at what works, and to move forward on that basis.

3.46 pm

Dr Liam Fox (North Somerset) (Con): Let me begin by saying a word about the vaccine programme and issuing a plea to Ministers.

It is important that, with the emergence of omicron, we do not accidentally underplay the success of the vaccine programme to date. We know that vaccines will generate a number of immune responses—the production of neutralising antibodies, the production of marker antibodies, and a T-cell response—and, although with omicron a booster dose is required to bring about the level of neutralising antibodies that we saw following our response of two doses to the delta variant, the whole programme gives both individual and community protection; and we are starting from a very different place from the place where we were with the delta variant.

It is very important for us to encourage people, especially young people, to get their second dose. May I make a plea that we stop hearing from Ministers the phrase “two doses don’t work, three doses do”? I think that it is undermining the Government’s own programme. May I also make a plea that we drop this constant reference to the doubling time of the current variant? The fact that the measured doubling has been two days in the very early stages is no measure whatsoever that that is something that we will see in the future. If it doubled every day, the whole population would be affected in nine days. This is not modelling; it is simple extrapolation, which does not contribute to a sensible debate on the subject.

When it comes to the proposals before us today, lawmakers need to look at several elements. Are these measures necessary, are they proportionate, are they enforceable and will they be effective? Let me begin with the 10-day quarantine, which was a bad measure to begin with. It was disproportionate and it was likely to bring about a recurrence of the “pingdemic”, so I am glad that it is being dropped. However, the point made by the right hon. Member for Exeter (Mr Bradshaw) is a key one which must be answered by the Government. If having the red list is pointless and if enforced 10-day quarantine is pointless, why are some people still in enforced 10-day quarantine? It is incumbent on the Government, having abandoned the policy, to let those people go free, otherwise I fear that the Government may face legal action.

Chris Bryant (Rhondda) (Lab): The right hon. Gentleman is making a very important point. Some Welsh rugby players who had covid in South Africa did 10 days’ quarantine there and are halfway through quarantine in England, and they are now being told that they must complete the whole of the quarantine period. When the position is as illogical as that, it brings the whole thing into dispute.

Dr Fox: I absolutely agree, and what we do not require is more advice from Ministers on this subject; we require decisions from Ministers on this subject.

I also want to raise the issue of masks. I receive letters, as I imagine all Members do, from people who say, “There is no point in wearing masks because they do not stop transmission.” I assume that those people would not like their surgeons to wear masks during a surgical procedure. This is nonsense: mask wearing is a common-sense thing for us to do if it reduces transmission to some degree. It is a minor inconvenience to the vast majority of people and it is a sensible measure for the Government to introduce, and I therefore support it.

I cannot say the same for the Government’s covid passport. I do not believe it passes the necessity test, and I think the good working of the insurance industry and the availability of civil remedy in the courts are enough to drive the behaviour of venues towards sensible public health policy. We, as a Government, should not be creating criminal offences unnecessarily. I worry about enforcement and penalties in a system that is already overloaded. There is no evidence from Scotland or elsewhere that covid passports actually work. France was mentioned earlier, and there are more than twice as many people in hospital with covid in France than in the United Kingdom.

Siobhan Baillie (Stroud) (Con): Will my right hon. Friend give way?

Dr Fox: I have given way once. I am conscious that colleagues want to speak, so I will not give way again.

I assume the lateral flow tests will have to be externally validated, which will add a cost to anyone who wants to go to one of these venues. That will not be the help to the hospitality industry that has been suggested by the Secretary of State and the shadow Secretary of State.

When compulsory vaccination was introduced for care workers, many hon. Members took the view that it was the thin end of the wedge, but we were assured that it would be care workers and no one else. Now it is all NHS workers, with a few exemptions. The ground for compulsory vaccination is that these staff will be working with vulnerable members of the public. Well, so will the police and some retail and post office workers. Where does it stop?

The hon. Member for Blackley and Broughton (Graham Stringer) made the valid point that this is a retrospective change to the terms and conditions of people who already work in the NHS, and it is likely that we will lose staff as a consequence. This is completely unnecessary when more than 91% of NHS staff have already volunteered to be vaccinated. It is disproportionate and illogical, and I do not believe it will be effective. If the logic of the Government’s position on covid passports is that people must be given a choice between being vaccinated and getting a daily lateral flow test, why does that not operate in the health service, too? The lack of logic in many of these measures diminishes support for the Government’s case.

I end on a positive note. Many of these measures are relatively small beer compared with what we can achieve through the booster campaign, so it is essential that the one message we leave the House with tonight is that every one of us has a duty to say to every one of our constituents, “Go out, get immunised and get a booster. That is the best way you can help yourself, your family, your community and wider public health.” If there is to be unanimity in the House at this time of year, that is surely the message that must resonate.

3.52 pm

Justin Madders (Ellesmere Port and Neston) (Lab): Having had the dubious pleasure of spending an inordinate amount of time in various Committee Rooms over the past 18 months to scrutinise regulations introduced by the Government as part of their response to the pandemic, I must confess that I have had withdrawal symptoms following the reshuffle, so I am pleased to have the opportunity to speak on these regulations today.

I am sorry to say that, on too many occasions, regulations were debated well after they came into force, so it is positive that at last we seem to be getting into the habit of having debates and votes before regulations become law. I would not want that to be seen as a ringing endorsement of the Government's approach to parliamentary scrutiny, as two of these sets of regulations were published only at 3 pm yesterday, less than 24 hours before this debate began. I know things move quickly, but some of these regulations have been the subject of consultation for many months. There is no excuse for their being dropped in at the last minute.

The decision to reveal the precise detail of these regulations at the last minute has probably generated more opposition than is warranted. I have had many representations from constituents about the entry to venues regulations on the basis that they represent a compulsory vaccine passport. Let us be clear that they do not. A negative test taken in the 48 hours before entry can be used as an alternative, which addresses many of the legitimate concerns that have been raised with me about civil liberties and discrimination. I am pleased that my party's persistence in pushing for a negative test as an alternative has been accepted, because it gives me enough confidence to support these regulations.

Matt Western (Warwick and Leamington) (Lab): Across the House, many of us have been calling for greater transparency from the Government. The more we hear from the chief medical officer, the more concerning it is. If the Government had been more transparent up front, I am sure there would be greater support across the House.

Justin Madders: Indeed. If we look at what has happened in Wales, there has been a similar system for some time, which seems to be working reasonably well. People have been required to produce tests when travelling abroad and several venues in England have been doing that on a voluntary basis. It is not the slide into dystopia that some people fear, but the situation has not been aided by the Government not being as up front as they should about what the regulations mean. Many people already routinely take lateral flow tests before they go out.

However, there are some outstanding questions and concerns. There is no doubt that some constituents feel that the regulations are the start of a slippery slope and that we will soon have to show vaccination papers to get in anywhere. I will be clear: I do not support such a move. Given that the Government cannot even bring themselves to mandate wearing face coverings in pubs, I would be surprised if they moved in that direction, but I want confirmation when the Minister winds up that the Government are not planning any extensions to where the regulations will operate. We also need a clearer explanation of where the line is drawn and to which venues the regulations apply. Do places such as this,

which fall into the definition of a public hall indoors with 500 or more people who stand up and move around, come within the ambit of the regulations? My reading suggests that they do. If we want to gain the public's confidence, we should show that the rules apply to us equally.

Another concern that has rightly been raised is whether a charge will be introduced at some point to obtain lateral flow tests. That would obviously undermine tests as an alternative to showing vaccine status. Charging people to obtain tests would be an absolute disaster from a public health perspective. That goes way beyond the remit of the regulations, but I hope we can get confirmation from the Minister that there are no plans to charge for tests.

The Government need to do rather better at setting out what they consider the cost of the regulations to be to businesses. Again, I note there has been no impact assessment for the entry regulations. Who will pick up the cost of enforcing them? There is nothing I can see about supporting businesses to check people, let alone providing resources to local authorities, which are meant to enforce the regulations.

What will be the position if there is a national shortage of tests? We are told that there are tens of millions of them but, as we know, there are challenges in getting them out to the people who need them. In those circumstances, will the regulations be suspended, or will people be pushed down the vaccination route?

That said, the evidential burden for a negative test seems particularly broad. I think that will assist in reducing the burden on businesses, but it also increases the risk of fraudulent tests doing the rounds. That would undermine the whole point of the regulations. We do not want the worst of all worlds: an expensive bureaucratic system that does not actually help reduce transmission because it is not properly enforced.

Regarding the vaccination of NHS staff, there is plenty of evidence to suggest that a small but significant proportion of covid admissions is the result of people acquiring the infection in hospital. I have seen figures to suggest that it has been as high as 15% to 20% of all covid admissions, although once staff started to receive the vaccination, the figure dropped dramatically. There is therefore evidence to show that the regulations will have an impact on covid admissions and the wider pressure on the NHS. I know it is difficult, but on balance, the regulations should be supported.

However, that should not be the end of the story. We have had a workforce crisis for years. Covid has accelerated cases of burnout and only a few weeks ago, the Government passed up the opportunity to grasp the nettle by refusing to implement a long-term workforce strategy. That is why we need an awful lot more work on the regulations.

The Government have an uphill struggle to earn people's trust and explain why they consider the proposals necessary, to convince the public that what is before us will be the limit of restrictions and that we will not be talking about extensions or changes at some point in the future. Judging by the comments of many Conservative Members, the Government have failed to persuade a number of their Back Benchers, so it is little wonder that we are all being bombarded by emails from our constituents expressing concern. That exposes the wider truth that the Government have vacated the space where

leadership should be. They are compromised by their own failure to follow the rules, riddled with internal disagreements about the route ahead and unable to provide the authority to persuade a sceptical public that the measures are needed.

3.59 pm

Steve Brine (Winchester) (Con): Here we are again, and this time, two weeks on, the concept of “learn to live with covid” is as dead as anything I know. In July, we were told many, many times from the Dispatch Box, and from the podium in No. 10, that we were on an irreversible road map to freedom. Do we all remember that? I thought it was an unwise hostage to fortune when it was said, and so it has proved.

When I vote tonight, I will consider the legislation before us. I completely agree with the hon. Member for Ellesmere Port and Neston (Justin Madders) that it should have been published long before this, less than 24 hours before the debate. That is why I did not tell anybody in the media how I was going to vote today—because I am rather old-fashioned and like to actually read the legislation before I decide how I am going to vote. I wish those on the official Opposition Front Bench had done the same. I look at the legislation and I also look at the intention behind it, so what is the intention here? Is it to stop omicron? Is it to slow the spread? That is clearly not happening now, so I guess the question we then have to ask is whether these four SIs are going to do that. Working from home is not in an SI; it is guidance. We are told that people need to work from home where they can, but they can meet the very same people in the pub that evening and every evening. Is that going to slow the spread? I do not think so.

I abstained on the SI on mask-wearing two weeks ago and I will do so again this evening. I have no issue with wearing a mask. It does not impact on my life or on my freedoms. Many of my constituents have been wearing masks in plenty of situations, indoors and out, for a long time throughout the pandemic. I think it is a bit of a crutch, but if people believe that it makes them safer, that is fine. In many ways, it is an instrument of people feeling they are safe. Today’s SI says that we have to wear a mask in certain shops but not in pubs or in restaurants, and some of the exemptions make a mockery of it, but I will not stand in its way.

On the covid passport, if we were to put aside the practicalities and the moral arguments, which I do not, and many of my constituents writing to me certainly do not, then a vaccine still does not stop people getting this and passing it on. Professor Whitty said to MPs on a call this lunchtime that there is a minimal impact on transmission with regard to all our vaccines.

Last Wednesday, when the Secretary of State made his late-night statement, I expected him to bring forward a devastating piece of science that basically said, “The drugs don’t work.” That is not what he said; he said that we are moving to plan B on the basis of some modelling. We have SAGE’s gloomy predictions and yet a confirmation that vaccines do work with two jabs, even better with a booster. I completely agree. Today we have a study that says that the Pfizer vaccine has 70% efficacy against the omicron variant. Last Wednesday’s statement should have been about the national booster effort that was announced in the live TV broadcast on Sunday night.

I cannot say how many of my constituents have contacted me furious at the frightening nature of that broadcast that sent their children off to bed terrified.

If we truly mean the “learn to live with covid” mantra that we continue to hear, the booster campaign is 100% where our focus should be. We should be focusing on an ongoing plan to keep immunity high. We probably need a new primary care infrastructure, because “panic stations and cancel all else” is not a plan. Yesterday I spoke to three of the four primary care networks that cover my constituency. They are going to do their absolute everything to offer the booster to all eligible over-18s by the end of this month, but it will be really difficult. They are scrabbling around for venues in the week of Christmas. This is not the long-term thinking that we need.

I am ambivalent about regulation No. 1400 on face coverings and I will not stand in its way. On isolation moving to tests, I will support that if there is a Division, although I suspect there will not be. However, if people cannot get the lateral flow tests, as they have not been able to today and yesterday, as I raised in an intervention on the Secretary of State, then we get the pingdemic anyway, so we need to sort that supply out. I will not support the vaccine passport because it crosses a Rubicon. Italy began in exactly this way saying that it was all about providing lateral flow tests, and I think it will move, and move quite quickly. On the mandating of health staff, I will support that to be consistent with the mandating of vaccines in the care sector. If you work in the health service, working with vulnerable people, surely you have to believe in science above all else, and there is a precedent because of hepatitis B. So it is a mixed bag for me: I will support some of the measures before us today but not others.

4.4 pm

Daisy Cooper (St Albans) (LD): We all know that the NHS is facing one of the toughest winters in living memory; not only is covid a very real threat, but we are also facing a potentially tough flu season. The Liberal Democrats will be supporting the statutory instruments on face coverings and self-isolation, but let us be clear: the Government should never have scrapped the use of masks on 19 July. Their obsession with removing all precautions in one go had far more to do with party management than it did with public health. We have all made tough sacrifices throughout the pandemic, and asking people to wear masks on public transport would have been a very small ask with a very large pay-off. We also support the working from home guidance, for which we have been calling for some time.

Today we are discussing the plan B protections to reduce the spread of this disease, but there have been rumours overnight that the Government are also working on a possible plan C. It has been reported that the UK Health Security Agency has privately advised the Government that “stringent national measures” will need to be imposed by 18 December—in just four days’ time. This drip, drip of information is causing huge uncertainty and anxiety. We need clarity and we need it now. The British public are haunted by Christmas past. We know that that last-minute U-turn meant that many people ended up spending Christmas on their own last year. With just days to go, we need the Government to come clean and tell us what omicron means for Christmas this year.

[Daisy Cooper]

We Liberal Democrats welcome the ambition of 1 million jabs a day, and we sincerely hope that it makes up for the complacency around the booster scheme over the last few months, but the way in which the target was announced, with no scrutiny and no details, was a real insult to all those who were left to scramble to pull a plan together on Monday morning. The idea that NHS staff, GPs and their staff, local authorities, the military—none of them—had been given any prior warning of the announcement is extraordinary, and highlights the Government's complete lack of planning. The idea that those people, whom we are now asking to vaccinate millions, were an afterthought is shocking. But here we are. As always, our NHS, the GPs and their staff, local authorities, the military and volunteers are stepping up, and as a country we are grateful.

The Government still have not made a commitment this afternoon that if they bring in more protections of any kind, this House will have the opportunity to scrutinise them, so I want to get a few points on the record right now. If the Government are considering any further protections, they must support small businesses and our high streets. Hospitality businesses are experiencing unprecedented cancellation rates for this festive period, and they were experiencing them even before the latest protections were announced. Hospitality is technically allowed to stay open, but all of the mood music is telling people not to go, which is causing a huge problem. We have therefore called on the Government several times to call and convene an urgent hospitality summit in order to see what support businesses need right now.

If there are further restrictions, we must also look after people's mental health. We need supported isolation, not lone self-isolation. There must be financial and practical support for those with caring duties and for those who live alone—and for our schools. Our children have suffered so much. It was months ago that the Liberal Democrats called on the Government to ensure that there was an air purifier in every single classroom in England, but we are still nowhere near that.

Finally, for all these measures to work, there must be trust in the Government. With that in mind, what we need now from the Prime Minister and his Cabinet is the truth. Will the Government come clean about Christmas, or will we see another last-minute U-turn that ruins the Christmas holiday and is too late to alleviate pressure on the NHS? I sincerely hope that it is the first.

4.9 pm

Huw Merriman (Bexhill and Battle) (Con): Over the past year I have supported some covid measures and voted against others. With that in mind, my constituents may be struggling with the logic of my voting record, but I believe it is straightforward and I hope to exemplify why that is the case.

Where the measures have felt disproportionate to the wider harm, I have voted against their introduction. An example was putting the constituency in differing tiers when hospital admissions were low. Where the hospitals could not cope, I did support lockdowns as proportionate in those dramatic circumstances.

Where the wording of measures felt contrary to the aims they sought to deliver, I voted against their introduction. The 10 pm curfew was a good example of that; everyone

piled out of the pub and on to public transport, and the Government eventually conceded, and reversed. That was the same concept that led me to vote against last week's self-isolation regulations. I could not understand why, when omicron was going to become the dominant variant, we were requiring people to self-isolate; it would have led to a pingdemic. I am glad that the Government are reversing that today and I will gladly support that regulation.

As for the other three, my thoughts are as follows. For face coverings, I voted for the same outcome for retail and public transport last week. I do not want to see face coverings become a permanent feature and I do not want to see them reintroduced in the classroom, but for a limited period of time, in a settings reference, it feels right to me to extend the scope. On NHS workers being vaccinated, I voted for the same outcome for the social care workforce, and will do so again. We know that getting vaccinated reduced the delta transmission rate by 60%. We also know that patients who get vaccinated are not completely protected from serious illness or death. Surely, if care is in the DNA, it is not unreasonable to expect vaccination to be an entry point. If NHS workers believe that their own choices come before the safety of their patients, or if they do not believe that the NHS is about working for covid and working for vaccines, or that the evidence on those is true, I question if they are in the right profession.

For vaccine certification at larger venues, I am genuinely perplexed about the outrage at, at worst, showing paperwork. Last month, I got asked for my passport when I came back into the country. I have to show evidence of purchase when I watch a football match. I was also delighted to be asked for ID showing my age when I wanted to buy a beer, only a month back. What is the issue in temporarily asking someone to evidence vaccination, or a negative lateral flow test, for certain venues? If it keeps people safe, and in jobs because we do not have to put more draconian restrictions on events and hospitality, I am happy to oblige.

The impact of the omicron variant is not known. What we do know is that the doubling rate is two to three days; for delta it was seven days. In South Africa, where the variant emerged, the hospitalisation rate is now rising. Yes, the vaccination rate is lower in South Africa. However, it is also their summer, they have a higher level of antibodies from natural infection, and the average age is 13 years lower than in the UK. These restrictions are limited in time and scope. I ask myself, "What is it that I will not be able to do tomorrow that I could do last week?" The answer is, absolutely nothing. A little more face-mask-wearing. A little more admin to go to the football. If you are an NHS worker and are not going to vaccinate, there are a record number of jobs available for you to work somewhere else.

There is a larger issue at play, which I find infuriating. Over 80% of my constituents have got themselves vaccinated. They are keeping themselves and their communities safe. They are minimising their own impact on the NHS. There are a small minority who are not playing by the same rules, and have the temerity to lecture me on freedom. Let me tell them this: their freedom to remain unvaccinated and then do as they choose is reducing the freedoms of those who have done the right thing for themselves and the wider community.

As a Conservative, I believe that rights are not absolute: they have to come with responsibilities. Being a cavalier for freedoms is what we were sent to this place to be. Being cavalier about the health of the public is contrary to that principle. With that in mind, I will be supporting these proportionate and limited measures this evening.

4.13 pm

Paula Barker (Liverpool, Wavertree) (Lab): Given time, I will concentrate my comments on mandatory vaccinations for NHS staff. I find myself really torn on this emotive subject, and I also find myself trying to apply logic to what is quickly becoming an illogical argument from the Government Benches. If it is really about patient safety, the Government should already have identified workers in the NHS who are still unvaccinated and have been working with them to alleviate fears and concerns and remove barriers. The Secretary of State should explain to the House why it is acceptable for those in the NHS who remain unvaccinated to work on the frontline to assist with the omicron crisis but, come 1 April, to be dismissed. Quite frankly, it makes no sense.

Comparisons have been drawn with the requirement for NHS staff to be vaccinated against hepatitis B. The reality is that chapter 12 of the Public Health England Green Book, which provides the latest information on vaccines and vaccinations, states:

“Hepatitis B vaccination is recommended for healthcare workers who may have direct contact with patients’ blood or blood-stained body fluids.”

It is not the law. The Government proposal will see these workers work around the clock during the next few weeks and months, only to be dismissed on 1 April if they do not succumb to mandatory vaccination.

Andy McDonald: Does my hon. Friend agree that if these measures will come into force at the beginning of April and the parties concerned are to participate in a framework agreement for their roll-out, there is an ideal opportunity for those parties to work through how they may be implemented? By rushing the measures today, we are being robbed of that opportunity, despite the noises from the British Medical Association, the unions and the royal colleges.

Paula Barker: I thank my hon. Friend for that excellent point, which I agree with wholeheartedly.

The workers I am talking about are the workers who worked around the clock at the start of the pandemic, despite having inadequate personal protective equipment, because they were putting the nation first. They are the workers who will continue to work around the clock over Christmas and the new year. In an institution that is built on consent between patient and clinician, the Government are ripping up the rulebook to suit their own ends, while at the same time we are seeing the 17th reorganisation of the NHS since 1993.

We clapped for our care workers and NHS staff on a Thursday, and they will get us through the latest crisis over Christmas and the new year. But now the Government, who ripped up the rulebook last Christmas while the rest of us obeyed the rules, sacrificing seeing our loved ones—some in their final moments—are going to dismiss workers in April. And all this while No. 10 and the

Department for Education not only had Christmas parties but told this House and the nation that they did not. The message is inconsistent and makes no sense.

We are told to trust the Government, but it is increasingly concerning that they are reviewing the Human Rights Act and want to replace it. We should be very afraid, because this could be a sign of things to come from a Government and a Prime Minister who believe they are above the law. Even worse, if they do not like the law and it does not serve their purpose any more, they will rip it up and start again until they get the policy or the outcome they want, irrespective of civil liberties or economic damage.

The right to choose, particularly when it comes to our own bodies, is something we should all take very seriously. I implore everyone to get vaccinated and boosted to protect themselves and others, but the Government have set a precedent that should worry every citizen. For the first time ever, we have seen the profession of care workers singled out; they have had conditions attached to their employment status that were never there to begin with.

There is so much that the Government could do in the weeks and months ahead, from constructive negotiations with the trade unions, which remain opposed to mandatory vaccinations, to ensuring that local authorities and health services have the resources and capacity required to deliver the ambitious daily targets for boosters, and that statutory sick pay is set at the Living Wage Foundation rate. Most importantly, they could follow the rules themselves, to give the public confidence that any measures introduced are proportionate and necessary.

Before entering this place, I represented care workers, NHS staff and public servants, many of whom are now my constituents. I take very seriously my responsibility to ensure that their voices are heard, while trying to balance that with the unprecedented situation before us and the importance of public health. I think we can do just that by consensus rather than compulsion.

I implore the Government to pause on the issue of mandatory vaccinations, withdraw the relevant statutory instrument and work on the issue with the trade unions, the Labour party and all those in the House who offer cross-party support. The Secretary of State himself has said that we have seen an increase in vaccination rates since the start of the consultation. Please, remove the SI and let us work together to get the country vaccinated.

4.20 pm

Dr Andrew Murrison (South West Wiltshire) (Con): I draw the House’s attention to my entry in the Register of Members’ Financial Interests: I am a doctor and vaccinator.

Statutory instruments Nos. 1400, 1415 and 1416 are without question relatively modest, certainly by comparison with the restrictions that currently apply in similar jurisdictions, and it is a very good thing that they will fall on 26 January. Nevertheless, I urge Ministers to think about the rapidity with which the evidence is changing. Currently, the evidence from South Africa is relatively positive: I am particularly impressed by the fact that mean hospitalisation in this particular wave is 2.8 days—it was previously eight days with the beta variant predominant in South Africa, whereas we have had delta, which is worse. From that, we can deduce,

[Dr Andrew Murrison]

because it is the same population with the same demographic issues, that this variant is relatively mild. That has to be our working hypothesis, but we really do not know. We are struggling for evidence and the evidence appears to be evolving by the day. It seems to me unreasonable for the public to see their representatives leave this place for two weeks when they would expect us to be here to hold the Government to account on a real-time basis, which would require the House to sit next week and the following week, inconvenient though that may be for a lot of colleagues. I urge Ministers to give that some thought so that we could consider, for example, the advice on working from home that is currently having a significant impact on sectors of the economy.

SI No. 1415 is permissive, for which I congratulate the Government. I welcome it, and it should avoid another pingdemic. The advice about taking a lateral flow test for seven days is sensible, but only if, of course, lateral flow tests are available. I have heard that they are not available today in my constituency and hope that Ministers will attend to the issue as best they can.

I cannot get too excited about statutory instrument No. 1400, on face coverings. The best evidence published last month in *The BMJ's* meta-analysis suggested that the wearing of masks had some effect on transmission, so it is the least we can do to wear the wretched things. The measure extends the list of venues that require people to wear a mask, but as we have all seen—those of us who use public transport and shops—the prevalence of mask wearing has increased in any event, thanks to the good sense and good will of the British people. We should encourage that at all times.

Statutory instrument No. 1416, on access to venues, starts to get a bit more sticky. The Secretary of State's workmanlike recasting of vaccine certificates as an alternative to a negative lateral flow test yesterday was very helpful, but it was not helped terribly much by the remarks attributed to the chief medical officer earlier today that seemed to suggest that protection against transmission for vaccinated people is rather less than many of us had previously hoped. That did nothing to advance the case that the Government are trying to make, but I am more relaxed about that particular SI now.

I am slightly concerned about the SI on regulated activities. If a recent negative lateral flow test is okay under SI No. 1416 and, to an extent, SI No. 1415, why is it not okay for healthcare workers? With respect to my colleagues, the difference between the BCG and hepatitis B vaccines for those in the national health service who perform exposure-prone procedures and the situation we are discussing here is that there is an alternative to demonstrate that a healthcare worker poses no threat to their patients: a lateral flow test conducted very recently. It seems to me that, given the Regulatory Policy Committee's damning assessment of the measure and the likelihood that as a result we will lose quite a few people in a health and care system that can scarcely afford to lose people, we need to look at alternatives to keep people in, not least because even the vaccinated will feel the pressure of some of their unvaccinated colleagues leaving. This could be something of a perfect storm in the winter months, and I hope Ministers will look again at whether we can

have lateral flow testing—on a daily basis if we like, as I have had when I have been jabbing—as an alternative to insisting on vaccination.

I ask Ministers please to examine the issue of quarantine hotels and the requirement to bang people up. That is completely untenable, given the change in advice. I am surprised that Treasury lawyers have not already been advising Ministers that it is not appropriate, and I suspect there will be a wall of cases if those people are kept locked up when they should be released, in accordance with Ministers' very welcome announcement today on the red list.

4.25 pm

Dame Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I rise to focus, in the short time available, on statutory instrument No. 1416, on entry to venues and the issue of compulsory vaccines. It feels as though I have been around this block before, because just over a decade ago I was the Minister responsible for identity cards and passports in the last Labour Government, yet I share concerns about health data being routinely required in order to access services.

When we dealt with identity cards, we were clear that they were about verifying identity, with no health information included, despite some groups lobbying to have health information on those cards. No immigration status information was to be on them, although many of my constituents and people up and down the country, do have cards with their immigration status on, which they are happy to have to prove their rights. There was other lobbying to include things such as veteran status on cards, but the Labour Government pushed back hard on those points and there was absolutely no requirement in law to have an ID card to access any public service.

That is very important, because tonight's proposal does not require people to show their vaccine status in order to access a public service. It is about accessing optional large events, where they could be a spreader. In addition, ID cards were on a statutory basis, with a raft of underpinning law to make sure that we had a clear basis for them, and they were long-term. They were debated at length, including twice in this House, because the general election of 2005 interrupted the process.

Let us be clear that a covid vaccine status document or app is a temporary measure—it expires. I have just had my booster, but had I not done so it would have been a moot point as to how long my second vaccine would still give me the status that I require. The Secretary of State has said that that booster will be required, once it is rolled out, on that pass in order for it to be valid. It is not required in order to access any public service. That is an important step, because if we were to go down that route, we would need to get this on to a statutory footing. I hope we never get to that point, but we do not know what is going to happen with coronavirus. As it stands, we have not had a version that will kill our children, and thank God for that, but we know that this is not yet over. At this stage, there is no proposal for a permanent covid pass and therefore there is no need for this to have a statutory footing, because we hope this is something that will run into the stand.

We are also talking about a health treatment here. When I present my pass, it tells the person nothing other than my name and my date of birth; sadly, people will have probably worked out that I am no longer 21,

and I do not really mind about that. If that information is needed in order to get into a venue, I am prepared to make that choice. It is a compromise, because of what happens if we do not do this. The data will show that although even vaccinated people can catch covid and spread it, this reduces it, and the booster reduces it further.

For sceptics, let me say that 100% safety would mean a lockdown or closing down hospitality venues, events, workplaces and schools—no one wants that. So this is not a perfect solution to stop spreading omicron or any variant of the virus, but it protects our hospitality industries and events. Even though they are still hit, it protects them from complete closure. This approach of temporary and near universal coverage, limited information required to be presented and no requirement for venues to hold copies of our data is a proportionate response. It is a responsible thing to support each other. Individual freedom, as outlined by the hon. Member for Bexhill and Battle (Huw Merriman), cannot be at the expense of wider freedoms; we do have that responsibility with that freedom.

I wish to touch on compulsory vaccines for health workers, and I congratulate my hon. Friend the Member for Ilford North (Wes Streeting) on his tour de force on that. I am concerned about pushing people forcibly to have a vaccine, but we should never have got to this point. We should rely on reliable information and education to ensure that we do not get to the point where people have to be forced. Of course, we cannot force someone to have a vaccine, so the consequences for a health worker are immense. Ultimately, for those health workers on the frontline supporting their patients, vaccination will have to be a requirement for the job, because the risk of spreading the virus or of sickness across the health service because staff are not protected would cripple our health service. Reluctantly, therefore, I have moved to the point where, having voted against it in the past, I will support the measure tonight. Spreading a virus that makes us ill, kills us and puts pressure on the NHS is not something that NHS workers can be a part of, but NHS England must work hard to convince and support people and to get rid of the disinformation about the danger of vaccines.

4.30 pm

Mr Mark Harper (Forest of Dean) (Con): Let me start with a few words about the big picture. My hon. Friend the Member for Winchester (Steve Brine) put this very well. We know that covid is going to be with us forever, and we know that we are going to have variants forever. The chief scientific adviser has told us that, and I agree with him. There are many people who think that we will just have to wait a bit and it will all be over, but that is not happening. We have to be realistic about what we are facing, and according to Jeremy Farrar, we are facing this challenge as probably the best protected country in the world through vaccination.

This was effectively the first big test for the Government: how do we deal with a variant of concern in a very well vaccinated population? I am disappointed that we have quickly gone into panic and emergency mode, with late Sunday night broadcasts—not in the House of Commons where questions can be asked—scaring people witless. For example, they have been told that two doses give them no protection, which is not true. Two doses provide

weakened protection from omicron against infection, but they still provide good protection against serious disease. I am concerned that many people out there who have had two doses and who are perhaps vulnerable now feel that they have no protection. That is simply not correct. If this is the first test, I do not think we are doing very well.

Aaron Bell: The data from South Africa that we heard this morning in the Science and Technology Committee showed that we still have good protection against severe disease from two doses of Pfizer, but it has gone down from 93% to 70% for hospitalisation. That is four times the risk of hospitalisation.

Mr Harper: I have seen that, and I look forward to the information from the UK. The point I have been making in my constant repetition about the House sitting next week or the week after or being recalled—my right hon. Friend the Member for South West Wiltshire (Dr Murrison) also mentioned this—is that we are learning new information every day, and when we get that information, we might need to make different decisions. The House needs to be involved in those decisions; they should not simply be made by Ministers by decree. I repeat that point, and I do not understand why Ministers will not give us that assurance. It would build a lot of trust and good will among colleagues, and I do not understand why they will not give that commitment.

These decisions have significant economic and social impacts, as well as impacts on the NHS's ability to deliver non-covid treatments. My hon. Friend the Member for Winchester has already pointed out that the NHS is going to scrap a whole load of elective surgeries and consultations with GPs in order to get boosters delivered. That might be the right decision, but I do not think that a proper balancing is taking place. Goodness knows how long it is going to take us to recover from the creation of this new backlog over the coming months. If the Government's fears, as set out by the Secretary of State, are confirmed in any way, what is the exit strategy? What approach are they going to take to ensure that we do not face on-and-off seasonal restrictions forever? That is a serious question, and it has been raised by other colleagues. We need an economy that functions, people need to build lives that can function and the NHS needs to be able to function and deliver all the other healthcare we require.

Let me turn briefly to plan B. I am happy to support the measures on self-isolation. I simply note that, two weeks ago when we were asked to vote to restrict them, I voted against that. Two weeks later, the Government have agreed that I was right to do so, because they are effectively revoking those earlier measures. I will leave that thought with colleagues for when they decide whether they wish to listen to the advice of Ministers or others.

On vaccine passports, the Government's plan B makes it very clear that Ministers' preference is for vaccine-only passports. The only reason why tests have been incorporated is to buy or secure the support of the Opposition. That is the only reason. Ministers' preference in writing is for vaccine-only certificates, so we know what they would like to do if they could get away with it.

The Secretary of State also made some commitments about not supporting mandatory vaccination for the entire population. The only reason that needed to be said is that, two weeks ago, the Prime Minister put on

[Mr Harper]

the table the whole concept of mandatory vaccination and talked about having a “national conversation” about it. All I say is that, if Ministers wish to build trust and good will, they need to be careful about what they say. They should not fling these very troubling concepts around without thinking about them. Words have consequences, both in terms of what happens in the real world and of the trust that needs to be built with Members of Parliament and the public.

What is proposed for vaccine passports is very limited, but that was the case everywhere they were introduced around the world. Everywhere they have been introduced, they have been extended. In Wales, for example, where Labour is in power, they have been extended in terms of the venues to which they apply, so anyone who thinks that Ministers will stick to what is currently on the Order Paper are, I am afraid, kidding themselves.

The final thing I say to colleagues is this: the vote on vaccine passports is not just about the regulations on the Order Paper; it signals how we wish to treat this House, how we wish to be treated on behalf of our constituents, and the direction of travel and the approach. If my colleagues wish to send the Government a clear signal that they need to rethink their approach, then, certainly on vaccine passports, they should vote against them. Send the Government a clear message that we can do better. There is a better way, and we should send that message today.

4.36 pm

Layla Moran (Oxford West and Abingdon) (LD): The past week has been tumultuous. We are about to go off on our Christmas break. The only positive thing that has emerged from party-gate is that it took Boris Johnson—[*Interruption.*] I do apologise. It took the Prime Minister potentially being on the front pages of all the newspapers on Monday morning to come out in favour of a different approach to plan B. I can only say thank goodness for party-gate. Had that not happened, I wonder how much longer we would have waited for the Government to act. The reason why that matters is that, every single step of the way through this pandemic, the longer we have waited, the worse things have got. The sooner we act, the less we have to act and the better the benefits.

This morning, the all-party group on coronavirus heard from the experts, many of whom advise the Government, and from people who represent frontline NHS workers. We wanted them to answer simple questions: “What is going on?” “Tell us about omicron.” Also, “Is it enough?” On omicron itself, the news is startling. Two-day doubling is quite scary. Even if all the population had boosters today, because it takes 12 days, more or less, for a person to develop immunity and become protected, the numbers would increase by 60 times. That is why the two-day doubling matters. It is true that when we get that booster immunity in place, the time of doubling will increase, which is a good thing, because we want to reduce that peak. My concern is that we have not gone fast enough soon enough.

Let us look at evidence from places such as Denmark and South Africa. Much has been made of South Africa, but it is true to say that our populations are not directly comparable. There are some things of which we need to take heed. For example, just this morning, there

has been new evidence to suggest that omicron affects young children more than delta. It takes tiny percentages of children getting sick for us to start seeing them following through into hospital admissions. We should remember that children are, as yet, unvaccinated; they have no protection at all. So the first plea I make to Ministers is where is the plan for children? It needs to go beyond hoping that they are going to be okay, because it would seem that this variant is potentially a threat. I will send Ministers the evidence I have seen, which is sincerely alarming, and I hope they take it seriously.

The other thing we see from Denmark is the shape of these curves. I know that this is hard to show when talking, but for the benefit of *Hansard*, the blue line is delta and the red line is omicron. This is data coming from Denmark, and I will post it on Twitter if people want to look at it. However, for the benefit of *Hansard*, the blue line looks like a gentle slope and the red line looks like a hockey stick, and that is deeply alarming. So what do the Government need to do? They have gone from plan A to plan B, and they are considering, once they get plan B through, moving from B to C. I was a teacher before, and if that was happening to a student of mine, I would get the parents in and get them to have a chat, because we need to go from B to B-plus.

What does B-plus mean? It is the booster—absolutely, it is the booster—but we have to recognise that between now and then it is not enough. We need to ventilate our public spaces. We need to provide support for social care, because unblocking those beds in the NHS requires extra support in social care. We need to ensure that test, trace and isolate works, which means allowing people to get tested—we have seen issues with that already—but we also need to help them to isolate. We need to limit mixing, and if people will not do it themselves, the Government need to act. We also need to bear in mind the effect of long covid in all of this. If there are huge numbers of people who already have it, many more are going to have that. So I urge the Government: do not hesitate, act quickly, please do not curb Christmas, and go from B to B-plus now so that we can enjoy the holiday ahead.

4.41 pm

Andrew Bridgen (North West Leicestershire) (Con): Whenever this House passes legislation, it is essential that it is effective, evidence-based and logical, and it needs to have broad public support. What I see in front of us today with regard to plan B delivers on virtually none of these items. Indeed, if I look on social media and in my constituency email inbox or just have general conversation with others, it is clear that the measures before us are being treated with strong suspicion of a wider agenda, partly because they simply will not deliver on their supposed intentions.

Sadly, the Labour party will be supporting the Government today as legislation passes to introduce vaccine passports for the first time in this country, so it will fall to Conservative Back Benchers to be the only people who are subjecting these proposals to any sort of scrutiny. No doubt Her Majesty’s loyal Opposition would also like to take part in the discussions on proposals for mandatory vaccination, given the fact that they have supported every one of the Government’s lockdown proposals. Indeed, they have demanded longer and stronger lockdowns than we have had.

It would be remiss of me not to highlight the risk to the NHS that both vaccine passports and mandatory vaccination would bring. Vaccine passports tell those unconvinced of the science or those who for health reasons cannot take the vaccine that they are second-class citizens: they must show their papers or be banished. Mandatory vaccination would take these things a step further, effectively imprisoning anyone who does not agree with the status quo. All these measures are being considered or may be taken to protect our NHS.

There is all this fixation on the vaccine status of health and care workers, yet we know from the science that vaccination does not prevent transmission of the virus, so why are we going to put tens of thousands of people out of a job at a point when the NHS itself is going to be stretched to the limit and, may I add, when their vaccination status makes them little more or less dangerous to the people they work with or work for if they are tested daily?

Indeed, the best protection of all is actually to have had the virus and then to have recovered. The scientific evidence shows that someone is probably 10 to 20 times less likely to be reinfected if they have already had and have recovered from the virus than if they are double vaccinated, yet the many thousands of individuals in key worker roles who have had and have recovered from the virus but refuse to have the vaccine will actually lose their jobs at a key time. It is an inconsistency.

Turning to the question of the necessity of these restrictions, there have undoubtedly been far fewer deaths due to the omicron variant in South Africa despite its having been prevalent for four months and having replaced other variants that were more deadly in various ways. All the evidence we are hearing is that omicron is a milder form of covid with fewer cases of serious disease, fewer hospitalisations and, thankfully, far fewer deaths.

In my view, the most dangerous epidemic sweeping the world and our country is an epidemic of fear. It has seriously damaged mental health and particularly damaged the mental health of our young people. It must end.

4.45 pm

Rachael Maskell (York Central) (Lab/Co-op): I rise to express my serious concerns about the principle of mandatory vaccination, not for any ideological reasons but because it will have the contrary effect to that intended and therefore is wrong.

My concerns are first and foremost for public safety and also patient safety. That is the analysis I bring; having worked in the NHS for 20 years as a clinician, that is drilled into us from day one. The Government's lack of strategy in managing this pandemic is astounding and they must understand that we need to get ahead of the virus in order to lock it down, as opposed to locking people, and their futures, down. A lack of consistency also continually comes through their policies. They cannot have it both ways; there must be one approach that carries that thread of containing the virus. They cannot say to one venue that they are going to lock it down but tell another venue it has all the freedoms it needs, because that simply does not work; in fact, it is dangerous, and therefore the Government need to get a grip.

The very people we revered—who just a year ago we were clapping and calling our heroes—are the very people who are now exhausted, traumatised and frightened,

and the legislation before us will sack them. For two decades I was their colleague and I know the dedication, compassion and care they give to their patients; I was their trade union leader and I know their professionalism and the sacrifice they give for the people they care for. I will not undermine that trusted relationship, which is absolutely essential in delivering healthcare in our country, and I will not ride roughshod over Labour's NHS constitution, which pledges to assist people to participate fully in their own healthcare decisions and to support them in decision making. I will not turn my back on working people, and I will never forget my roots and those I served alongside. While the Prime Minister partied, NHS workers put on layers of personal protective equipment and fought for lives. That is what those in the NHS do: you make sacrifices and while traumatised you just keep going.

Jeremy Corbyn (Islington North) (Ind): My Friend's excellent work as a trade union leader in the NHS is well understood. She is speaking on behalf of NHS workers; has she any idea how many will be affected by this totally wrong attempt to force vaccinations and passports on people?

Rachael Maskell: I am grateful to my hon. Friend for making that intervention and he makes a point I wanted to make myself. The Government's estimate on that in their impact assessment is 123,000, and even in the best-case scenario 62,000 will lose their jobs, which the NHS simply cannot afford.

Ms Rimmer: My hon. Friend knows about health and care workers—

Mr Deputy Speaker (Mr Nigel Evans): Marie, address the House please.

Ms Rimmer: I apologise. I know my hon. Friend knows about care and health workers so she knows how dedicated they are; they have a vocation. Does my hon. Friend agree that the Government can and should stop going too far? Let us not break the trust between patient and worker and between Government. Let us go down the route, which has been proven to work, of persuasion and education, and ask them and work with them to distil the fear.

Rachael Maskell: I thank my hon. Friend, who represents her constituents so well. There is an alternative path and we can take it today. We know that the Prime Minister is allowing people to go to pubs and clubs unmasked, while he is sacking NHS staff who are wearing full PPE and testing. Some 93% of NHS staff are vaccinated; figures from the Office for National Statistics show that 4% of people are vaccine-hesitant, which rises to 21% among minoritised communities. As 22.1% of NHS staff are from minoritised communities, the regulations will target black workers. In fact, 26.8% of workers of mixed race are not vaccinated; that is in the Government's impact assessment, which also gives the figures for black workers. The regulations therefore indirectly discriminate against black workers.

Unvaccinated staff are frightened. On Friday, I spoke to someone in my constituency who has worked for the NHS for 16 years. Her father had a vaccine. His heart

[*Rachael Maskell*]

stopped. Miraculously, NHS workers brought him back to life; he is now in a critical condition. She is frightened. She tests; she wears PPE; she has sacrificed everything. She will be sacked.

I want all NHS and care staff to have vaccine counselling and education with a qualified practitioner who holds the right competencies so that concerns can be explored, not with line managers, who just do not have the competencies. I want everyone to be vaccinated—I cannot stress that enough—but I want to win the trust of staff, not push them further away, as the Government’s approach will. In York, where we have focused on those trusted conversations, we have seen 99% of our social care staff vaccinated. It just shows what works and what makes the difference.

We do not want to push people further away. We want to bring them in, win their trust and win their confidence, because we will have to ask more from our health and care staff as things get harder—we certainly will if there are fewer people to deliver the service. Let us do what works—enforcement never does. The regulations are vaccine-illiterate.

If 123,000 people lose their job in the midst of a health and care crisis, it will be catastrophic, not least as people are starting to hand in their notice now. Why go through another tough winter of trauma when we do not have to? The regulations will make it worse. We know that two vaccines, or even three, will reduce transmission of the virus, so get your jabs! But they will not stop transmission, so let us move to better PPE, FFP3 masks, daily testing and better biosecurity. Rather than pushing the regulations today, I urge the Government to go away and come back to the House with a plan for us to vote on in January. That is good governance and the way forward.

As a trade unionist, I am not prepared to be complicit in the sacking of our NHS and care staff. Trade unionists fight for working people; we are never complicit in writing their P45. As a trade unionist, I came to this place to fight for working people. I therefore urge that we change course and put staff and the care that they have for their patients first.

4.53 pm

Sara Britcliffe (Hyndburn) (Con): It is a pleasure to follow the hon. Member for York Central (Rachael Maskell), but where I have to disagree is that we need to balance the economy with these measures. The damage that bringing in mandatory masks in the hospitality sector would cause to the small pubs in Hyndburn would be huge, so we have to try to mitigate it.

I am against mandatory vaccine passports. The Government would have had to present significant evidence to change my mind, so the fact that the Secretary of State has said very clearly at the Dispatch Box that he is also against them has eased my mind. I want to be clear that this vote was never about mandatory vaccine passports. If someone does not want to show that they have had the jab, they can just show proof of a negative test, which is a key caveat. Hon. Members should be careful about how they word that message, because it is irresponsible to push it to the public and make it out to be something that it is not.

I would like reassurance from the Government that if anything further was proposed, there would be a vote so that the House can decide. Many hon. Members on both sides of the House are looking at plan C and saying, “Where does it end?” If we know that we have a vote on any further restrictions, we can all look at the measures proposed today and vote on what is in front of us. That is really important.

My position is that we cannot keep locking down—it is financially unviable—so there has to be an exit strategy. The limitations for hospitality and such things are key. The measures are also temporary, so that we can see what is going on with omicron. Twelve months ago, we could see our family for one day over Christmas and we were allowed out of the house for only an hour a day to exercise. In comparison, these restrictions—we know omicron is really transmissible and we need to see what will happen—are not as draconian. We need to make that clear to the public.

If there are further restrictions and a plan C, they should be brought to the House so that we all have an opportunity to have our say and to vote on them. The measures are being put in place to make sure that we keep our freedoms and that we can keep going to the pubs and clubs with our friends. It is a little measure to make sure that we can spend Christmas with our family. It is better to be safe than sorry.

4.56 pm

Fleur Anderson (Putney) (Lab): I thank everyone across the country who has had their booster—everyone who has been lining up at centres across the country and taking the time to ensure that they have done the right thing by getting their booster. I thank all those NHS staff who are enabling that and who are putting in a mighty push to change all their ways of working to get the booster into as many people as possible.

I thank all those who have written to me about the issues being debated today. There are those who say that we should have more measures and that they will feel safe to go out into public spaces or to take up NHS appointments only if more measures are put in place. There are also those who have written to me about their concerns about more measures being put in place and more restrictions on our lives.

It is clear that omicron is a threat. It is highly contagious with cases doubling every two days. Most cases in London are now omicron cases and the numbers are increasing all the time. Two vaccines do not reduce the rate of transmission as much as they did for delta, so it is clear that action must be taken. We know that it is more contagious, but although we do not yet know its severity, we cannot wait. Last year, at the beginning of the coronavirus pandemic, the Government waited too long. They delayed, sometimes for weeks, and we saw the effects. We have to act now.

This is a measured and proportionate set of actions. On masks, I do not think we should have dropped that measure in the first place. We should never have stopped wearing masks on public transport and in shops to keep shop workers safe, so I welcome that.

On vaccine passes, which are not vaccine passports, I am glad that the Government have listened to the Opposition saying that there need to be options. It is absolutely proportionate for people to show proof of double vaccination or a negative lateral flow test to

enable big venues and our hospitality venues to stay open, which is so important after last year and the loss of so much income.

Those venues need to stay open, so this is a freedom to go out and to enjoy events and be out with people while staying as safe as possible. We know that there will be a peak in the number of cases in a couple of weeks, and that a couple of weeks after that, in the new year when we return to this place, there will be a peak—or not—in hospitalisations. It is right that we take these measures now to stop hospitalisations later. I welcome the change on the red list of countries, which the Minister announced earlier. If it is not having any effect, there is absolutely no reason for so many of my constituents to be unable to visit their families in South Africa, but also to pay huge amounts of money to be quarantined. I also welcome the Minister saying that he will look into the quarantine costs of those who were unfairly stuck in the middle of a couple of weeks when they needed to pay. Some of my constituents who have written to me are NHS workers who have had to pay thousands of pounds they cannot afford.

I will welcome the engagement with the Elections Bill of all those on the Conservative Benches who are now so worried about civil liberties. It certainly will be a “Papers, please” society when we are asked to show our ID to vote. That is far more of an infringement of our civil liberties. Voting is such a fundamental thing compared to going to clubs or large events.

We absolutely need the schools programme to ramp up. School transmission rates are very high in primary schools in my constituency, but all those facing exams this year must be able to do them. This is not a slippery slope to covid passports, and I am grateful for the assurance on that. We need to ramp up communication and engagement with health staff who face measures later on in the year if they do not get the vaccine. We must see an increase in statutory sick pay. That is only fair.

In conclusion, the Chief Medical Officer gave a chilling briefing to MPs earlier today, saying that when it comes to the omicron variant the brakes are off. We have to put the brakes on. Too many people have died, and we mourn every single one. Now is the time to take action, and I encourage everyone to get their booster jab.

5.1 pm

Dr Ben Spencer (Runnymede and Weybridge) (Con): I will speak briefly to ensure colleagues can get in on this important debate.

I will go through the four measures and come up with some big questions that I think we need to ask about what we are doing and how things go forward. First, the self-isolation statutory instrument makes quite a lot of sense. I welcome the Government’s bringing in this change and bringing in daily testing.

On the vaccination of health staff, I declare an interest. I used to work as a doctor and my wife currently works as a doctor. I really have no issue with this measure. When I went through medical school, I had to be vaccinated. I would flip the argument on its head. I would be very concerned about a relative of mine going into hospital and being treated by someone who was unvaccinated. I would be very concerned about them getting covid and becoming very poorly. Fundamentally, this is a basic duty of care issue, but I recognise there are different views on that.

I struggle a bit with the mandatory face mask provisions. This, along with the working from home guidance, will cause harms. Given the Secretary of State’s update today on the omicron wave that is coming forward, I wonder what actual impacts it will have and what the harm-benefit ratio looks like, but there we are.

My real issue is with the covid status certificates. There are many reasons to be concerned about covid status certificates, but I will focus on one. As a doctor, I have spent my career looking after people who are marginalised: people with severe mental illness, people with a learning disability and the digitally excluded. Looking at the measures and the explanatory notes, I cannot see how one can show evidence of a negative test without having access to the internet or having a phone—how any validation process can go through. It is clear to me that it will exclude people. I cannot support excluding anyone, but especially those people who are the most marginalised in our society.

My big three questions relate to what comes next. I had a chat with the leaders of the Ashford and St Peter’s Hospitals NHS Foundation Trust in my constituency about what is happening and what their plans are for the next few weeks. They tell me that already, because of the pivot towards vaccination by primary care, they will have to look at shoring up A&E, because there will not be enough GP capacity and people will be going to A&E. That may have a knock-on effect. The hospital will have to cancel elective care so that A&E can be shored up. They do not want to cancel elective care. It is a great hospital trust and its leaders think they can get through and still do some elective measures. One thing they asked me to ask Ministers today is whether they can have flexibility on what they do around elective care to try to keep it going as much as possible.

There will be a cost in terms of missed GP appointments and missed screening. We have already seen what the cost was in the past year in terms of waiting lists and so on. I would like to hear from the Minister what the plan is to recover NHS as usual after we have got through this wave. Trust me, a protected NHS is not an NHS in which GPs abandon routine care to focus on vaccination. A protected NHS is one in which people can get their blood pressure screening or have a conversation about their mood. It is one in which health visitors see young families and have important conversations about whether a woman feels safe with her husband at home.

My second question is: what happens when the next vaccine escape variant comes? We all feel it is inevitable that another one will come after this wave, so what is the plan to prevent our having to repivot like this again? What is the long-term strategy for living with covid?

My third question is more of a plea. The costs of this pandemic have largely fallen on the shoulders of our children. Please, please, will the Minister confirm that there are no plans for mandatory restrictions on schools and that we will never again close our schools?

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): The last speaker at five minutes is Wera Hobhouse, and then it goes to four minutes.

5.5 pm

Wera Hobhouse (Bath) (LD): Thank you, Mr Deputy Speaker. I might even stick to the four-minute limit.

[*Wera Hobhouse*]

No doubt we are at a pivotal point in the fight against covid, and my constituents in Bath, like many across the country, are doing their best to keep covid levels low in their community. I thank everyone for their efforts.

I am glad for the consensus in this place that getting vaccinated is the most important thing. What we are debating is the most effective way of getting the most people vaccinated, and I hope this debate does not distract from the fact that we all believe vaccines are the best way to beat covid. We will beat all the conspiracy theories about vaccines and about covid being an invention. I am glad there is consensus on the importance of us all getting vaccinated.

The Liberal Democrats have always supported mask wearing, which reduces but does not entirely eliminate the risk. It is important to wear a mask, and we deplored the fact that the requirement, which is not difficult, had been dropped, including in this House. Mask wearing is not just about keeping ourselves safe or even about keeping our loved ones safe; it is about keeping everyone safe. Yes, we enjoy our civil liberties and we should protect them, but they do not include the liberty to harm others. That is an important principle, and it is why we support these public safety measures.

Many of my constituents have been in touch with me to share their concern about the logistical difficulties of following Government advice. They want to do the right thing, but they often find it difficult. I met one of my constituents last week, and he has recently returned from Zambia, where his work is based. As Zambia is a red-list country, he was required to quarantine in a hotel for 10 days. He continually tried to book a quarantine hotel, but he was unable to do so because the hotels were fully booked. When he was finally able to book one, he received an email from Corporate Travel Management saying his booking had been cancelled due to an error on its part. Upon speaking to the call centre, a member of staff told him there was no problem.

The red-list system has now been dropped, but the stress and cost to people who tried to do the right thing has been considerable and needs to be addressed urgently. Will there be compensation for those who faced considerable cost and, as has already been asked, will those who are still in quarantine be released immediately?

Another constituent is housebound. Her son lives in Southampton and her multiple health conditions make it impossible for her to get to a vaccination centre on her own, which means she has not yet had a booster. Her story is all too common. The local clinical commissioning group says it is in the process of contacting people who are housebound, but many are still waiting to be contacted. Obviously they are very worried, so I hope the Minister is able to outline the steps being taken to ensure the housebound are able to receive their booster as a priority.

Lastly, another constituent was vaccinated abroad, yet is still unable to receive confirmation of his double-vaccinated status, because his vaccines are not recognised on the NHS app—a problem that has been noted since the summer. To make matters worse, my constituent and many others like him are not able to get their booster, because the system will not recognise them as having been doubly vaccinated.

The Government must address these issues as a matter of urgency. It should not be this difficult for those who are trying to do the right thing to follow the Government's own guidelines. My constituents and many across the country want to do the right thing, but the Government must do their bit or people will lose further confidence at this already highly volatile time, when we need as many people as possible to have confidence in the system and the Government.

Mr Deputy Speaker (Mr Nigel Evans): There is now a four-minute limit. I call Jane Stevenson.

5.10 pm

Jane Stevenson (Wolverhampton North East) (Con): I am grateful for the chance to speak in this debate. Let me start by saying that I absolutely support the Government's aim of buying us a bit more time to increase the booster take-up and give us all more protection, and nothing that I am about to say makes light of covid in any way at all, but my issue with the regulations is the language and how we bring people together to get the most compliance.

Omicron certainly will not be the last variant that we have to deal with. A significant number of people in my constituency have grave concerns about civil liberties, data harvesting and all those things. Although I think their fears are unfounded, I have to listen to them, because we in this place have to take their concerns seriously. As the hon. Member for Brighton, Pavilion (Caroline Lucas) said, we do not allay the fears of over-regulation by passing more regulations. We need these people to come on board in a national effort to keep people safe, so I believe that we need a change of language—from telling people and mandating measures, to asking people to comply.

We already trust our constituents to take the tests correctly and to give us a correct reading of their test; there is nothing preventing them from declaring a negative test when they have tested positive, or not taking the test at all and just scanning the code. Compliance could be increased if they could trust that they were not facing these restrictions for no reason and their data was not being harvested. I respect that this is a major concern in my constituency. The vast majority of my constituents and the British people will do everything asked of them by the Government, without it needing to be mandated. They have been incredible throughout this pandemic; they have acted in the interests of themselves, their families, their communities, their cities and their towns.

I humbly ask the Government to get back to our Conservative principles of trusting the British people. They are the people who sent us to this place; they have common sense, know the risks and can act with supreme intelligence, and we must never underestimate their community-mindedness. That is my only comment on this evening's votes. I will not support all of the motions, but I will support some of them. I make a last plea to the Government; in order to go forward together as a nation, we have to stop passing never-ending regulations and move forward in a voluntary, community, public-spirited way.

5.13 pm

Alec Shelbrooke (Elmet and Rothwell) (Con): It is a pleasure to follow my hon. Friend the Member for Wolverhampton North East (Jane Stevenson).

As my hon. Friend the Member for Bexhill and Battle (Huw Merriman) said, our hospitals and intensive care unit beds are being filled up with unvaccinated people. It is a real problem in the hospitals in Leeds, and is having a huge impact on people who want to get vaccinated—people who want their lives to move forward and to be able to continue to do the things that we all want to do. As my right hon. Friend the Health Secretary said at the time, the reality is that there could come a point when people are not able to have the operation that they may need, because a bed might not be available. I have spoken to trained, highly-skilled surgeons, who have been in situations where the theatre is available and the theatre nurses are available, but the operation is cancelled because there is no bed to put the patient in, so they cannot do the operation.

What we have before us today is a set of really unfortunate measures. They do not sit comfortably with me: I do not like the things we are doing. However, they are balanced for this moment in time. I do not believe that they are measures for vaccine passports, as they have been described in the countless round robin emails I have received, and it has been made clear from the Dispatch Box that they are not. They are measures for a specific moment, in a very specific area.

I think we need to consider requiring everyone to have a lateral flow test before going into an area where there may be a chance of spreading the virus, because that is a way of protecting society. It is people's right not to be vaccinated—I am totally opposed to mandatory vaccines—but it is my right, and the right of a great many of my constituents, to expect to be able to continue to receive services that we have paid for and used, when and where we may need them. That is what is overwhelming services at present, and it is going to lead to a simple choice, and a debate is going to be had.

At some point, we are going to have to work out how we are going to free up intensive care unit beds. Are we going to say that people must take lateral flow tests to ensure that they mix in an environment in which everyone has had one, if we do not want to introduce vaccine passports? In fact, I do not believe that vaccine passports would work anyway. Someone might have a partner who did not want to be vaccinated and could not attend an event, but the other person could. Because that person had a vaccine certificate, a test would not be required, and he or she might get covid and go home and give it to the partner, who might then end up in intensive care. So that is not really going to work. Lateral flow tests do work.

As I have said, I do not believe that what is on the table today is a vaccine passport, which is why, although I do not like this package of measures, I will be supporting it. However, there is a fundamental question, which is going to stir up a really hard debate in this country. Do we demand that everyone has a lateral flow test before they go anywhere? Do we find strains which may not cause a lot of disease and let them spread to try to defeat the virus? Or must we take the Singapore model, and say, "On your head be it if you need hospital treatment, and there will be financial consequences"? One of those three things will have to happen in the long run.

As we stand here today, we are faced with a very unfortunate set of measures, but I am backing them today because I think that what is sacrosanct at the moment, especially after last year, is the need to protect this

Christmas season. People must be able to have that, and if it means a few sacrifices now, I think that that is a price worth paying.

5.17 pm

Dr Luke Evans (Bosworth) (Con): I applaud the Government for their massive scale-up and huge ambition in respect of the booster programme. It truly is the way out for our nation, and I commend them for their approach. Critics will argue about whether the target of the end of this month will be reached, but we must not listen to them. Their myopic political point scoring will be forgotten in the light of the fact that the Government are doing everything they can to get jabs into arms, because that is the way out. However, I accept that further measures are necessary.

The Government will have my support on both the mandating of face coverings and the change in isolation procedures. While masks are of course inconvenient, they are a relatively easy way of reducing the risk of not only covid, but other viruses such as flu. Let us not forget that the number of flu admissions places a huge amount of pressure on the NHS, so a reduction in both conditions—as evidenced—makes sense to me.

Those who argue about the nuance of settings for masks often miss the point. I have heard on numerous occasions, both in the Chamber and among the public, the question, "How does the virus know whether it is in a restaurant or a shop?" Of course the virus does not know, but that is not the point. The point is this: what are the easiest measures which, when applied to the population as a whole, will reduce the risk as far as possible? The Government have to balance that at mass levels. What measures can be implemented to reduce the risk of covid, while mitigating the instant economic and non-covid damage that could occur in vulnerable sectors such as hospitality? A change in the self-isolation procedure suggests itself. This is a difficult but fair balance.

Let me now say something about mandatory vaccinations for NHS workers. I spoke about the issue during a debate in the House on 13 July, and I am not going to rehash the entire argument; I urge anyone who wishes to look up my speech to do so. However, for me the argument still stands as it did then. It was based on the duty of care for those in positions of responsibility to the most vulnerable. That stands even more starkly today. One only undertakes that commitment in their decision to pursue this career and the precedent already exists. However, that argument must not be used as a slippery slope argument for mandatory covid vaccination for the general population. I was glad to hear the Health Secretary confirm that that would not be the case, because I do not believe that the House, or indeed most of the UK population, would accept that.

On the topic of slippery slopes, that leads me on to the final regulation—that of the lateral flow test and the covid pass exemptions for certain venues. I am against vaccine passports. I do not believe they are practical, moral, ethical or indeed evidence-based in a scientific rationale. The closest comparison we have is Scotland, and the Scottish Government's 70-page report does not provide the evidence for passes. To introduce such a huge change in the health management of our nation requires a full and thorough debate and I do not believe it will be done justice tonight. I am so pleased that the Government have listened and added lateral flow tests

[Dr Luke Evans]

as an alternative because at least that provides a choice, but I cannot support covid passes. I worry about the slippery slope. What businesses, what society interactions, what infections might come in scope in future months or years?

In closing, looking to the future, I said in the House on 16 June 2021 that what was most needed was a full debate on the risk that we as society are prepared to tolerate when it comes to covid for those vaccinated and for those unvaccinated who will never get vaccinated, and the trade-off between covid and non-covid health implications, health protection measures and our economy, society and liberty. I hope that the House will bring such a debate next year.

5.21 pm

Dame Andrea Leadsom (South Northamptonshire) (Con): Our covid measures have, and continue to, hurt our citizens—from a man with late-stage dementia who is terrified of face masks to an 80-year-old constituent who got stuck in South Africa, not because of omicron, but because flights were suspended; and now, the news that non-urgent primary care will be diverted once again, with the huge risk of harm to babies and young children if face-to-face support is unavailable for long periods of time once again. And the creeping regulation is so hard to keep up with, resulting in teachers cancelling school plays, businesses stopping events and families staying away from happy occasions for fear of breaking a rule they did not know about. Surely the campaign against covid should now focus on two key fronts—more boosters and more education.

The action by Government on boosters is fantastic, but instead of criminalising people, why do we not start a hard-hitting public health campaign—“If you’re going out this Christmas, don’t forget to take a test” or, “If you’re seeing your granny, make sure you get a jab”? Let us persuade people, rather than criminalise them. And let us go much further to reassure those who have a fear of vaccines, whether because of a needle phobia, because of cultural sensitivities, or just because of fake news.

My specific concern about testing requirements for big events is the sheer challenge of enforceability in a commercial setting. It would be far better, in my view, to use the approach of a daily test or a vaccine exemption for NHS staff and carers instead. That would be a practical and fair solution for both carers and the cared-for, and it would be enforceable. It would also avoid the risk of losing NHS and care workers who were unwilling to accept compulsory vaccinations.

I have supported the Government throughout the pandemic when I could see the present danger that we faced, but this time around the measures proposed are precautionary—just in case—and I cannot see where this will end. Covid will be with us for many years to come and it is unthinkable that, every autumn from now on, we will be limiting the quality of life for all citizens, just to be on the safe side; and justifying our new illiberal rules on the basis that “They are less authoritarian than those of other countries” is truly appalling. That is not our culture; that is not our history.

This is a slippery slope, down which I do not want to slip, so I am afraid I will not be supporting these measures.

5.24 pm

Greg Clark (Tunbridge Wells) (Con): It is a pleasure to follow my right hon. Friend the Member for South Northamptonshire (Dame Andrea Leadsom). I think everyone acknowledges that the Government have a difficult task. Although it is important that we debate the regulations before us, in some ways, they are not the most damaging measure. The advice that the Government gave to work from home has much more significant consequences than any of the relatively minor measures we are discussing. Unlike the regulations, that advice does not have an expiry date or an impact assessment, even though we know the impact on businesses across the country, and on young people who work for firms that are perhaps conscious of what their insurers and regulators might require, once again being confined to their homes. That is significant and it is a shame that the House does not have a chance to vote on it.

On the measures that we have a chance to vote on, there is a lack of clarity about the purpose of the access certificates, if I may call them that. Is it to prompt people to get a vaccine? Is it to give people a nudge and those who have not availed themselves of a vaccine a further incentive to do so? If so, what is the evidence for that working? We know that 90% of the population are vaccinated. What motivates that remaining 10%? Is it the case that the desire to attend a football match or a nightclub will cause them to take up the vaccine? If so, the measure might be a good one. However, we are inconveniencing the 90% of people who are vaccinated when we have no evidence. What are the alternatives? If we really want the remaining people to take up the vaccine, rather than requiring a pass at the entrance to a nightclub or a football ground, perhaps we should have a vaccine centre at the turnstile or the door. That might be better for those who have been too disorganised to arrange their vaccine. We do not know; we have reached for compulsion.

As colleagues have said, the measure cannot just be about obtaining a vaccine. The option of a negative lateral flow test would not be available if the purpose were just to nudge people. There is a certain logic to requiring 100% of people entering a venue to have a negative test, but as we know, it is perfectly possible for people with just two jabs to transmit covid. There is an ambiguity about the purpose of the measures. Given that the consequence for business owners and venue operators of failing to get right some very complex regulations is a fine of £10,000—a huge amount for small business operators—we should not take that lightly.

I wonder whether the Minister can answer, possibly in an intervention, a question that came up in the debate about whether the lateral flow tests are to be self-administered or sent, at some cost, to a third party to administer. Perhaps the Minister will clarify that in his winding-up speech.

Whatever the difficulties, there are flaws in the approach, about which I hope the Minister can provide some reassurance when he winds up.

5.28 pm

Alicia Kearns (Rutland and Melton) (Con): Although I fully support the Government’s determination to protect our communities, I seek clarity. Like most of us, I support evidence-based policy making and, in the absence

of data, precautions, not restrictions. I will vote with the Government today on precautions. Face masks are about personal responsibility and a small step we can take to protect our communities. I support the NHS mandate—we need to keep our health workforce safe and not put those who are most vulnerable and for whom they care at risk. Testing over 10-day isolation—absolutely; testing is the most important thing we can do and I support it. Boosters—absolutely; we need to get everyone boosted.

However, I find difficulty with vaccine passports for three main reasons. First, there is no evidence that passports reduce transmission. Yes, France and Scotland have seen some increase in the uptake of the vaccine but no reduction in transmission as a result. Secondly, we are currently saying that two jabs are not enough. Well, if we need a booster and that is so important, why is the vaccine passport based on two jabs? There is a contradiction there. I do not believe that covid passports would prevent lockdowns. I question their mechanics, like my right hon. Friend the Member for Tunbridge Wells (Greg Clark). Someone who is self-declaring that they have had a negative test is asking someone to give them that declaration with no evidence that they have had a negative test, and then that is somehow meant to be some kind of increase in capacity. The bureaucratic mechanics required for the passports to work are not there, but neither are the bureaucratic mechanisms required for negative tests. That will come at great cost to us. We do not have the capacity to deliver the negative test aspect of the passport regime.

Secondly, on modelling of the severity of omicron, the Defence Science and Technology Laboratory has not even reported yet, so how can we be asked to decide on these measures today without the data? South Africa is not seeing the expected spike in deaths. Hospitalisation sits at about 30 per 1,000, compared with 101 per 1,000 for delta. Using the modelling on delta cannot be right because we know that this variant is not the same. There are currently 10 people in hospital with omicron, but are they in hospital because they have omicron or do they just happen to have it? We do not know the answers. Frankly, if omicron is that severe, we need more than the plan B measures proposed today.

My third reason for voting against covid passports is the fundamental unease they give me. We do not discriminate on a medical basis in this country, and we cannot. We are encouraging people to work from home, but pub trips or parties are permitted, when we know from the previous lockdowns that the problem was with home mixing. We have very high vaccination rates. We do not need these passports. I know that 96% of people in Rutland and Melton have had their first jab, 93% have had their second, and 47% have had their boosters. My constituents deserve to be thanked and recognised. They do not deserve to have to have passports imposed on them when they are taking up the vaccine like this. I thank the amazing vaccinators across Rutland and Melton, particularly the Rutland Lions Club.

We are constantly changing the rules. Businesses cannot keep up. These are not the circumstances they asked for. Then there are school closures. Since we announced the measures in plan B, schools across the country are talking about closing. That is not acceptable. Our children must be in school to learn and to be protected. Our children deserve more. We cannot have

people going out to parties and pubs and children not in school. The Government must mandate for schools to remain open, not just say that that is the guidance.

My final plea is for help, because in Melton we do not have enough clinics for vaccinations, and this has been an issue for months. I plead with the Minister to make sure that we get more booster clinics in Melton.

5.32 pm

Aaron Bell (Newcastle-under-Lyme) (Con): It is a pleasure to follow my hon. Friend the Member for Rutland and Melton (Alicia Kearns). This has been a good debate and a necessary debate. Strong views have been expressed on all sides, and I think those reflect the views that a lot of us have heard from the country and in our inboxes. I believe in a proportionate response to the potential threat of a public health emergency, and that the precautionary principle applies, so I will support the Government today. Given what I have heard about the transmissibility of omicron, I think these measures will be for only a limited period of time, one way or the other, because it is very transmissible and we do not yet know quite how severe it is.

The response that the Government take has to be balanced with the needs of the economy, as many others have said, and we must be particularly mindful of the effect on the hospitality industry, particularly at this time of year. But it is not these measures that are affecting the hospitality industry. In fact, some of these measures will support the hospitality industry by giving people confidence. It is the virus that is affecting the hospitality industry. Sometimes I get the sense that some colleagues, and certainly some people who write to me, are arguing with the virus, not with the Government. I think it is common cause across the House that we all do not like the virus, but unfortunately the virus does not care about that and it will keep on doubling.

That brings us to the data. I am grateful to all the witnesses we heard this morning in the Science and Technology Committee, ably chaired by my right hon. Friend the Member for Tunbridge Wells (Greg Clark), but clearly we do not have enough data yet, particularly UK data, as my right hon. Friend the Member for Forest of Dean (Mr Harper) said. On case fatality rates, we heard that omicron is perhaps 29% milder than the original strain—that is from the South African data—and that in terms of length of stay in hospital, omicron stays are perhaps half the length of regular stays. Unfortunately, those are both linear variables. The R0 rate, on which omicron is truly outcompeting the other variants, is an exponential variable. That means that until it runs out of targets, it is going to keep doubling. We heard that there were 200,000 infections yesterday; that will be 400,000 in two or three days, and possibly 800,000 in a week's time. We must not fool ourselves that we know how we can balance that exponential growth with the two linear measures we have found out about. We have to take a precautionary but balanced approach in the meantime.

I have sympathy—I really do—with the slippery slope argument made by my hon. Friend the Member for Bosworth (Dr Evans) and those who say this is the thin end of the wedge. I share the view of many colleagues that the House must have its say over the next two weeks if we are to take further steps along that slope or to a thicker part of the wedge. I would not vote for the

[Aaron Bell]

thickest part of the wedge—I would never vote for mandatory vaccination of the general public, and I welcome the assurances we have heard from the Dispatch Box today—but that is not the question before us. We should all vote for or against these measures based on their content and our own personal belief in them.

On the so-called vaccine passports, I do not believe that they are anything of the sort. With lateral flow tests and recent experience of covid as alternatives, I do not think they should be described as vaccine passports; they should be described as covid passes. I welcome the assurance from the Dispatch Box that lateral flow tests will remain part of that in the future, and I will hold the Government to that.

Finally, on the point about rights and responsibilities of citizens that my hon. Friend the Member for Bexhill and Battle (Huw Merriman) made so eloquently, there are 4 million people who have chosen not to be vaccinated so far. Some of them may be disorganised, but there are undoubtedly many out there who have chosen not to be vaccinated. I say to all of them: “I will stand up for your freedom and for your right not to be vaccinated, but you cannot imagine that there can be no consequences to that choice once that starts impacting the freedoms and rights of others.” I therefore think that some of the measures that my right hon. Friend the Member for Elmet and Rothwell (Alec Shelbrooke) mentioned may have to be considered in the future if we get severe exponential growth of omicron.

In my last 10 seconds, I commend the Government for what they have done on boosters, and I urge everyone to go out and get their booster as soon as possible. That is the way out of this.

5.36 pm

Greg Smith (Buckingham) (Con): It is a pleasure to follow my hon. Friend the Member for Newcastle-under-Lyme (Aaron Bell). He was absolutely right in the way he concluded his speech: boosters are the answer to this. Boosters, and the vaccine programme at large, give us hope and a path out of covid and back to normal life.

I congratulate the Government on stepping up the booster programme and aiming to get those jabs into people’s arms by the end of the year. Making that happen will require a lot of focus and attention, and planning of the detail and the logistics. On the basis of my experience yesterday of trying to bring forward my own booster, which is booked for 31 December—I jumped from 7,000 in the queue to 3,000, then curiously to 10,000, before eventually being offered a date in mid-January—there is clearly a lot of work to be done to ensure that we can get those boosters into people’s arms.

I also welcome the Government’s move to get rid of the 10-day isolation period for anyone who happens to have come near someone who has tested positive for omicron, and to replace that with daily testing. That is a sensible measure. Like my right hon. Friend the Member for Forest of Dean (Mr Harper), I feel vindicated in having voted against the 10-day isolation measure two weeks ago.

However, let me set out why I will not be voting for the extended mask mandate, for covid passes or for mandatory vaccination in the national health service.

I very much agree with my constituency neighbour, my right hon. Friend the Member for South Northamptonshire (Dame Andrea Leadsom), that this is a slippery slope. This is going to change the way we operate as a country, not just in December 2021 but whenever another variant—perhaps not of covid but of another virus—emerges. It is a fundamental change in the relationship between citizen and state, and one to be resisted.

I have argued throughout this pandemic—at times I have then reluctantly voted with the Government, as I did last Christmas, and at other times, such as a couple of weeks ago, I have voted against extending measures—that all restrictions are not without harm in themselves. Even on masks, it may be an easy thing for many of us to do to put one on, but as others have mentioned, to the dementia patient petrified at the masked figure approaching them, to the child with autism, or to the person who is hard of hearing or deaf and cannot read our lips, it has consequences; it does bring harm. Likewise, I have been scared by reports in my constituency of the rise in mental health challenges, particularly among young people—there has been a rise in self-harm in secondary schools. We cannot stand idly by and just ignore that.

Of course, there is also the damage to our economy. We may not have shut hospitality down, or propose to do so, but I am already hearing from pubs right across my constituency that are losing 20%, 30% or 40%—in some cases 50%—of their Christmas bookings. People are now too scared to go out, and I am afraid that correlates directly with what the Government are saying and how they portray this virus. I took a lot of heart from the news coming out of South Africa this morning that people there were finding it to be a more mild variant and that the vaccines do work. I therefore come back to where I started: let us focus on the boosters and, otherwise, give people back their freedom to choose.

5.40 pm

Derek Thomas (St Ives) (Con): I want to believe that the new restrictions are motivated by the care and compassion felt by scientists and senior Government Ministers for the British public and to support the NHS. I heard the Secretary of State say that these measures will keep people safe and protect our liberties, but I am worried because that same care and compassion and support for the NHS does not seem to extend to other severe difficulties that our constituents face largely because of the Government’s having imposed restrictions to fight covid.

I wish to set out how some individuals are not safe and how their lives have been curtailed. For example, on cancer diagnosis and care, we are throwing everything we have at covid and the booster programme; how many more cancer patients will miss their diagnosis and treatment and lose their lives because we told them to protect the NHS? Surely, now is the time to reopen the Nightingale hospitals to deal with omicron and protect the NHS so that it can care for constituents who have had severe, life-changing or life-limiting illnesses.

Who is checking on the impact of measures such as those before us and the wider impact of covid on people with learning disabilities? When will we wake up to realise that these people are, in effect, locked up, safe from covid but living a miserable existence without their

usual social network and normal activity? My right hon. Friend the Member for Forest of Dean (Mr Harper) said that we are “scaring people witless” and he was absolutely right.

What about mental health and anxieties? Why do we feel that our robust response to covid justifies yet again plunging massive numbers of people into anxiety and mental health challenges, or maintaining them in that place?

On school disruption, how is it that for years we have made it an offence to miss school but we have now quite literally deprived children of a structured learning environment? With the renewed enthusiasm of the Government and Opposition, we already see schools closing early and children’s and families’ lives disrupted.

I accept that the measures we have been asked to vote on today do not in themselves trigger the problems that I have outlined, but the briefings and the encouragement of fear to justify these measures do not acknowledge the very real and horrible lived experience of people in each of our constituencies. We seem to have a Health and Social Care Department that is consumed by covid and has abandoned all other responsibilities, such as mental health, cancer, diabetes, social care, loneliness and isolation—a Department that is prepared to sack the NHS staff who care for patients.

I doubt that this new variant is the last. Are we to expect this level of rection indefinitely, with each covid threat? If not, perhaps now is the time to change our approach and have a fresh conversation about how we want to combat pandemics such as covid throughout the British Isles in 2022 and beyond. On that note, I shall vote in support of the booster jabs and testing, but against the other measures proposed today.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): Order. To accommodate everybody, I am reducing the time limit to three minutes. I was able to warn the next speaker of that change.

5.43 pm

Gareth Bacon (Orpington) (Con): This has been a good debate but it is a profoundly frustrating and depressing experience to have to have it at all. Just a few short weeks ago, we thought we were almost out of the woods; now, we are threatened with the return of a terrible uncertainty.

Given the time restriction, I have to go through my speech at pace. On the proposals before us, we have been here before in respect of the extension of the need to wear face coverings. I do not like face coverings, but as a precautionary measure while we find out more about this new strain of the virus, I can see the argument for them and so I will not oppose them. Mandatory vaccination for NHS workers has been debated before and it is about a duty of care owed to the vulnerable people in the care of the NHS. It is an extension of an existing principle. Practising doctors have told me that they are already required to be inoculated against chicken pox, rubella, measles and hepatitis B. There are also exemptions in this statutory instrument for people who work in the NHS but have no face-to-face contact with patients. So, again, I will be supporting the measure. On self-isolation, I think it is self-explanatory why the response is proportionate and I will be supporting the measure.

The measure on entry to venues and events is the real elephant in the room; this is the one that gave me the most pause for thought. We already have to show our vaccine status when we travel overseas, but that is our choice. It is marginally inconvenient, but with appropriate prior preparation it is not any more than that. The application of that approach to moving around domestically is an altogether different thing. As originally conceived when plan B was drafted, it would seem that there would have been a requirement to show one’s vaccine status to get into anything, be it a bar, restaurant, café or whatever. That is very much like what exists in mainland Europe at the moment. For me, that would have been a step too far and I would not have supported it, but the Government have made a major concession. Not only have they limited the number of venues where one would have to use the pass in order to gain access, but they have allowed the provision of a lateral flow test result instead. That avoids the deeply divisive nature of having to show one’s vaccine status. On that basis, I am able to support this.

The Government measures will not be allowed to be simply rolled over interminably. If they want to extend them, they will have to bring them back to this House in January for approval. That is something else I approve of. We do not yet know the severity of the omicron variant, but we do know it is spreading rapidly. These measures will not stop omicron from spreading, but they are not designed to; they are designed to slow the spread. The Government need to use this time to obtain solid data and deepen our understanding on the risks posed by omicron. In the meantime, I will support these measures and encourage everybody to get their booster.

5.47 pm

Anne Marie Morris (Newton Abbot) (Con): The heart of these regulations is all about slowing transmission and reducing demand on our limited NHS capacity, so there are two ends to this telescope. The first is about prevention and making sure that people do not get covid. The second is about making sure the capacity is there so that if they do get covid we can cure not just them, but other patients who have non-covid-related illnesses. These regulations are very focused on the prevention end of this telescope. Clearly, vaccination uptake is crucial, and the Government are to be commended on that, but this has to be a matter of choice. Given others’ contributions, the point has been well explained already. Mask wearing and covid passports have not been subject to the rigour of proper assessment. A proper analysis has not been undertaken here and I fear that they will do more harm than good to society taken as a whole. They generate fear in those who least need to be fearful, they increase mental health problems, and they reduce non-covid admissions and treatments.

However my real concern is that the Government have not focused sufficiently on the other end of the telescope. We have not looked adequately at what we do about the adequacy of our resources. Despite promises and numbers of new doctors and nurses coming forward, even the Government have admitted that that will not be enough to fill the huge number of vacancies we have. If we can reduce vaccine development from 10 years to 100 days, surely to goodness we must be able to find a way of undertaking a laser-like review of a patient journey to make a better and more efficient use of the limited resources we have—and, indeed, to increase them. I call on the Government before Christmas to put in place an

[Anne Marie Morris]

emergency resilience taskforce, which needs to have a laser-like focus on the capacity issue, which has not been fully addressed—frankly, it has hardly been addressed at all. We can work smart; there are very good brains within our health service. We see that when we look at what Sir Ara Darzi has done in the Accelerated Access Collaborative, with new drugs and “faster patients”, in a way never seen before, or at what our own Kate Bingham, the vaccine tsar, has done to do what was supposedly impossible. When this taskforce is created, and it must be before Christmas and it should be asked to report by the end of January, it must look at better use of emergency services. We must use the fire and police services better. It must look at proper triaging of accident and emergency arrivals, and better use of medical professionals. We are using the wrong people to do the wrong jobs. We must expedite training, look at whether some of our training takes too long, and use the Nightingales and other resources to deal with non-covid backlogs and convalescing to deal with the healthcare problem. Finally, if we cannot have covid passports, testing must be the right way forward in social care and health.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): Order. We will get everybody in as long as Members do not take interventions—or if they do, they still stick to three minutes.

5.50 pm

Nick Fletcher (Don Valley) (Con): I want to speak directly to all the points raised, very quickly.

Being able to take a test instead of self-isolation is a positive move. Nobody likes wearing a mask, but most can see the benefits of them so I am okay with that. After careful consideration, in my opinion NHS frontline staff should have the vaccine; they have a duty to do no harm, and while we know the virus can still spread, the chances are reduced. I have spoken with local health professionals and there is understandable concern from NHS employees who are pregnant so I ask that those members of staff are given the assurance they need from the Secretary of State and the chief medical officer that this vaccine is safe at whatever stage of their pregnancy. On the concern that many health professionals will leave the profession, I have been assured that would not be the case, at least in Doncaster, as most frontline workers have seen the devastating effect of covid and have been vaccinated.

Many Conservative colleagues are struggling with the idea of vaccine passports and I understand their concerns, but this not a vaccine passport; it is covid status certification. It allows negative lateral flow tests or proof of vaccination. It is also only for venues that carry higher risk, and I personally think it would be selfish for anyone not to take a test before attending a live event anyway. Many complain about long queues when boarding a plane, but who would want to get on a plane where there is no security? I feel that this is the same.

It is not as though people who have not had the vaccine are putting just themselves at risk. Those who are not vaccinated and who require hospitalisation when ill with covid are blocking beds and causing huge backlogs in elective care. Two thirds of patients in Doncaster

Royal Infirmary with covid are unvaccinated; that is just not fair on the person who has been waiting for a hip operation for 18 months or any other elective procedure. Preparing oneself for major surgery only for it to be cancelled because another bed has been taken by someone who is unvaccinated is hugely frustrating.

I will vote with the Government today but I ask that they do not take my vote for granted and that, if we see no real increase in hospitalisations, the legislation will expire on 26 January and they will not seek to extend it. Working from home is not being voted on today and is only guidance, but it will cause much disruption to small retail so I hope that the Government will keep a close eye on that.

Finally, I ask my constituents to understand that I am voting on these measures today not because I have been whipped to do so but because, after careful consideration and speaking to many local professionals, I believe this is the right thing to do.

5.53 pm

Anthony Mangnall (Totnes) (Con): It is a pleasure to follow my hon. Friend the Member for Don Valley (Nick Fletcher) and I thank him for his reassurance that the Whips have not pushed him in that direction.

The Government have done an extraordinary job over the last two years. Rolling out the vaccine so quickly has been an extraordinary achievement as is producing a booster programme in the way we have. There is a remarkable book by Adam Grant called “Think Again”—the title is perhaps apposite for the Government right now—which talks about how we persuade people to take vaccinations and it gives the two case studies of Canada and Germany, where people are not mandatorily required to get vaccinated or pushed in that direction but ways are found to persuade them. We would do well to follow the guidance to be found in that book.

I will vote against the masks measure in SI No. 1400 and support the self-isolation measure in SI No. 1415. In relation to the masks, the legislation is shoddy; it seems ill thought through if, as I said the other day, we can sing, eat or drink with a colleague but not have to go to work with them, and yet masks are introduced in the certain settings. A Government and their legislation have a responsibility to be good and comprehensive; that is not what this is doing.

When it comes to vaccine passports, I will not support them. As countless colleagues have said, there is little evidence to show that they work. I am sorry that no SNP Members are here, because the 70-page report produced by Nicola Sturgeon adds to that point. A very important point was made earlier about the lack of enforceability now that we have the lateral flow tests, because of this slightly dodgy deal that has been done with the Opposition to get their support. The scope for abuse and obfuscation on that is far too great.

When it comes to mandatory vaccinations, I cannot and will not support them. The problem I have with this is that the Government have yet to release the data on how many people have left care homes since we introduced that policy. We need to have the data to be able to review that, because if 60,000, 20,000 or 30,000 people in the NHS decide to walk out, how on earth will we have the capacity to support those who get infected? We need more information before we make those decisions.

Over the last two weeks, the ghost of Christmas past has appeared, and he brings with him fear and uncertainty. We cannot continue to flip-flop and change tack, nor should we be cherry-picking information from South Africa to support the Government's agenda. I appreciate that the evidence coming out this morning shows that two Pfizer vaccinations do well and that the virus is milder, but we cannot continue to terrify people. I am staggered by the Government's approach over the last two weeks, during which we have used fear to persuade people. I believe that no Government should ever use fear as a tool to try to persuade their citizens, and that it is what has happened. We must build up our resilience and reduce our restrictions.

Madam Deputy Speaker (Dame Rosie Winterton): Order. We must move quickly on.

5.56 pm

Richard Graham (Gloucester) (Con): It is a pleasure to follow my hon. Friend the Member for Totnes (Anthony Mangnall), although I will not, alas, agree with every word he has said. Let me start by celebrating some of the things that I think we can all agree on, such as the end of the red list for all 11 countries and the extension of the travel passes for all teenagers. I think many of us can agree that we need to release from quarantine immediately those who are still in quarantine in our country having come from those red list countries.

Today, we vote on four specific measures. First, we have a modest increase in mask wearing, which really can only be opposed by those who strongly oppose it on principle. Secondly, we have an end to the pingdemic of self-isolation in favour of lateral flow tests, which surely everybody can agree is a step forward. Thirdly, we will vote on having mandatory vaccination for NHS workers, which the NHS itself supports. Lastly comes the issue for debate, which I would say is a modest requirement for a lateral flow test to go to venues with more than 500 indoors and 4,000 outdoors. In my constituency, that amounts to Gloucester Rugby, Gloucester cathedral and the ATIK nightclub, and I believe that all of those will be quite capable of administering things effectively.

What is it that the libertarians, led by the eternal cavalier my right hon. Friend the Member for New Forest West (Sir Desmond Swayne), most object to? I believe that they object in principle to new rules being introduced, and struggle slightly with the specifics of what is wrong with the proposals brought forward today. Let us be clear that there is no vaccine passport, nor is this Nazi Germany in any conceivable shape. They are scaremongering, for everybody accepts that the omicron variant rate of infection is moving fast. We cannot be sure how many with omicron will need to be hospitalised, so we cannot wait to do something until the Gloucester Royal and other hospitals are overflowing with people with covid and critical cancer operations have to be cancelled. I do not believe any Member would want to face the family of someone lost because a cancer operation had to be cancelled as a result of the hospital being clogged up with omicron variant covid sufferers.

Is everything perfect? No. I have three suggestions for the Minister and the Departments involved this evening. First, they need to reassure us on the provision of lateral flow tests. We must have them, otherwise people will not be able to get them and fulfil the requirements

of these rules. Secondly, we need to look again at the wording on the advisory recommendation that people should:

“Work from home if you can”.

I believe this should be, “Work from home if you wish”. Thirdly and most importantly, the impact assessment makes it clear that the central estimate is that 73,000 NHS workers out of 1.8 million do not want to be vaccinated, and we need to do more about that.

5.59 pm

Richard Drax (South Dorset) (Con): Let me start by sympathising with the Prime Minister and those on the Front Bench. These are not easy matters, and I appreciate that decisions on restricting our freedoms are not taken lightly. However, I am an independent-minded Back Bencher and I would not be doing my job if I did not question Government policy and vote against it when I think it is wrong. I shall oppose the measure on the wearing of masks, vote for self-isolation, vote against what will be vaccine passports in all but name, and vote against mandating inoculation for NHS workers when lateral flow testing would retain much-needed staff.

Previous speakers have asked whether these further laws will be effective. Whether they are or not is not as much of an issue for me as how we as a nation want to live our lives. Do we want to fear more restrictions every time a new variant appears, as it will? No is my answer. Do we want to damage our economy and all within it every time a new variant appears? No is my answer. Is working from home when I can enter a packed pub the right approach? [HON. MEMBERS: “No!”] No is my answer. Do we want to shut down schools and universities and further ruin young people's lives? [HON. MEMBERS: “No!”] No is the answer. Do we want to restrict people's movement and tell them what they can and cannot do when there is no evidence to suggest this would work? [HON. MEMBERS: “No!”] No is the answer. Do we want to see hundreds of thousands of NHS patients waiting, some in agony, because their operations have been delayed again? [HON. MEMBERS: “No!”] No is the answer. Do we want to see the hospitality and retail sectors collapse because we keep instilling the fear of God into their customers? [HON. MEMBERS: “No!”] No is the answer. Do we want to go on spending taxpayers' money on this eye-watering and unaffordable scale? [HON. MEMBERS: “No!”] No is the answer. Finally—my hon. Friend the Member for Gloucester (Richard Graham) in front of me can now relax—do we want the state to give us back our lives and freedom? A monumental yes is the cry from many a heart.

I had hoped to hear the Secretary of State say at the Dispatch Box this afternoon something along the lines of, “Keep calm and carry on.” I had hoped that the Government would stop bringing in all these laws criminalising the people of England for breaking rules that it seems many cannot follow. This is not the way to win trust and confidence. The way forward is to advise, suggest, encourage and take people into the Government's confidence. It is time to put fear to one side, put our shoulders back and get on with our lives.

6.2 pm

Tim Loughton (East Worthing and Shoreham) (Con): It is difficult to follow Buttons, but I will try. Yesterday I was asked in an interview whether I was plotting to

[Tim Loughton]

revolt, and indeed I have seen my name on various lists of rebels today. Let me make it clear that I have not been plotting, I am not rebelling and I am certainly not revolting. What I am doing, in three minutes, is trying to scrutinise a really important piece of legislation affecting all our constituents—a duty that Labour Members seem to have completely abrogated by giving the Government a blank cheque here today. They have been here only in single figures for most of this debate.

What have we learned during this pandemic? We have learned that vaccines work and that they are our best defence. We have also learned that disproportionate measures have consequences. Closing schools has led to a tsunami of mental health implications for many of our children. We have also learned that when we are presented with evidence-lite and a shortage of data, some of the predicted outcomes do not happen. We have learned how brilliant the NHS is, but there have been consequences in the form of non-covid deaths as well. Covid is not the only killer. We have also learned the difference between modelling and forecasts. Modelling predicted more than 100,000 daily infections back in September, but it turned out to be nothing like that figure. Let us not confuse modelling with accurate forecasts and predictions. We have also learned about mission creep. Perhaps we saw that on Sunday. We are learning to manage risk and realising that we cannot eliminate it. Soon we are going to have the pi, rho, sigma and tau variants. We cannot head for the hills with knee-jerk emergency measures every time a new variant comes along.

To scrutinise these measures and to be prepared to vote against some of them is not to be ideological; it is to do our job. I am pragmatic. I am quite relaxed on masks. I have been wearing masks in shops and on public transport because I think that is a respectful thing to do. It gives assurance to people who are scared to come out, so I am not going to oppose that measure. The measures on self-isolation are of course progressive, but I will vote against covid passports, which are a key part of plan B. I appreciate that they are not vaccine passports, but that is the Government's plan C, and that is what I fear. It is passport creep. We have already heard about passports for pubs and other venues. However much we want to get people vaccinated, we do not want a society where we ask for papers and deprive people of their liberty.

I will certainly vote against mandatory vaccinations for the NHS. It was crazy to do it for care workers, of whom we probably lost 40,000. There are 1.5 million people working in the national health service. It is wrong to mandate medical procedures, but it is pragmatically stupid when we will lose so many people who we need to help to fight the infection at the sharp end. I am afraid we will lose many more with that measure. We need to base our decisions on science, the holistic impact and what is proportionate and fair, and these measures are not.

6.5 pm

Miriam Cates (Penistone and Stocksbridge) (Con): I think most people understood that vaccination was the route back to normality. Despite the fact that 95% of adults in the UK now have antibodies—I accept that

there may be some reduction in the protection from antibodies, but there is certainly no evidence for any reduction in T-cell protection—we are being asked to impose more restrictions on lives and livelihoods.

I have looked in detail at the modelling done by the London School of Hygiene and Tropical Medicine. We need to be clear that they are models, as my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) said, not forecasts or predictions. They are based on some pretty major assumptions, such as that omicron causes the same severity of disease as delta and that the length of hospital stay is the same. Those assumptions are becoming more out of date by the day. There is no known benefit to the measures that we are trying to implement, but there will be inevitable harms.

On working from home, we saw research last week that suggests that those working from home are 11 times more likely to experience domestic abuse. Masks sound innocuous in their own right, but they send a signal across society, including in schools, that people should panic and fear. We have already seen schools close today and say that they may not return in the new year. That 100,000 ghost children have not returned to schools since lockdown should be a warning to us of the unintended consequences of potentially small measures.

I cannot support vaccine passports. As my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) said, they are discriminatory and segregate people. We have a proud tradition in this country of standing up for minority views, even when we do not agree with them. In the rush to get jabs in arms, we should not throw that tolerance and respect to the wind.

I completely agree with my hon. Friend the Member for East Worthing and Shoreham about the mandatory vaccination of NHS staff. It is about not the ideology of whether people should be vaccinated but the pragmatic reality that we will lose tens of thousands of staff at a time when we can least afford it.

This is no longer really a debate about whether masks work or who should have a vaccine. It is about who we are and what kind of society we are creating for our children. Do we really care about the freedoms that we all took for granted before 2020? People roll their eyes when Conservatives and libertarians start talking about civil liberties and freedoms, but freedom is not an abstract ideology.

Freedom is what enables my constituents to see their family, comfort the dying, go to school and go to work. That is what freedom looks like. After 20 months in and out of restrictions, we have to accept that there has been a permanent change in the understanding of what liberty is in this country, which is why I cannot support these measures. I urge the Government to return to a society of freedom and responsibility. Our constituents deserve that and they will rise to the challenge.

Madam Deputy Speaker (Dame Rosie Winterton): I call Bob Seely.

6.8 pm

Bob Seely (Isle of Wight) (Con): Me? I am sorry, Madam Deputy Speaker, I could not hear you over the appreciation for the speech of my hon. Friend the Member for Penistone and Stocksbridge (Miriam Cates).

I strongly support getting vaccinated. I had my booster jab two weeks ago. I thank all Islanders who are engaged in the vaccination process in my constituency. I congratulate the Government on an ambitious booster programme. When it comes to the vote tonight, I will accept and trust what they say on face masks and on the daily tests, which seem infinitely more sensible than locking people down in hotels. I will not support them on passports or mandatory jabs. Threatening the jobs of 73,000 NHS staff seems an odd way to support the NHS.

I want to raise a wider issue with those on the Front Bench, which has somewhat coloured my judgment. I have heard nothing to reassure me on the following points. I am fed up with dubious forecasts and ridiculous extrapolations the kind of which many hon. Members have talked about. Academics—I am not quoting myself—have talked about Imperial College London's forecast being “hysterical”, “inflated”, “consistently over-confident”, “lurid”, “flawed” and “spectacularly wrong”. What do the Government have to say about the incredibly questionable extrapolations that they have used?

I am tired of all the leaks. It was leaked that omicron could kill 75,000. It could, but it may not. All these doomsday forecasts, leaked at critical moments, erode public trust.

Thirdly, we are told we have to follow the science. Of course we have to follow the science, but it is a misleading statement as science is shaped by the inputs and by the desired outcome. For example, we had 70 pages of evidence from Scotland on vaccine passports, but there was no evidence to support their value for uptake, so why are we introducing them? We are doing so because of the precautionary principle. That is not science.

One of the most disturbing things is the lack of context for the statistics that have been used. Was that to increase knowledge or to increase fear? My right hon. Friend the Member for New Forest West (Sir Desmond Swayne) said that between 500 and 1,000 people die each day in this country, and people die of flu all the time. It is about putting this information in context, and I fear that the result of too much of this has been to scare people, especially the old and now the young. They are petrified of covid without taking account of more genuine and potentially more damaging threats such as the appalling impact on education.

I will vote against the Government on two of the motions tonight, but my decision to do so has been coloured by the past 18 months of policy, which we need to improve.

6.11 pm

Mrs Maria Miller (Basingstoke) (Con): The health of the nation has united this House over the past 22 months, but what we know about the impact of covid on the health of the nation has now changed, which has led to this debate. We know that the physical impact of covid is only part of the story, that mental health is a significant consideration and that the impact of covid on our hospitals has to be considered alongside the impact of cancelling non-covid treatments, too. Many hon. Members have referred to the impact on children of being schooled at home, and there is the impact on many people of working at home, which is not without its risks.

My right hon. Friend the Secretary of State for Health and Social Care set out very clearly his case for the measures before the House. The new omicron variant

is more transmissible than the delta variant and, even if it has the same impact on our health as the delta variant, its high transmissibility means this new variant could have a more significant impact on the number of people who need urgent hospital treatment. Stopping the NHS being overwhelmed has been our objective from the start.

I commend the Government's focus on ramping up the booster roll-out, which is a vital part of solving the problems we face, but these regulations are designed to take those actions a step further to help keep down transmission levels, which is why I support them. The nature of human activity means we will not have a perfect set of neat decisions. These regulations do what is possible, not what is perfect.

I have a couple of questions for the Minister, particularly on the importance of making sure we protect the education of our children. Will he provide an update to hon. Members next week on the number of hospitalisations, even if the House is not sitting? We cannot eliminate the risk of covid-19, but these time-limited measures will help to reduce the risks faced by our communities. If our NHS is overwhelmed, it will put at risk not only covid patients but anyone who needs emergency care through the winter months. We have to act with caution, which is why I will support these measures in totality. I commend the Government for putting the safety of the people we represent first, and I commend them for taking this approach.

6.14 pm

Andrew Gwynne (Denton and Reddish) (Lab): This has been a passionate debate that has reflected the gravity of the situation. I sincerely thank hon. Members on both sides of the House for their heartfelt contributions.

Since the start of the pandemic, Labour has been crystal clear: we will not play party politics with people's lives, especially when it comes to something as grave as covid-19. The precautionary measures before us have been recommended by the chief medical officer and the chief scientific advisers and are based on scientific evidence. They are proportionate, necessary and will give us time to get people boosted and better understand the omicron variant.

We have always said that the Government should not have scrapped guidance on mask wearing, and we have repeatedly stressed the importance of allowing people the flexibility to work at home. These measures will help us to have a safer Christmas, as well as protecting our NHS from being totally overwhelmed by the new variant. We are also pleased that the Government have taken our advice and our suggestion to include an option to present a negative lateral flow test as an alternative to vaccination status; I am grateful to the Government for that, and for providing the necessary assurances that the restrictions will not impede any access to essential services.

We have always supported measures that have been necessary to keep people safe. We will not alter that approach, but nor will we pretend that we are in any way satisfied with the conduct of Government Members—the Prime Minister in particular—over the past few weeks. The Prime Minister has done irreparable damage to public trust and has thereby undermined vital public health messaging. We know that, when the country was

[Andrew Gwynne]

most in need and ordinary people were doing the decent thing and sticking to the rules, the Prime Minister and his tinsel-clad advisers were making a mockery of the British public.

Neither I nor other Labour Members will let the Prime Minister's failure undermine necessary public health measures, however, because we know that the omicron variant is much more transmissible and that getting two doses of the vaccine seems less effective in tackling it. The booster jab provides an increase in protection, so it is essential that the boosters be rolled out and that all those who are yet to have their primary course come forward as soon as possible.

Throughout the pandemic, vaccination has proven to be the effective tool against the virus, and that remains the case. We have repeatedly called on the vaccines Minister—the Under-Secretary of State for Health and Social Care, the hon. Member for Erewash (Maggie Throup)—to put a rocket under the booster roll-out, but we are concerned about the mixed messaging from the Government over the past few days. In his televised address on Sunday night, the Prime Minister said that people

“will have the chance to get their booster before the New Year.”

However, the Secretary of State for Health and Social Care indicated in his statement yesterday that the aim instead is to “offer” the booster to every adult by the end of the month, meaning that delivery will wait until January or even February. When is it? Can the Minister clarify once and for all whether the Government are rowing back on the target set just two days ago?

We are concerned about the shambolic lack of tests available for people across the country. How do we expect fully vaccinated contacts of cases to take daily tests if they cannot get hold of any? What is more, the regulations requiring vaccination status or a negative lateral flow test for entry to certain venues come into force tomorrow. If people are unable to get a lateral flow test, we have a big problem—I hope the Minister will address that.

On vaccinations for NHS staff, our position is that we want everyone working in the NHS to take up the vaccine. The vaccine is safe and effective and we should focus on driving up vaccination rates through persuasion, education and support. Vaccination not only protects vulnerable patients, but will protect staff from severe disease. The Government must urgently meet the royal colleges, the NHS providers and the unions to agree a framework for how any changes agreed tonight will be rolled out.

Finally, I want to highlight where the Government are still falling short, in the hope that the Minister will take these points on board before it is too late. First, will the Government confirm that we will not waste the Christmas holidays, and ensure that all children who are eligible to be offered a vaccination before the end of this month will have one? Furthermore, will the Minister advise why, more than 19 months since SAGE first highlighted the crucial role of good ventilation, the Government are still failing to act on its advice? With these measures being laid before the House, the Government should also reconsider their position on sick pay provision; nobody should have to choose between feeding their family and doing the right thing by isolating.

I appreciate that no Government ever want to bring in measures such as these, and I fully appreciate the frustration of Members across the House and people across our country that we are here again, being forced to change our way of life to fight this virus, but I am afraid that the alternative is far more serious. If we do not take steps to protect the NHS, it will face a wave of infections that will likely overwhelm it. Labour opposes this Prime Minister and this Conservative Government, but we will support them on these measures because we support our NHS and we support the science; and when we are faced with a crisis, Labour will always put people and the health of the nation above party politics.

6.20 pm

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Steve Barclay): Throughout today's debate, we have heard the sincere and heartfelt views of hon. and right hon. Members from across the House. I recognise the strength of feeling, and will turn to each of the statutory instruments for consideration before the House, but before I do, may I recognise the constructive approach taken by the Opposition Front Bench?

We are learning more about the omicron variant each day, but we already know that no variant of covid-19 has spread this quickly. It will become the dominant variant in London in the next 36 hours, and soon across the UK as a whole. It is right that we take a cautious approach to the arithmetic, alongside a strong communications campaign of the sort called for by my right hon. Friend the Member for South Northamptonshire (Dame Andrea Leadsom).

Dawn Butler (Brent Central) (Lab): Will the Minister give way?

Steve Barclay: In a moment.

There is much that we still do not know about this virus, as there is a wide range of opinions on its severity. Hospitalisations and deaths always lag infections by about two to four weeks. We are not at the topping-out point in South Africa, so we do not know what the peak will be, but even a small percentage of widespread transmission will be significant—a point rightly made by the Opposition Front Bench, and the Secretary of State when he opened the debate. This is not, as some suggest, solely an issue for the NHS. Widespread infection and staff absences would have a wider economic impact on areas from our supply chains to our factories.

Chris Bryant: The Secretary of State said earlier that he might be able to provide the House with an update on the issue of whether people who have come back from South Africa and are stuck in quarantine have to fulfil their whole quarantine. I have constituents from the Rhondda—rugby players—who are still stuck. They had already done 10 days of quarantine in South Africa; surely they can be released tomorrow.

Steve Barclay: I will come to that matter directly—not just because they are rugby players, but because it is an extremely important issue.

Chris Bryant: They are Welsh rugby players.

Steve Barclay: Indeed.

Dawn Butler: The Minister is absolutely right that we have to do all that we can to stop the spread of the omicron variant. I am sure that, like me, he is encouraging people to take the vaccine and the boosters. Parliament is a really large venue; about 3,000 people work here. Will the Minister confirm that everybody on his side of the House has been doubly vaccinated, and that a covid pass situation will be relevant to MPs, who will be huddled together—hundreds of us—voting today? What protections will MPs have to ensure that we are safe?

Steve Barclay: I am not sure whether the hon. Member has been in the Chamber for the whole debate, but throughout the day there has been consensus across the House on the importance of being vaccinated and of boosters; that has been a point of agreement. Obviously, the management of the House is a matter for Mr Speaker, not for me. As my hon. Friend the Member for Bexhill and Battle (Huw Merriman) correctly highlighted, he and our constituents will continue to be able to access all facilities, as before. I point out to the hon. Member for Brent Central (Dawn Butler) that it is still possible to go to nightclubs, just as it is possible to vote, and these measures will not prevent that.

As well as omicron's transmissibility, we are also beginning to learn more about the effectiveness of our vaccines against it. Boosters were important before omicron, but they are now critical and, as of this evening, we have delivered 24 million across the United Kingdom. Boosters are, without question, the single most effective thing we can do and plan B buys us more time to get more boosters into more arms. I pay tribute to my hon. Friend the Member for Bosworth (Dr Evans), who, as a GP himself, highlighted the importance of addressing the 15-minute wait period to increase the flow of boosters—a decision that the chief medical officers across the UK have supported. I also concur with my right hon. Friend the Member for North Somerset (Dr Fox), who rightly highlighted that the second dose is important alongside the booster.

The early evidence suggests that a booster dose is extremely effective; analysis by the UK Health Security Agency shows that a booster dose is 70% to 75% effective at preventing symptomatic infection. That is particularly important given the speed at which this infection is spreading, which means that the increase will be sharper, and its impact more concentrated, over a shorter period of time.

The hon. Member for Rhondda (Chris Bryant) raised an issue. The Health Secretary flagged up in opening the debate that he intended to remove all 11 remaining countries from England's red list as of 4 am tomorrow. The Health Secretary has urgently considered the issue of releasing people from managed quarantine before they have completed the 10-day isolation—a point also raised by the right hon. Member for Exeter (Mr Bradshaw) and a number of Members from across the House. The Government's decision is that we should permit early release of those who went into managed quarantine before the changes to the red list and require them to follow the relevant rules as if they had arrived from a non-red list country. Anyone who has tested positive will need to continue to stay in managed quarantine. That will require changes to regulations. We will look to implement that as quickly as possible and we will set out further specific guidance for affected individuals imminently.

I turn now to the statutory instruments before the House. The weight of scientific evidence shows that face coverings can make a difference, even if, as my right hon. Friend the Member for South West Wiltshire (Dr Murrison) said—he is a clinician himself—it is the least that we can do to wear these wretched things. Regulation 1400, which extends the use of face coverings, is a simple step to help slow the spread and I welcome the support of Members. Even those with concerns, such as my hon. Friend the Member for Winchester (Steve Brine), said that they would not oppose such a measure.

It is vital that we draw on our testing capacity to keep Britain moving. Regulation 1415 enables close contacts of confirmed or suspected covid cases who are fully vaccinated to take lateral flow tests every day for seven days. In response to my right hon. Friend the Member for Tunbridge Wells (Greg Clark), the lateral flow tests will be self-reported.

Regulation 1416 regarding entry to venues and events is one I know that hon. Members have given considerable attention. But this is very far from what has been described as a vaccine passport—a point that the Health Secretary made in opening the debate. This measure will mean that a negative lateral flow test is required to get into nightclubs and large events, with an exemption for the double vaccinated. Once all adults have had a reasonable chance to get their booster jab, we intend to change this exemption to require a booster.

Vaccination has been and remains our best line of defence. We have heard many contributions from across the House on making vaccination a condition of deployment for staff in health and wider social care settings. I recognise how emotive this issue is. Whether it is our care homes, our hospitals or other health settings, everyone working in health and social care is there to avoid preventable harm to the people for whom they care. As the chief medical officer has rightly said, people who are looking after other people who are vulnerable have a professional responsibility to get vaccinated, which was a point that another clinician—my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter)—made.

In closing, I am grateful for all the contributions today. The measures before us will help us to buy time and deliver boosters, which will provide the best protection against this variant. Vaccination, which was already so important before omicron, is now doubly important, especially in those settings with some of our most vulnerable people. I commend the regulations to the House.

Madam Deputy Speaker (Dame Rosie Winterton): Order. To address the point raised by the hon. Member for Brent Central (Dawn Butler), in the event of Divisions, it is likely that there could be a large number of Members voting in one Lobby this evening, so Mr Speaker has agreed that 12 minutes should be allowed before I call for the doors to be locked. Members should accordingly be aware that they do not need to crowd into the Lobby at the beginning of the vote, as there will be more time to vote than usual.

6.30 pm

The Deputy Speaker put the Question (Order, this day).

The House divided: Ayes 441, Noes 41.

Division No. 149]

[6.30 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Adams, rh Nigel
 Afolami, Bim
 Aldous, Peter
 Ali, Rushanara
 Ali, Tahir
 Allan, Lucy
 Amesbury, Mike
 Anderson, Fleur
 Anderson, Stuart
 Andrew, rh Stuart
 Ashworth, rh Jonathan
 Atherton, Sarah
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Baillie, Siobhan
 Baker, Duncan
 Barclay, rh Steve
 Barker, Paula
 Baron, Mr John
 Baynes, Simon
 Begum, Apsana
 Bell, Aaron
 Benn, rh Hilary
 Beresford, Sir Paul
 Berry, rh Jake
 Betts, Mr Clive
 Bhatti, Saqib
 Blunt, Crispin
 Bottomley, Sir Peter
 Bradley, Ben
 Bradley, rh Karen
 Bradshaw, rh Mr Ben
 Braverman, rh Suella
 Brereton, Jack
 Bristow, Paul
 Britcliffe, Sara
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Browne, Anthony
 Bruce, Fiona
 Bryant, Chris
 Buchan, Felicity
 Buck, Ms Karen
 Buckland, rh Robert
 Burghart, Alex
 Burgon, Richard
 Burns, rh Conor
 Butler, Dawn
 Butler, Rob
 Byrne, Ian
 Cadbury, Ruth
 Cairns, rh Alun
 Campbell, rh Sir Alan
 Carmichael, rh Mr Alistair
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chamberlain, Wendy
 Charalambous, Bambos
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo

Clarkson, Chris
 Cleverly, rh James
 Coffey, rh Dr Thérèse
 Collins, Damian
 Cooper, Daisy
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Coyle, Neil
 Crabb, rh Stephen
 Creasy, Stella (*Proxy vote
 cast by Chris Elmore*)
 Crosbie, Virginia
 Crouch, Tracey
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Geraint
 Davies, Dr James
 Davies, Mims
 Davison, Dehenna
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dines, Miss Sarah
 Docherty, Leo
 Dodds, Anneliese
 Dorries, rh Ms Nadine
 Doughty, Stephen
 Dowd, Peter
 Dowden, rh Oliver
 Dromey, Jack
 Drummond, Mrs Flick
 Duddridge, James
 Duffield, Rosie
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eagle, Dame Angela
 Eagle, Maria
 Eastwood, Colum
 Eastwood, Mark
 Edwards, Ruth
 Efford, Clive
 Elliott, Julie
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elmore, Chris
 Elphicke, Mrs Natalie
 Esterson, Bill
 Eustice, rh George
 Evans, Chris
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Farron, Tim
 Fletcher, Colleen
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin

Fovargue, Yvonne
 Fox, rh Dr Liam
 Foxcroft, Vicky
 Frazer, rh Lucy
 Freeman, George
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Furniss, Gill
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gill, Preet Kaur
 Glen, John
 Glendon, Mary
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Green, rh Damian
 Green, Kate
 Green, Sarah
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Andrew
 Griffith, Nia
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Gwynne, Andrew
 Haigh, Louise
 Halfon, rh Robert
 Hall, Luke
 Hamilton, Fabian
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harman, rh Ms Harriet
 Harris, Carolyn
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, Helen
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Hendrick, Sir Mark
 Higginbotham, Antony
 Hillier, Dame Meg
 Hinds, rh Damian
 Hoare, Simon
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Holden, Mr Richard
 Hollern, Kate
 Hollinrake, Kevin
 Holloway, Adam
 Holmes, Paul
 Hopkins, Rachel
 Howarth, rh Sir George
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane

Hunt, rh Jeremy
 Hunt, Tom
 Huq, Dr Rupa
 Jardine, Christine
 Javid, rh Sajid
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, rh Dame Diana
 Johnson, Gareth
 Johnson, Kim
 Johnston, David
 Jones, Andrew
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Mr Marcus
 Jones, Sarah
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Knight, rh Sir Greg
 Kruger, Danny
 Kwarteng, rh Kwasi
 Largan, Robert
 Lavery, Ian
 Leadbeater, Kim
 Levy, Ian
 Lewell-Buck, Mrs Emma
 Lewis, rh Brandon
 Lewis, Clive
 Lloyd, Tony
 Lockhart, Carla
 Loder, Chris
 Logan, Mark
 Long Bailey, Rebecca
 Longhi, Marco
 Lopez, Julia
 Loughton, Tim
 Lucas, Caroline
 Lynch, Holly
 Mackrory, Cherilyn
 Maclean, Rachel
 Madders, Justin
 Mahmood, Mr Khalid
 Mak, Alan
 Malhotra, Seema
 Malthouse, rh Kit
 Mann, Scott
 Marson, Julie
 Maskell, Rachael
 Mayhew, Jerome
 Maynard, Paul
 McCabe, Steve
 McCarthy, Kerry
 McCartney, Jason
 McDonald, Andy
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McMorris, Anna
 Mearns, Ian
 Merriman, Huw
 Metcalfe, Stephen

Miliband, rh Edward
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mishra, Navendu
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, David
 Morris, Grahame
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Murray, Ian
 Murray, James
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Nandy, Lisa
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 Norris, Alex
 O'Brien, Neil
 Offord, Dr Matthew
 Olney, Sarah
 Onwurah, Chi
 Opperman, Guy
 Oppong-Asare, Abena
 Owatemi, Taiwo
 Owen, Sarah
 Parish, Neil
 Patel, rh Priti
 Peacock, Stephanie
 Penning, rh Sir Mike
 Pennycook, Matthew
 Penrose, John
 Perkins, Mr Toby
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Qureshi, Yasmin
 Raab, rh Dominic
 Randall, Tom
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Rees-Mogg, rh Mr Jacob
 Reeves, Ellie
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Richards, Nicola
 Richardson, Angela
 Rimmer, Ms Marie
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Mary
 Rodda, Matt
 Rowley, Lee

Russell, Dean
 Russell-Moyle, Lloyd
 Rutley, David
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shah, Naz
 Shannon, Jim
 Shapps, rh Grant
 Sharma, rh Alok
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Shelbrooke, rh Alec
 Siddiq, Tulip
 Simmonds, David
 Skidmore, rh Chris
 Slaughter, Andy
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Nick
 Smith, Royston
 Smyth, Karin
 Solloway, Amanda
 Spellar, rh John
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Starmer, rh Keir
 Stephenson, Andrew
 Stevens, Jo
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Streeting, Wes
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sultana, Zarah
 Sunderland, James
 Tami, rh Mark
 Tarry, Sam
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thornberry, rh Emily
 Throup, Maggie
 Timms, rh Stephen
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vara, Shailesh
 Vaz, rh Valerie
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 West, Catherine
 Western, Matt
 Whately, Helen
 Wheeler, Mrs Heather

Whitehead, Dr Alan
 Whitley, Mick
 Whittaker, Craig
 Whittingdale, rh Mr John
 Whittome, Nadia
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Munira

Winter, Beth
 Wood, Mike
 Wright, rh Jeremy
 Yasin, Mohammad
 Young, Jacob
 Zahawi, rh Nadhim
 Zeichner, Daniel

Tellers for the Ayes:
Michael Tomlinson and
Steve Double

NOES

Anderson, Lee
 Bailey, Shaun
 Baker, Mr Steve
 Benton, Scott
 Blackman, Bob
 Bone, Mr Peter
 Brady, Sir Graham
 Bridgen, Andrew
 Cates, Miriam
 Chope, Sir Christopher
 Clarke-Smith, Brendan
 Davies, Philip
 Djanogly, Mr Jonathan
 Drax, Richard
 Girvan, Paul
 Green, Chris
 Jenkinson, Mark
 Jones, rh Mr David
 Knight, Julian
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward

Lord, Mr Jonathan
 Mangnall, Anthony
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Morris, Anne Marie
 Paisley, Ian
 Pawsey, Mark
 Rosindell, Andrew
 Sambrook, Gary
 Smith, Greg
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Tracey, Craig
 Walker, Sir Charles
 Warburton, David
 Wilson, rh Sammy
 Wragg, Mr William

Tellers for the Noes:
Mr Philip Hollobone and
Jackie Doyle-Price

Question accordingly agreed to.

Resolved,

That the Health Protection (Coronavirus, Wearing of Face Coverings) (England) (Amendment) Regulations 2021 (SI, 2021, No. 1400), dated 9 December 2021, a copy of which was laid before this House on 9 December, be approved.

The Deputy Speaker then put the Questions necessary for the disposal of the business to be concluded at that time.

Resolved,

That the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) (Amendment) (No. 6) Regulations 2021 (SI, 2021, No. 1415), dated 13 December 2021, a copy of which was laid before this House on 13 December, be approved.—*(Mr Marcus Jones.)*

Motion made, and Question put,

That the Health Protection (Coronavirus, Restrictions) (Entry to Venues and Events) (England) Regulations 2021 (SI, 2021, No. 1416), dated 13 December 2021, a copy of which was laid before this House on 13 December, be approved.—*(Mr Marcus Jones.)*

The House divided: Ayes 369, Noes 126.

Division No. 150]

[6.47 pm

AYES

Abrahams, Debbie
 Adams, rh Nigel
 Afolami, Bim
 Aldous, Peter
 Ali, Rushanara
 Allan, Lucy
 Amesbury, Mike
 Anderson, Fleur
 Anderson, Stuart
 Andrew, rh Stuart
 Ashworth, rh Jonathan
 Atherton, Sarah

Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Baker, Duncan
 Barclay, rh Steve
 Barker, Paula
 Baynes, Simon
 Bell, Aaron
 Benn, rh Hilary
 Beresford, Sir Paul
 Berry, rh Jake
 Betts, Mr Clive

Bhatti, Saqib	Eagle, Dame Angela	Holden, Mr Richard	Mills, Nigel
Blunt, Crispin	Eagle, Maria	Hollern, Kate	Mishra, Navendu
Bottomley, Sir Peter	Eastwood, Colum	Hollinrake, Kevin	Mohindra, Mr Gagan
Bradshaw, rh Mr Ben	Eastwood, Mark	Holmes, Paul	Morden, Jessica
Braverman, rh Suella	Edwards, Ruth	Hopkins, Rachel	Morgan, Stephen
Brereton, Jack	Efford, Clive	Howarth, rh Sir George	Morris, David
Bristow, Paul	Elliott, Julie	Howell, John	Morris, James
Britcliffe, Sara	Ellis, rh Michael	Howell, Paul	Morrissey, Joy
Brown, Ms Lyn	Elmore, Chris	Huddleston, Nigel	Morton, Wendy
Brown, rh Mr Nicholas	Elphicke, Mrs Natalie	Hudson, Dr Neil	Mullan, Dr Kieran
Browne, Anthony	Esterson, Bill	Hughes, Eddie	Murray, Ian
Bruce, Fiona	Eustice, rh George	Hunt, Jane	Murray, James
Bryant, Chris	Evans, Chris	Hunt, rh Jeremy	Murray, Mrs Sheryll
Buchan, Felicity	Evans, Dr Luke	Huq, Dr Rupa	Murrison, rh Dr Andrew
Buck, Ms Karen	Evennett, rh Sir David	Javid, rh Sajid	Nandy, Lisa
Buckland, rh Robert	Everitt, Ben	Jenkin, Sir Bernard	Nici, Lia
Burghart, Alex	Fabricant, Michael	Jenkyns, Andrea	Nokes, rh Caroline
Burns, rh Conor	Farris, Laura	Jenrick, rh Robert	Norris, Alex
Butler, Rob	Fletcher, Colleen	Johnson, rh Boris	O'Brien, Neil
Byrne, Ian	Fletcher, Katherine	Johnson, Dr Caroline	Onwurah, Chi
Cadbury, Ruth	Fletcher, Mark	Johnson, rh Dame Diana	Opperman, Guy
Cairns, rh Alun	Fletcher, Nick	Johnson, Gareth	Oppong-Asare, Abena
Campbell, rh Sir Alan	Ford, Vicky	Johnson, Kim	Owatemi, Taiwo
Carter, Andy	Foster, Kevin	Johnston, David	Owen, Sarah
Cartlidge, James	Fovargue, Yvonne	Jones, Andrew	Parish, Neil
Cash, Sir William	Foxcroft, Vicky	Jones, Darren	Patel, rh Priti
Caulfield, Maria	Frazer, rh Lucy	Jones, Gerald	Peacock, Stephanie
Chalk, Alex	Freeman, George	Jones, rh Mr Kevan	Pennycook, Matthew
Charalambous, Bambos	Freer, Mike	Jones, Mr Marcus	Perkins, Mr Toby
Chishti, Rehman	Furniss, Gill	Jones, Sarah	Philp, Chris
Churchill, Jo	Gale, rh Sir Roger	Kawczynski, Daniel	Pincher, rh Christopher
Clark, rh Greg	Garnier, Mark	Keegan, Gillian	Poulter, Dr Dan
Clarke, rh Mr Simon	Gibb, rh Nick	Keeley, Barbara	Pow, Rebecca
Clarke, Theo	Gibson, Peter	Kendall, Liz	Prentis, Victoria
Clarkson, Chris	Gill, Preet Kaur	Khan, Afzal	Pritchard, rh Mark
Cleverly, rh James	Glen, John	Kinnock, Stephen	Pursglove, Tom
Coffey, rh Dr Thérèse	Glindon, Mary	Kruger, Danny	Quin, Jeremy
Collins, Damian	Goodwill, rh Mr Robert	Kwarteng, rh Kwasi	Quince, Will
Cooper, rh Yvette	Gove, rh Michael	Leadbeater, Kim	Qureshi, Yasmin
Costa, Alberto	Graham, Richard	Levy, Ian	Raab, rh Dominic
Courts, Robert	Grant, Mrs Helen	Lewis, rh Brandon	Rayner, rh Angela
Coutinho, Claire	Gray, James	Lloyd, Tony	Reed, Steve
Cox, rh Sir Geoffrey	Green, Kate	Longhi, Marco	Rees, Christina
Coyle, Neil	Greenwood, Lilian	Lopez, Julia	Rees-Mogg, rh Mr Jacob
Crabb, rh Stephen	Greenwood, Margaret	Lynch, Holly	Reeves, Ellie
Creasy, Stella (<i>Proxy vote cast by Chris Elmore</i>)	Griffith, Andrew	Mackrory, Cherilyn	Reynolds, Jonathan
Crosbie, Virginia	Griffith, Nia	Macleane, Rachel	Richards, Nicola
Cruddas, Jon	Griffiths, Kate	Madders, Justin	Richardson, Angela
Cryer, John	Gullis, Jonathan	Mahmood, Mr Khalid	Rimmer, Ms Marie
Cummins, Judith	Gwynne, Andrew	Mak, Alan	Robinson, Mary
Cunningham, Alex	Haigh, Louise	Malhotra, Seema	Rodda, Matt
Daly, James	Hall, Luke	Malthouse, rh Kit	Rowley, Lee
Davies, David T. C.	Hamilton, Fabian	Mann, Scott	Russell, Dean
Davies, Gareth	Hancock, rh Matt	Marson, Julie	Russell-Moyle, Lloyd
Davies, Geraint	Hands, rh Greg	Maskell, Rachael	Rutley, David
Davies, Dr James	Harman, rh Ms Harriet	Mayhew, Jerome	Saxby, Selaine
Davies, Mims	Harris, Carolyn	Maynard, Paul	Scully, Paul
Debbonaire, Thangam	Harrison, Trudy	McCabe, Steve	Selous, Andrew
Dhesi, Mr Tanmanjeet Singh	Hart, Sally-Ann	McCarthy, Kerry	Shah, Naz
Dines, Miss Sarah	Hart, rh Simon	McCartney, Jason	Shapps, rh Grant
Docherty, Leo	Hayes, Helen	McDonald, Andy	Sharma, rh Alok
Dodds, Anneliese	Heald, rh Sir Oliver	McDonnell, rh John	Sharma, Mr Virendra
Dorries, rh Ms Nadine	Heapey, James	McFadden, rh Mr Pat	Sheerman, Mr Barry
Doughty, Stephen	Heaton-Harris, Chris	McGinn, Conor	Shelbrooke, rh Alec
Dowd, Peter	Henderson, Gordon	McGovern, Alison	Siddiq, Tulip
Dowden, rh Oliver	Hendrick, Sir Mark	McKinnell, Catherine	Simmonds, David
Dromey, Jack	Higginbotham, Antony	McMorrin, Anna	Skidmore, rh Chris
Drummond, Mrs Flick	Hillier, Dame Meg	Merriman, Huw	Slaughter, Andy
Duddridge, James	Hinds, rh Damian	Miliband, rh Edward	Smith, Chloe
Duffield, Rosie	Hoare, Simon	Millar, Robin	Smith, rh Julian
Dunne, rh Philip	Hodge, rh Dame Margaret	Miller, rh Mrs Maria	Smith, Nick
	Hodgson, Mrs Sharon	Milling, rh Amanda	Smith, Royston

Smyth, Karin
 Solloway, Amanda
 Spellar, rh John
 Spencer, rh Mark
 Stafford, Alexander
 Starmer, rh Keir
 Stephenson, Andrew
 Stevens, Jo
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Streeting, Wes
 Stride, rh Mel
 Stuart, Graham
 Sunderland, James
 Tami, rh Mark
 Tarry, Sam
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thornberry, rh Emily
 Throup, Maggie
 Timms, rh Stephen
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Turner, Karl
 Twigg, Derek
 Twist, Liz

Vara, Shailesh
 Vaz, rh Valerie
 Vickers, Martin
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warman, Matt
 Webb, Suzanne
 West, Catherine
 Western, Matt
 Whately, Helen
 Wheeler, Mrs Heather
 Whitehead, Dr Alan
 Whitley, Mick
 Whittaker, Craig
 Whittingdale, rh Mr John
 Whittome, Nadia
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Winter, Beth
 Wood, Mike
 Wright, rh Jeremy
 Yasin, Mohammad
 Young, Jacob
 Zahawi, rh Nadhim
 Zeichner, Daniel

Tellers for the Ayes:
Michael Tomlinson and
Steve Double

NOES

Abbott, rh Ms Diane
 Afriyie, Adam
 Anderson, Lee
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Mr Steve
 Baldwin, Harriett
 Baron, Mr John
 Begum, Apsana
 Benton, Scott
 Blackman, Bob
 Bone, Mr Peter
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Bridgen, Andrew
 Brine, Steve
 Butler, Dawn
 Carmichael, rh Mr Alistair
 Cates, Miriam
 Chamberlain, Wendy
 Chope, Sir Christopher
 Clarke-Smith, Brendan
 Clifton-Brown, Sir Geoffrey
 Cooper, Daisy
 Corbyn, rh Jeremy
 Crouch, Tracey
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Djanogly, Mr Jonathan
 Donaldson, rh Sir Jeffrey M.
 Drax, Richard
 Duncan Smith, rh Sir Iain
 Ellwood, rh Mr Tobias
 Evans, Dr Luke
 Farron, Tim
 Fox, rh Dr Liam

French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Ghani, Ms Nusrat
 Gideon, Jo
 Girvan, Paul
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Green, Sarah
 Grundy, James
 Halfon, rh Robert
 Hammond, Stephen
 Harper, rh Mr Mark
 Hayes, rh Sir John
 Hobhouse, Wera
 Holloway, Adam
 Hunt, Tom
 Jardine, Christine
 Jenkinson, Mark
 Jones, rh Mr David
 Jupp, Simon
 Kearns, Alicia
 Knight, rh Sir Greg
 Knight, Julian
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Lewell-Buck, Mrs Emma
 Lewer, Andrew
 Lewis, Clive
 Lewis, rh Dr Julian
 Lockhart, Carla
 Loder, Chris
 Logan, Mark
 Long Bailey, Rebecca
 Lord, Mr Jonathan

Loughton, Tim
 Lucas, Caroline
 Mackinlay, Craig
 Mangnall, Anthony
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Metcalfe, Stephen
 Moore, Damien
 Moore, Robbie
 Moran, Layla
 Morris, Anne Marie
 Mumby-Croft, Holly
 Neill, Sir Robert
 Offord, Dr Matthew
 Olney, Sarah
 Paisley, Ian
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Randall, Tom
 Redwood, rh John
 Ribeiro-Addy, Bell
 Roberts, Rob
 Robertson, Mr Laurence
 Rosindell, Andrew

Sambrook, Gary
 Seely, Bob
 Shannon, Jim
 Smith, Greg
 Smith, Henry
 Spencer, Dr Ben
 Stevenson, Jane
 Stevenson, John
 Stringer, Graham
 Sturdy, Julian
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Tracey, Craig
 Tugendhat, Tom
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles
 Warburton, David
 Watling, Giles
 Wilson, Munira
 Wilson, rh Sammy
 Wragg, Mr William

Tellers for the Noes:
Mr Philip Hollobone and
Jackie Doyle-Price

Question accordingly agreed to.
Motion made, and Question put.

That the draft Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) (No. 2) Regulations 2021, which were laid before this House on 9 November, be approved.—
(Mr Marcus Jones.)

The House divided: Ayes 385, Noes 100.

Division No. 151]

AYES

[7.3 pm

Adams, rh Nigel
 Afolami, Bim
 Aldous, Peter
 Ali, Rushanara
 Allan, Lucy
 Amesbury, Mike
 Anderson, Fleur
 Anderson, Stuart
 Andrew, rh Stuart
 Ashworth, rh Jonathan
 Atherton, Sarah
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Baillie, Siobhan
 Baker, Duncan
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benn, rh Hilary
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Betts, Mr Clive
 Bhatti, Saqib
 Blunt, Crispin
 Bottomley, Sir Peter
 Bradshaw, rh Mr Ben
 Braverman, rh Suella
 Brereton, Jack
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara

Brown, Ms Lyn
 Browne, Anthony
 Bruce, Fiona
 Bryant, Chris
 Buchan, Felicity
 Buck, Ms Karen
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cadbury, Ruth
 Cairns, rh Alun
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Charalambous, Bambos
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo
 Clarkson, Chris
 Cleverly, rh James
 Coffey, rh Dr Thérèse
 Collins, Damian
 Cooper, rh Yvette
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Coyle, Neil
 Crabb, rh Stephen

Crosbie, Virginia	Greenwood, Lilian	Levy, Ian	Prentis, Victoria
Cruddas, Jon	Griffith, Andrew	Lewis, rh Brandon	Pritchard, rh Mark
Cryer, John	Griffith, Nia	Lewis, rh Dr Julian	Pursglove, Tom
Cummins, Judith	Griffiths, Kate	Lloyd, Tony	Quin, Jeremy
Cunningham, Alex	Grundy, James	Logan, Mark	Quince, Will
Daly, James	Gullis, Jonathan	Longhi, Marco	Qureshi, Yasmin
Davies, David T. C.	Gwynne, Andrew	Lopez, Julia	Raab, rh Dominic
Davies, Gareth	Haigh, Louise	Lynch, Holly	Randall, Tom
Davies, Geraint	Hall, Luke	Mackrory, Cherilyn	Rayner, rh Angela
Davies, Dr James	Hamilton, Fabian	Maclean, Rachel	Reed, Steve
Davies, Mims	Hammond, Stephen	Madders, Justin	Rees, Christina
Debbonaire, Thangam	Hancock, rh Matt	Mahmood, Mr Khalid	Rees-Mogg, rh Mr Jacob
Dhesi, Mr Tanmanjeet Singh	Hands, rh Greg	Mak, Alan	Reeves, Ellie
Dines, Miss Sarah	Harman, rh Ms Harriet	Malhotra, Seema	Reynolds, Jonathan
Docherty, Leo	Harris, Carolyn	Malthouse, rh Kit	Richards, Nicola
Dodds, Anneliese	Harrison, Trudy	Mann, Scott	Richardson, Angela
Dorries, rh Ms Nadine	Hart, Sally-Ann	Marson, Julie	Rimmer, Ms Marie
Doughty, Stephen	Hart, rh Simon	Mayhew, Jerome	Robertson, Mr Laurence
Dowd, Peter	Hayes, Helen	Maynard, Paul	Robinson, Mary
Dowden, rh Oliver	Hayes, rh Sir John	McCabe, Steve	Rodda, Matt
Dromey, Jack	Heald, rh Sir Oliver	McCarthy, Kerry	Rowley, Lee
Drummond, Mrs Flick	Heapey, James	McCartney, Jason	Russell, Dean
Duddridge, James	Heaton-Harris, Chris	McFadden, rh Mr Pat	Rutley, David
Duffield, Rosie	Henderson, Gordon	McGinn, Conor	Sambrook, Gary
Dunne, rh Philip	Hendrick, Sir Mark	McGovern, Alison	Saxby, Selaine
Eagle, Dame Angela	Higginbotham, Antony	McKinnell, Catherine	Scully, Paul
Eagle, Maria	Hillier, Dame Meg	McMorrin, Anna	Selous, Andrew
Eastwood, Colum	Hinds, rh Damian	Merriman, Huw	Shah, Naz
Eastwood, Mark	Hoare, Simon	Metcalfe, Stephen	Shapps, rh Grant
Edwards, Ruth	Hodge, rh Dame Margaret	Miliband, rh Edward	Sharma, rh Alok
Efford, Clive	Hodgson, Mrs Sharon	Millar, Robin	Sharma, Mr Virendra
Elliott, Julie	Holden, Mr Richard	Miller, rh Mrs Maria	Sheerman, Mr Barry
Ellis, rh Michael	Hollern, Kate	Milling, rh Amanda	Shelbrooke, rh Alec
Ellwood, rh Mr Tobias	Hollinrake, Kevin	Mills, Nigel	Siddiq, Tulip
Elmore, Chris	Holmes, Paul	Mishra, Navendu	Simmonds, David
Elphicke, Mrs Natalie	Hopkins, Rachel	Mitchell, rh Mr Andrew	Skidmore, rh Chris
Esterson, Bill	Howarth, rh Sir George	Mohindra, Mr Gagan	Slaughter, Andy
Eustice, rh George	Howell, John	Moore, Robbie	Smith, Chloe
Evans, Chris	Howell, Paul	Morden, Jessica	Smith, rh Julian
Evans, Dr Luke	Huddleston, Nigel	Morgan, Stephen	Smith, Nick
Evennett, rh Sir David	Hudson, Dr Neil	Morris, David	Smith, Royston
Everitt, Ben	Hughes, Eddie	Morris, James	Smyth, Karin
Fabricant, Michael	Hunt, Jane	Morrissey, Joy	Solloway, Amanda
Farris, Laura	Hunt, rh Jeremy	Morton, Wendy	Spencer, Dr Ben
Fletcher, Colleen	Hunt, Tom	Mullan, Dr Kieran	Spencer, rh Mark
Fletcher, Katherine	Javid, rh Sajid	Murray, Ian	Stafford, Alexander
Fletcher, Mark	Jenkin, Sir Bernard	Murray, James	Starmer, rh Keir
Fletcher, Nick	Jenkyns, Andrea	Murray, Mrs Sheryll	Stephenson, Andrew
Ford, Vicky	Jenrick, rh Robert	Nandy, Lisa	Stevens, Jo
Foster, Kevin	Johnson, rh Boris	Neill, Sir Robert	Stevenson, Jane
Fovargue, Yvonne	Johnson, Dr Caroline	Nici, Lia	Stewart, rh Bob
Foxcroft, Vicky	Johnson, rh Dame Diana	Nokes, rh Caroline	Stewart, Iain
Frazer, rh Lucy	Johnson, Gareth	Norman, rh Jesse	Streeter, Sir Gary
Freeman, George	Johnston, David	Norris, Alex	Streeting, Wes
Freer, Mike	Jones, Andrew	O'Brien, Neil	Stride, rh Mel
French, Mr Louie	Jones, Darren	Offord, Dr Matthew	Stuart, Graham
Furniss, Gill	Jones, Gerald	Onwurah, Chi	Sunderland, James
Gale, rh Sir Roger	Jones, rh Mr Kevan	Opperman, Guy	Tami, rh Mark
Garnier, Mark	Jones, Mr Marcus	Oppong-Asare, Abena	Tarry, Sam
Gibb, rh Nick	Jones, Sarah	Owatemi, Taiwo	Thomas, Gareth
Gibson, Peter	Kawczynski, Daniel	Owen, Sarah	Thomas-Symonds, rh Nick
Gideon, Jo	Kearns, Alicia	Parish, Neil	Thornberry, rh Emily
Gill, Preet Kaur	Keegan, Gillian	Patel, rh Priti	Throup, Maggie
Glen, John	Keeley, Barbara	Peacock, Stephanie	Timms, rh Stephen
Glindon, Mary	Kendall, Liz	Penning, rh Sir Mike	Timps, Edward
Goodwill, rh Mr Robert	Khan, Afzal	Pennycook, Matthew	Tolhurst, Kelly
Gove, rh Michael	Kinnock, Stephen	Penrose, John	Tomlinson, Justin
Graham, Richard	Knight, rh Sir Greg	Perkins, Mr Toby	Trevelyan, rh Anne-Marie
Grant, Mrs Helen	Kruger, Danny	Philp, Chris	Trott, Laura
Gray, James	Kwarteng, rh Kwasi	Pincher, rh Christopher	Truss, rh Elizabeth
Green, rh Damian	Largan, Robert	Poulter, Dr Dan	Tugendhat, Tom
Green, Kate	Leadbeater, Kim	Pow, Rebecca	Turner, Karl

Twigg, Derek
Twist, Liz
Vara, Shailesh
Vaz, rh Valerie
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
West, Catherine
Western, Matt
Whately, Helen
Wheeler, Mrs Heather

Whitehead, Dr Alan
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Wild, James
Williams, Craig
Williamson, rh Gavin
Wood, Mike
Wright, rh Jeremy
Young, Jacob
Zahawi, rh Nadhim
Zeichner, Daniel

Tellers for the Ayes:
Michael Tomlinson and
Steve Double

NOES

Anderson, Lee
Bailey, Shaun
Baker, Mr Steve
Baldwin, Harriett
Barker, Paula
Begum, Apsana
Blackman, Bob
Bone, Mr Peter
Bradley, Ben
Brady, Sir Graham
Bridgen, Andrew
Burgon, Richard
Butler, Dawn
Byrne, Ian
Carmichael, rh Mr Alistair
Cates, Miriam
Chamberlain, Wendy
Chope, Sir Christopher
Clarke-Smith, Brendan
Clifton-Brown, Sir Geoffrey
Cooper, Daisy
Corbyn, rh Jeremy
Crouch, Tracey
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Djanogly, Mr Jonathan
Drax, Richard
Farron, Tim
Fox, rh Dr Liam
Fuller, Richard
Fysh, Mr Marcus
Ghani, Ms Nusrat
Girvan, Paul
Grayling, rh Chris
Green, Chris
Green, Sarah
Greenwood, Margaret
Harper, rh Mr Mark
Huq, Dr Rupa
Jenkinson, Mark
Johnson, Kim
Jones, rh Mr David
Latham, Mrs Pauline
Lavery, Ian
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Lewell-Buck, Mrs Emma
Lewer, Andrew
Lewis, Clive
Lockhart, Carla

Loder, Chris
Long Bailey, Rebecca
Lord, Mr Jonathan
Loughton, Tim
Lucas, Caroline
Mackinlay, Craig
Mangnall, Anthony
Maskell, Rachael
McCartney, Karl
McDonald, Andy
McDonnell, rh John
McPartland, Stephen
McVey, rh Esther
Mearns, Ian
Moore, Damien
Moran, Layla
Morris, Anne Marie
Morris, Grahame
Mumby-Croft, Holly
Offord, Dr Matthew
Olney, Sarah
Paisley, Ian
Pawsey, Mark
Percy, Andrew
Redwood, rh John
Ribeiro-Addy, Bell
Roberts, Rob
Rosindell, Andrew
Seely, Bob
Shannon, Jim
Smith, Greg
Smith, Henry
Stevenson, John
Sturdy, Julian
Sultana, Zarah
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Tracey, Craig
Wakeford, Christian
Walker, Sir Charles
Warburton, David
Whitley, Mick
Wilson, Munira
Wilson, rh Sammy
Winter, Beth
Wragg, Mr William
Yasin, Mohammad

Tellers for the Noes:
Mr Philip Hollobone and
Jackie Doyle-Price

Question accordingly agreed to.

Business without Debate

DELEGATED LEGISLATION

Madam Deputy Speaker (Dame Rosie Winterton): With the leave of the House, we will take motions 4 to 6 together.

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

EXITING THE EUROPEAN UNION (ELECTRONIC COMMUNICATIONS)

That the draft Network and Information Systems (EU Exit) (Amendment) Regulations 2021, which were laid before this House on 26 October, be approved.

AGRICULTURE

That the draft Wine (Amendment) Regulations 2021, which were laid before this House on 23 November, be approved.

ROAD TRAFFIC

That the draft Motor Vehicles (Driving Licences) (Amendment) (No. 5) Regulations 2021, which were laid before this House on 23 November, be approved.—(*Mr Marcus Jones.*)

Question agreed to.

COMMITTEES

Madam Deputy Speaker: With the leave of the House, we will take motions 7 to 10 together.

Ordered.

INTERNATIONAL DEVELOPMENT

That Brendan Clarke-Smith be discharged from the International Development Committee and Nigel Mills be added.

INTERNATIONAL TRADE

That Craig Williams be discharged from the International Trade Committee and Mike Wood be added.

TREASURY

That Felicity Buchan be discharged from the Treasury Committee and Kevin Hollinrake be added.

WOMEN AND EQUALITIES

That Lee Anderson be discharged from the Women and Equalities Committee and Caroline Dinenege be added.—(*Bill Wiggin, on behalf of the Selection Committee.*)

PETITION

Aston Fence School Speed Limit Extension

7.19 pm

Alexander Stafford (Rother Valley) (Con): Residents, teachers, parents and governors of Aston Fence Junior and Infant School in Rother Valley are concerned about road safety outside the school on a busy road that has a speed limit of 40 mph during the day. They and I have written to Rotherham Metropolitan Borough Council to call on it to take adequate steps to improve road safety. As yet, however, no action has been taken, and signs and patrols clearly do not work. What is needed, according to the school, is a permanent 20 mph speed limit with appropriate traffic calming measures installed to enforce it.

[Alexander Stafford]

The petition, which was started by the pupils of Aston Fence School, has been signed by more than 325 people—almost double the number of students. The petition states:

The petitioners therefore request that the House of Commons call on the Government to urge Rotherham Metropolitan Borough Council to extend the existing 20mph speeding restrictions around the school so that they are in force at all times, rather than just during peak school hours.

And the petitioners remain, etc.

Following is the full text of the petition:

[The petition of residents of the constituency of Rother Valley,

Declares that road safety measures must be strengthened and improved around Aston Fence School; and further that the existing 20mph speed limit, which is currently applicable during peak drop-off and pick-up hours in morning and afternoon, be in force at all times to protect pedestrians and drivers alike.

The petitioners therefore request that the House of Commons call on the Government to urge Rotherham Metropolitan Borough Council to extend the existing 20mph speeding restrictions around the school so that they are in force at all times, rather than just during peak school hours.

And the petitioners remain, etc.]

[P002704]

Human Rights Day

Motion made, and Question proposed, That this House do now adjourn.—(Mr Marcus Jones.)

7.20 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Last Friday marked the UN's Human Rights Day and the final day of the 16 days of activism against gender-based violence. I am delighted to formally mark the day in the Chamber tonight.

As many hon. Members will know, Human Rights Day is observed annually on 10 December—the day when in 1948 the United Nations General Assembly adopted the universal declaration of human rights. The declaration is a milestone document that proclaims the inalienable rights to which every one of us, as a human being, is entitled regardless of

“race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

Its central tenet, set out in article 1—

“All human beings are born free and equal in dignity and rights”—is as important today as when it was adopted just over 73 years ago.

I have a copy of the declaration in my office. I believe that its significance to humanity, having been adopted so shortly after world war two, must not be underestimated: it is the hope that we can be better than the horrors that we witnessed. However, although the declaration is recognised as part of customary international law, human rights abuses are still rife, even by countries that are signatories to the declaration.

The principles of equality and non-discrimination are at the heart of human rights, but we know that, across the world, including in the UK, the rights of women are constantly ignored. Our right to life is ignored: in some parts of the world, girl babies are seen as less important than boy babies. Our right to education is ignored: girls are still prevented from being educated, as we are seeing today in Afghanistan. Our right to marry whom we wish is ignored: forced marriage and female genital mutilation are still happening in the 21st century. So are our right to work in whatever job we wish, limited only by our abilities rather than by prejudice and discrimination; to be paid the same as a man doing the same work; and to be treated equally under the law and have domestic violence and rape recognised and responded to as the serious crimes that they are.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing the matter forward; I very much support what she is saying. Does she agree that the increase in domestic violence during lockdown has shown that, even in our great nation, there is an endemic of gender-based violence that must be addressed? One way to do that is through education at a young age, which she referred to, and through prosecution of domestic abuses to a much higher degree. In other words, we must be hard on those who are carrying out the violence.

Debbie Abrahams: I agree that the rise in domestic abuse during the pandemic is a real issue. Yes, I believe that we need further strict enforcement, but I also believe that we need to educate not just the victims, but the perpetrators. Two women a week in the UK will die at the hands of a partner or ex-partner; as the hon. Gentleman mentioned, that gender-based violence has increased during the covid pandemic.

In conflicts across the world, where violence against women, including sexual violence, is used as a weapon of war, we must reaffirm and re-emphasise that women's rights are human rights by holding those who commit such atrocities—they are atrocities—to account. As the UN has stated:

“There are deep inter-connections between ending such blatant violations of those rights, providing freedom from fear, and the right to security, dignity, equality and justice.”

To mark the International Day for the Elimination of Violence against Women last month and the start of 16 days of activism against gender-based violence, I hosted a virtual event to look at those issues locally and internationally. I was joined by activists, experts, campaigners and people from across Oldham and Saddleworth to discuss not just the issues, but what we can do to tackle violence against women and girls.

Kate Griffiths (Burton) (Con): I thank the hon. Lady for calling this important debate. I personally have been overwhelmed by the number of supportive messages I have received over the weekend since my story became public. Every one of them has been encouraging, and many have shared their own harrowing stories with me. I know that every campaign, every debate and every story that becomes public gives strength and hope to other women, and perhaps the courage that they need to seek help. Does the hon. Lady agree that belief and support from others have a crucial role in addressing gender-based violence?

Debbie Abrahams: Absolutely. I want to place on record my gratitude for the intervention, but also how amazed I am by the hon. Lady's strength and what she is doing.

I promised I would raise in this place the issues that the people at the virtual event raised with me. I hope that the Minister can respond to some of them tonight. Nationally, there remains a massive challenge. We need to change the culture of our society, which needs strong, determined leadership driving a multifaceted strategy that ultimately not just determines what are acceptable behaviours, but shifts attitudes and beliefs.

Nia Griffith (Llanelli) (Lab): I congratulate my hon. Friend on this excellent debate. It is such a shame that, yet again, we have made so little progress. Does she agree that the revelations in recent days about even the police having WhatsApp groups with misogynistic content are shocking, that every single institution in our country needs to act hard and quickly to explain to people how dangerous and insidious that is and how attitudes can lead to acts of violence, and that we must stamp out such behaviour?

Debbie Abrahams: I could not agree more. There is an important point about leadership, which has to come from the top, and it has to be visible that such behaviour is totally unacceptable.

Women should be paid the same as men if they do the same or equivalent jobs. They should also be protected under the law from misogynistic hate speech, online and offline, in the same way that other groups with protected characteristics are. I hope that the Government will adopt the Law Commission's recommendations on online hate—and it is online hate—as well as today's report from the Joint Committee on the draft Online Safety Bill, which strengthens the provisions.

Boys and girls should be brought up believing that they are equal to each other. I go every week to primary schools in particular. We talk about girls not being able to access education and the children look at me as though to ask, “Why?” We need to develop that and ensure that it is not lost as those children grow up. Our society and our laws should reflect that. Fundamentally, our children need to understand what healthy relationships look like and that violence of any sort is unacceptable.

We need to build understanding of behaviours and attitudes that are abusive and unacceptable, so that women and girls, who are disproportionately the victims in gender-based violence, are empowered not to accept that.

There is a need for a national, co-ordinated approach to education and behaviour change, but at the moment, measures feel piecemeal and ad hoc. The matter needs a whole-system, public health approach.

I welcome the recent introduction of the Domestic Abuse Act 2021. However, sustainable funding is really important and currently there is no guarantee that the money will run on to next year. It also does not address the societal and cultural issues I mentioned.

There are other issues, too. The duties under the Act are restricted to support for accommodation-based services, rather than thinking about the support offer as a whole, including community-based services. Voluntary sector organisations have consistently said that the scope of the duty is too narrow. Strengthening the accommodation and support offer is really valuable, but there is also a need to better support victims and their children in remaining safe in their own home, including, for example, through practical sanctuary measures. There is also insufficient investment in behaviour change work with individuals who have perpetrated domestic abuse, which is outside the Act's scope of funding. Better support for children is also important. The pandemic has placed greater pressures on services, and a SafeLives survey of frontline domestic abuse services found that 42% said that they were not able to effectively support child victims at risk of domestic abuse at this time. When we think of that in the context of little Arthur, we see that that really is worrying.

Support for victims with no recourse to public funds remains an issue and can be a barrier for victims in escaping abuse. The domestic violence destitution concession allows victims to access financial support for three months while they make an application for indefinite leave to remain under the domestic violence rules, but that option is available only to those who have come to the UK on a spousal visa—it is not available to those who have come on student visas, for example. Local authorities also bear the cost in the interim period before the DVDC is agreed by the Home Office. In addition, a recurrent issue for services relates to victims of domestic abuse with complex needs, including mental health issues or substance misuse issues. In some cases, their vulnerabilities and difficulties in leaving an abusive relationship may also leave them at risk of having children removed. These victims have often experienced adverse childhood experiences themselves, which gives them a legacy of trauma. In such cases, victims may often have poor engagement with support services, but because they are often determined as having “capacity” to make their “own decisions”, not accepting help to leave an abusive relationship can be treated as an “informed choice”. Instead, we could have a recognition of the impact of

[Debbie Abrahams]

traumatic experiences on their ability to safeguard themselves. Developing the support offer for victims with complex needs is a key gap, and again I would be grateful if the Minister gave us her views on that. The Care Act 2014 does not accommodate this.

In Oldham, Keeping Our Girls Safe, a local charity, works with children and young people, supporting them to learn about unhealthy relationships, child sexual exploitation, grooming and other risks. I have seen its inspirational work and how it empowers these young people, giving them confidence, helping to improve their self-esteem and inspiring them to make positive life choices. It has just celebrated its 10-year anniversary. KOGS was set up to address the gaps in the statutory services available to young people, particularly on prevention and early intervention. KOGS works with young people in familiar environments such as schools and youth centres, which makes it more accessible. Over the pandemic, it has carried on working with young people. Its chief executive attended the virtual event that I held and I just want to pay tribute to her, because one of her friends had died a few weeks before and she came to the event. This friend had died at the hands of her ex-partner, and I just want to repeat Hayley's powerful words about this. I hope I can manage this. She said:

"How many times will we look the other way
How many times will people ask why she stays
How many times will a word become a hand
How many times will we have to make a stand
How many times will we demand some action
How many times will we be shocked at their reaction
How many times will a child lose their mother
How many times will she be hurt by hands that are supposed to love her
How many times will excuses be made
How many times will the ultimate price be paid".

Dame Diana Johnson (Kingston upon Hull North) (Lab): This is an excellent debate and my hon. Friend is making a powerful case for the international Human Rights Day. Given those moving words that she just read out, will she pay tribute to the human rights defenders around the world and in the UK, including the lawyers who defend the rights of women all around the world? I chair the all-party group on human rights, and we are putting a lot of effort into making sure that human rights defenders get the attention they deserve, particularly women human rights defenders around the world.

Debbie Abrahams: I am grateful to my right hon. Friend for her timely intervention, and I could not agree with her more. This is something that I want to raise in a moment, particularly in the context of Afghanistan. I congratulate her on all the work she does in the all-party parliamentary group, and I hope that I will be joining it soon.

It is hard to follow those words, but I would appreciate the Minister's response on the gaps in support for victims and also on the need for a public health approach with a greater focus on prevention.

Turning to human rights and women's rights at a global level, we know that in far too many countries they are ignored. As chair of the all-party parliamentary

group for Kashmir, I have repeatedly raised my concerns regarding the human rights issues across Kashmir, which were documented most recently in 2019 by the United Nations Human Rights Office. The UN's reports raised concerns about women's rights and the reported use of gender-based violence in Jammu and Kashmir. Just in the last few weeks, a prominent human rights activist, Khurram Parvez, has been arrested by the Indian National Investigation Agency after he criticised Indian security forces for killing civilians and surreptitiously burying their bodies. I would appreciate a response from the Government on this issue. I raised it as soon as I became aware of it, but to date I have received no formal acknowledgement or information on the results of the Foreign Office's investigations, and no response to my request to the Indian high commissioner.

The human rights abuses occurring in Kashmir may be the longest running, but that is by no means the only region where there are occurring. At my virtual event, we heard harrowing testimony about how sexual and gender-based violence is consistently used as a weapon of war with impunity. We heard from Christina Lamb, who has written widely on this, describing the testimonies of survivors she had interviewed from Syria to Myanmar to Nigeria. She said:

"The first time I realised the scale of rape as a weapon of war was when I was speaking to Yazidi girls who were kept as sex slaves by ISIS. One girl I spoke with was passed on 12 times between people as if she was a goat. One of the hardest stories I had ever heard was a 16-year-old girl who was kept as a sex slave by an ISIS judge and she told me the worst night of her life was when he came back with a 10-year-old girl and he raped the 10-year-old girl and she heard the girl crying for her mother all night. This should not be going on. This is a war crime, and these women need justice."

Again, I would appreciate it if the Minister described what the Foreign Office is doing to get justice for these women, especially given the Foreign Secretary's recent announcement of her campaign. The Minister will be aware that we have had years of words but little action, which is why perpetrators think they can rape and torture at will. Given that the Foreign Secretary has described this as a red line, what consequences are there from the UK Government for those countries that are not acting to tackle this?

The Minister will be aware of the plight of millions of Afghan women, many of whom are at serious risk of harm by the Taliban and to whom the UK has an obligation. The plight of Fatima Ahmadi, a former Afghan police officer, is just one such example. The Taliban beat her badly and pulled clumps of hair from her scalp in front of her nine-year-old son, who was also held at knifepoint. She has since fled to Pakistan but knows that her time there is also limited.

Jim Shannon: The right hon. Lady has a big heart, and perhaps that is the reason that we always come to support her debates. I commend her for her passion for her stories. Just today I applied to the Backbench Business Committee for a debate on the Afghan resettlement scheme, which will enable people from Afghanistan who need to move to another country to start a new life to come here. If she has the time, would she like to come to that debate in the new year?

Debbie Abrahams: I am grateful to the hon. Gentleman, and I would like that. I am just about to come to that subject. Given that it is now four months since the

Afghan resettlement scheme was announced and it still has not got off the ground, I would be grateful if the Minister told us what is going to happen. I share the deep concerns expressed by several speakers at my event about the devastating manner in which the Taliban have rolled back the rights of women and girls in virtually every area—education, paid employment, freedom of movement and so on.

In conclusion, ultimately the issues of human rights and freedoms should not be politicised: they are universal and should be seen as such across the globe. However, the wide gap between men's and women's rights continues to plague our society. The 16 Days of Activism for the elimination of violence against women or one Human Rights Day is not enough to untangle the challenges we face. It is time for strong leadership advocating concrete action to ensure that it happens.

On a global level, our co-operation with countries should be based on our common interests and our common values. Co-operation with regimes that do not value individual rights and freedoms, that do not have the necessary internal legitimacy, or that are part of extremist terrorist groups is detrimental to our progress. As such, human rights need to be at the heart of UK trade policies and deals. As one contributor to the event, who has recently escaped persecution, said:

“Humanitarian aid, the protection of the rights of women and children, and the handling of the humanitarian crisis, should not be sacrificed in a game of politics and individual interests. Regimes with such discriminatory politics and policies should be held accountable for their actions towards their people internally and externally.”

7.40 pm

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Vicky Ford): I am very grateful to the hon. Member for Oldham East and Saddleworth (Debbie Abrahams) for securing this debate and pay tribute to her outstanding work to tackle violence against women and girls, and to support survivors. I also thank my hon. Friend the Member for Burton (Kate Griffiths) for her bravery and wise words about the importance of support for survivors of domestic abuse.

I am privileged to lead our international efforts to eradicate gender-based violence, in partnership with Lord Ahmad of Wimbledon, the Prime Minister's special representative on preventing sexual violence in conflict. The hon. Member for Oldham East and Saddleworth raised a specific situation in Kashmir and I will ensure that she gets a written answer.

As we all know, violence against women and girls is a global crisis and I will focus my response in the given time to the work we are doing internationally. One in three women will experience physical or sexual violence in their lives, at least 200 million girls and women alive today have undergone female genital mutilation, and child marriage affects one in five girls.

We know that this violence intensifies in conflict and humanitarian crisis. Around one in five refugees will experience sexual violence, and a UK-funded study in South Sudan found that one in three women had experienced conflict-related sexual violence, often many times over. Rates of domestic abuse were even higher, affecting up to 73% of women. Recent events in Tigray and Afghanistan have demonstrated yet again the urgent need to step up and tackle this problem. We also know

that marginalised groups are particularly at risk, including those who are LGBT+, living with a disability, or belong to minority ethnic or religious groups. Covid-19 has intensified this “shadow pandemic” of violence.

The UK is recognised for our leadership in tackling violence against women and girls and promoting women's rights, but we must focus on what more we can do. That is why the Foreign Secretary has announced a major push to shatter the culture of impunity around sexual violence in conflict. We will explore all options to strengthen global action, including the possibility of a new international convention. Next year, we will also host a major global conference to unite the world around preventing this violence and advancing the wider women, peace and security agenda.

We are also serious about stepping up our investments. The Foreign Secretary has confirmed that we will restore our spending on women and girls to what it was before the official development assistance reductions. Last month, we also announced over £22 million of new funding, including £18 million to help end child marriage across 12 countries. Our work has already helped to avert 25 million child marriages over the last decade.

The UK is also recognised internationally for our flagship “what works to prevent violence against women and girls” programme, which demonstrated that projects in homes, schools and communities can halve violence, and that this does not have to take generations. For example, in the Democratic Republic of Congo a project with faith leaders and community groups halved the number of women experiencing violence at the hands of their partners. The evidence from “what works”, combined with collaboration at national and international level, has led to real policy shifts, for example influencing South Africa's national strategic plan on gender-based violence and femicide. During the 16 Days of Activism, I launched a successor programme to scale-up the approach, backed by more than £67 million over the next seven years. That is the largest investment by any donor Government in preventing violence against women globally.

We can also be proud of our leadership on ending FGM by supporting change led from within the affected communities. We know that women and girls who experience sexual violence are at greater risk of unintended pregnancies, unsafe abortions, miscarriage and stillbirth, so alongside prevention, we are investing in counselling services as part of our support to sexual and reproductive health and rights.

There is so much going on across our country network, too. When I visited Sudan a couple of months ago, I met Mama Iqbal, a brave grandmother and community leader. She eradicated FGM in her community, with help from UK aid, and now she is taking on child marriage. In South Sudan, we are supporting the progression of a Bill through Parliament to reform legislation on gender-based violence and to tackle impunity. In Syria, the UK's funding this year has helped to provide over 1 million Syrians with services to end child marriage and gender-based violence. In Iraq, the UK is one of the first donors to support the implementation of the Yazidi survivors law, a critical piece of legislation that provides reparations for Yazidi, Shabak, Christian and Turkmen women survivors of Daesh atrocities.

These global challenges need global action too, beyond what we can do nationally, so we are stepping up our international leadership. Throughout the G7 presidency,

[Vicky Ford]

we set a high bar. The hon. Member for Oldham East and Saddleworth mentioned online violence against women and girls, and not only are we working on our own Online Safety Bill, but under the UK's leadership of the G7, leaders agreed to the internet safety principles and to the London interior commitments, which are a specific set of principles for tackling online violence against women and girls. We also negotiated ambitious commitments on gender equality, including girls' education, sexual and reproductive health and rights, women's economic empowerment and violence against women.

We co-lead the Generation Equality action coalition on gender-based violence with partners from all over the world, including the Governments of Uruguay, Iceland and Kenya. During the 16 days of activism, I co-hosted an event with Kenya to encourage others to scale up evidence-based approaches, too. On 22 November, Lord Ahmad launched the call to action to ensure the rights and wellbeing of children born of sexual violence in conflict. This was an important first step in galvanising

international action for this group of vulnerable children and women. During his visit to Cox's Bazar in Bangladesh, Lord Ahmad met Rohingya survivors of sexual violence who have fled the persecution in Myanmar, and he heard directly from them about their needs.

Finally, on 15 November we laid the Command Paper to ratify the International Labour Organisation convention on the elimination of violence and harassment in the world of work. We are calling on and will continue to call on all countries to demonstrate their commitment to these values, and to ratify the new convention. All of this is just a small part of what the UK is doing as a leader in this very complex and deeply troubling area.

The UK continues to drive concerted action towards a world where no woman and no girl has to live in daily fear of violence—a world in which every woman and every girl can grow up safe, educated and free.

Question put and agreed to.

7.48 pm

House adjourned.

Westminster Hall

Tuesday 14 December 2021

[DAME ANGELA EAGLE *in the Chair*]

Co-operatives and Mutual Societies

9.30 am

Dame Angela Eagle (in the Chair): Before we begin, I remind Members that they are expected to wear face coverings when they are not speaking in the debate. This is in line with current Government and House of Commons Commission guidance. I remind Members that they are asked by the House to have a covid lateral flow test twice a week if coming on to the parliamentary estate. This can be done either at the testing centre in the House or at home. Colleagues may wish to know that I have just had a negative one, so I think I, at least, am safe for now. Please also give each other and members of staff space when seated and when entering and leaving the room.

Mr Steve Baker (Wycombe) (Con): I beg to move,

That this House has considered the contribution of co-operatives and mutual societies to the economy and public life.

I am delighted to serve with you in the Chair, Dame Angela, and I am very grateful to everybody who has attended. I am slightly conscious that today's other business might have distracted some of my Conservative colleagues who signed up to the application. I lament the fact that they are not here, but there we are—I cannot think what else is going on at the moment. I am very grateful to Co-operatives UK for inspiring this debate and for providing an excellent brief, on which I will rely closely.

A free society—one based on a market economy—really must have within it a place for co-operatives, and the Conservative party might not always have embraced that idea as tightly as I might have liked. Given the length of time for which we have been in power, and given how long we will have been in power by the next general election, I hope that the Conservative party can champion and not merely embrace co-operatives as a really important part of a free society. Co-operatives can be harnessed as tools to expand opportunity, wealth, liberty, pride and aspiration more fairly in the UK, both geographically and socially. They are a powerful tool for funding and implementing the UK's new net zero strategy.

The co-operative economy is diverse, resilient and growing. There are now more than 7,000 independent co-operative businesses in the UK, with a combined annual turnover of almost £40 billion and more than 250,000 employees. They trade in sectors as diverse as agriculture, renewable energy, retrofitting, the creative industries, manufacturing, distribution, wholesale, retail and finance. In 2020, the turnover of the co-operative economy grew by £1.1 billion, and twice as many co-operatives were created as dissolved. Most co-operatives in the UK are consumer-owned, but in recent years we have seen a marked growth in community ownership, worker co-operatives and freelancer co-operatives. Many of the UK's largest co-operatives comprise other businesses, such as farmers co-operatives.

By international comparison, though, the UK co-operative economy is small and growing slowly. Less than 1% of businesses in the UK are co-operatives. Germany's co-operative economy is four times bigger than the UK's, and France's is six times larger. That might well derive from history, but I say to the Government that now is a moment when we can choose positively to take a path that makes it more possible for co-operatives in the UK to grow. The UK's co-operative start-up rate is also comparatively low. In recent years, South Koreans have created 12 times more co-operatives per head of population than we in the UK have. Perhaps the co-operative model is underused and is something of a best-kept secret in our society and economy.

Co-operatives are great vehicles for creating and sustaining decent, rewarding and empowering livelihoods. For example, after five years of trading, the average worker co-operative in the UK supports six times more livelihoods and is almost twice as likely still to be trading as start-ups generally. According to a multi-country study, although they are currently far fewer in number than businesses generally, worker co-operatives are on average larger and employ more people. There are examples of co-operative entrepreneurship, for example the taxi drivers in Cardiff who clubbed together to set up their taxi-hailing co-operative, and of participation in existing freelancer co-operatives, such as the new co-operative mutual aid platform, We-Guild, or the creatives' co-operative Chapel Street Studio.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The hon. Gentleman mentioned the taxi co-operative in Cardiff. I was delighted to work with a number of local drivers who were dissatisfied with their working conditions in other firms and who got together, worked with the Wales Co-operative Centre—to whom I pay tribute—and set up the remarkable co-operative, Drive, which references the Welsh phrase “Thank you, Drive!” at the end of a journey. I wholeheartedly agree with what the hon. Gentleman said.

Mr Baker: Marvellous. I am looking forward to the hon. Gentleman's contribution later, when I hope he will tell us all about that. It is wonderful to have cross-party agreement on some of these subjects, and I hope we can drive forward the agenda.

Large co-operative employers are at the forefront of good business behaviour when it comes to investing in people. I think that follows directly from the ethos of the co-operative movement—the idea of valuing everybody equally and having open and inclusive membership, for example. I will not go through all the details, because we will be here for an hour, but co-operative models can be used as tools for community-led economic development. There is a wide range of examples from right across the country—I hope Members will share some—which show how co-operatives can be at the heart of bringing people together.

What can co-operatives achieve? They can expand wealth and well-being. The efficacy of the model can lead to a proliferation of co-operatives that can help to strengthen the private sector, including in places that need it the most. That is because co-operatives are distributive by design. Value, wealth and well-being are shared more broadly through day-to-day activity.

[Mr Steve Baker]

A growing body of data shows that co-operatives are especially resilient businesses. At a time like this, resilience could not be more important. Official data in our country shows that co-operative start-ups are twice as likely as start-ups generally to survive the first five years of trading, for example, with similar findings in other countries. Separate research shows that co-operatives in the UK that raise equity via community shares—a crowdfunding model unique to co-operatives—are more resilient still, with a 92% survival rate.

Official data also shows that co-operatives were four times less likely to permanently close in 2020 than UK businesses generally. Research published by Scottish Enterprise shows resilience among employee-owned businesses in Scotland throughout the pandemic. The fact that twice as many co-operatives were created as dissolved in the UK in 2020, when there was a net reduction in the number of businesses in the UK overall, suggests that co-operative entrepreneurship was a comparatively resilient force during the economic and psychological shocks of the pandemic.

Why are co-operatives so resilient? They have purpose, and their ownership and governance dictate long-termism. In an economic shock, it is the members making the tough decisions in their collective, long-term interests; it is not investors demanding lay-offs to protect short-term returns. Co-operatives also patiently build up and re-invest reserves and use members' capital wherever possible, rather than piling on debt to achieve faster growth. My hon. Friend the Minister knows some of my views about excess debt creation.

I am conscious of time, and I want to give way to other Members, but I will say that at a time like this, when we need to recover from coronavirus, co-operatives can be an ever more important part of our society in bringing people together and giving them a shared purpose and an equal stake in the business in which they work.

Mr Gregory Campbell (East Londonderry) (DUP): The hon. Gentleman is speaking about co-operatives now, but I am sure he will come on to mutuals, which are also included in the heading of the debate. Does he agree that it has been remarkable and refreshing to see the members of the mutual society LV= use their power in the past few weeks to demonstrate exactly what he has referred to? They wanted power to go to the membership, as opposed to going to shareholders for a fast buck.

Mr Baker: I am grateful to the hon. Gentleman for his intervention. I hope to make a few remarks about mutuals, but I am focusing first on co-operatives. I have been involved in the inquiry into LV= by the all-party parliamentary group for mutuals. LV= made quite a compelling case, but the point is that, as he said, it is up to the members what they do. In a free society, we make progress through trial and error. It might well be that that members have made a mistake in rejecting the bid, but it is their right to do so; it is their right to choose.

I am a huge fan of mutuals, because I can see that they are bound to create a set of incentives that support the people whom the business serves. I remember in my youth being very disappointed that so much carpetbagging was going on, with people taking £500 in exchange for

demutualising. I was very disappointed at the time, and even as a teenager I could see that it was not a good idea. In the case of LV=, I fear that things are not going where they should. I very much hope that my hon. Friend the Minister will ensure there is a good quality inquiry into what is going on, and into how regulation can better support people's desire to support the mutual spirit in the future. I think he would agree that we cannot afford to be romantic and exempt co-operatives and mutuals from the realities of commercial life, or the exigencies of things such as competition law.

I turn to performance and efficacy. The principle of mutual purpose and democratic governance is found in all co-operatives, and it has significant advantages. It is a proven way for people with a shared interest to collaborate effectively, achieving things together that they could not on their own. That is a great way to expand liberty.

Liberty is something that should be exercised in community. One of my favourite scholars said:

“Society is cooperation; it is community in action.”

We should remember that entrepreneurship is a great search to help other people; that is what entrepreneurs seek to do. If people make a profit justly, without breaking the rules or exploiting others, that is a good thing. It shows that those people have served others, according to their assessment of what has been produced. I believe that that combination of mutual interest and service to others through a market means that co-operatives should be a crucial part of our society.

I am conscious of time, so I will wrap up. The Co-operatives UK brief makes a number of suggestions to the Government, including that there could be more co-operatives, and some particular policy suggestions. There are three themes: to have better tailored business support and enterprise finance for existing co-operatives, co-operative entrepreneurs and the conversion of existing businesses to become co-operatives; to have legislative and non-legislative action to provide a more enabling corporate framework, through law, regulation and processes; and to have tax support for investment in co-operatives and co-operative development. I will not go through the full brief, but Co-operatives UK intends to publish it after the debate.

I appreciate this opportunity to hear from Members from all parts of the House about co-operatives. We can all enthuse about co-operatives, even as we remain, as I am sure the Treasury will do, robustly pragmatic rather than romantic. As the Conservative party softens and becomes more inclusive and society minded in the 21st century, we ought to say that co-operatives and mutual societies are an important part of our society that should be fostered in everyone's interests, particularly as we come back from coronavirus. We need to build up the mutual relations of interdependence on which we all rely.

Dame Angela Eagle (in the Chair): It is my intention to call the Front-Bench speakers from 10.30 am, so you can do the maths yourselves in order for everybody to get the chance to speak.

9.43 am

Sir Mark Hendrick (Preston) (Lab/Co-op): It is a pleasure to serve under your chairship, Dame Angela. I congratulate the hon. Member for Wycombe (Mr Baker)

on securing this important debate at such a critical time, when the economy and society should be in the throes of recovery from the covid-19 pandemic.

It has been 177 years since the pioneers successfully launched the co-operative movement in 1844 in Rochdale, Lancashire, which is not too far from my own Lancashire constituency of Preston. The movement has gone from strength to strength, and it has changed remarkably since then. As a Co-operative party MP, I have always believed that co-operatives and mutual societies are the future, not the past, and they are instrumental in creating a successful, democratic economy.

Co-operatives and mutuals contribute significantly to social integration, job creation, employment sustainability and the reduction of poverty, which makes them a serious player in the UK's recovery from the pandemic. A key component in the make-up of co-operatives is the democratic ethos of fairness and inclusivity, where wealth and power are shared. Whether it is co-operative shops, funeral services, credit unions or, as has been mentioned, taxi firms, co-ops are owned and operated by the people closest to the business and are centred around their members and the community, rather than distant investors and shareholders focused solely on monetary returns.

When considering the impact of the covid-19 pandemic on our society, it is impossible not to acknowledge the glaring inequalities that have been exposed in our social and economic fabric. The poor of this country have borne the brunt of the devastation. The stark geographical and social divide is a clear indication that the current economic model is broken and not viable for the future.

If we are serious about levelling up the country and building back better, working people must be at the heart of economic recovery. Co-operatives and mutual societies provide a template for achieving success, where the principles of human and social capital are at the core of policy. There is no doubt in my mind that to achieve a stronger, sustainable and more resilient recovery from the covid-19 crisis, the Government must take steps to expand the co-operative sector. The evidence tells us that co-operatives are resilient; 76% of co-ops survive the first five years of business, compared with only 42% of other types of business in the UK.

I was interested to hear the points made by the hon. Member for Wycombe about whether LV= members should have gone with Bain Capital. Only time will tell whether that would have been a good move, but many of the building societies that demutualised and turned into banks were extremely vulnerable in the financial crisis some 15 or 20 years ago. I was a member of Leeds Building Society, and I tried to vote against demutualisation. In the end, I was given £2,000 and ended up with a bank I did not particularly want.

As has been mentioned, the trade body Co-operatives UK notes that about 1.5% of co-ops were dissolved in 2020, compared with 6.5% of businesses in general. Despite the pandemic, the number of independent co-ops has grown by 1.2% in 2020.

On the contributions of co-operatives to public life, the valuable and diverse sector has demonstrated its worth in meeting community need in the face of adversity, which it has done up and down the country in the last 21 months. I proudly note the co-operatives in my constituency of Preston, which led by example and contributed to the collective welfare of the local community

during a time of great need. By investing in people from the start, co-operatives were able to defend workers' wellbeing and livelihoods during the pandemic, while understanding the hardships that people faced and serving the community around them. Studies show that economies with a larger co-operative sector are more equitable, productive and accountable, with a narrower gap between rich and poor.

With all this evidence on the benefits of co-operatives, both before and during the pandemic, I wonder why there are not more of them. As the hon. Member for Wycombe said, in 2020 less than 1% of businesses were co-ops. Despite the evidence that they are nearly twice as likely as other types of businesses to survive their first five years, not nearly enough of them are being started. In the UK, more than 7,000 co-ops contribute roughly £40 billion to the economy, in spite of numerous financial and social barriers that hinder their ability to reach their full potential.

Stephen Doughty: My hon. Friend is making powerful points. I want to share another example of success that we can learn from. The Welsh Labour and Co-operative councillors in Vale of Glamorgan Council in my constituency have done remarkable work with Big Fresh Catering Company, a local authority trading company built on co-operative principles. In its first year, it has turned a £350,000 deficit into a £500,000 surplus, which is now being reinvested in our schools. That is an example of co-operative principles making a difference, led by Welsh Labour and Co-operative councillors.

Sir Mark Hendrick: I commend my hon. Friend on his involvement and the success that he outlines.

In developed countries such as our own, co-operatives play a much bigger role in GDP and cultural make-up, by design. As the hon. Member for Wycombe said, in Germany, the co-operative sector is four times bigger than in the UK. In France, 18% of GDP comes from its co-operative economy, which is six times larger than the UK's. Unlike in those countries, our economy is tailored to the interests of private business, despite the overwhelming evidence of the co-operative sector's success and resilience.

I believe that a strong and growing co-operative sector is key to creating a post-covid economy where wealth and power are shared, particularly in efforts to level up the regions of the country that have been worst hit by the pandemic. We cannot create such an economy by maintaining the status quo and hoping that more co-operatives and mutual societies will carry on as they have done—instead, co-operatives and mutual societies need the support that other business models receive, which is why the Government must urgently commit to bringing forward practical business support aimed at significantly growing the UK's co-operative sector as part of our economic recovery. In their policy, the Government must enable a corporate framework that recognises and champions the success of co-operatives and mutual societies, and understands the value and mutual benefits of achieving that success.

As we rebuild today and for the future, we have an opportunity to create an economy of ambitious growth, wellbeing and social protection for all. That is why I believe that co-operatives and mutual societies are one answer to the problems raised by the current pandemic.

9.50 am

Christina Rees (Neath) (Lab/Co-op): It is always a pleasure to serve with you in the Chair, Dame Angela.

Robert Owen is regarded as the founder of our co-operative movement. He believed that character is formed by environmental influences such as educational opportunities on the one hand and by poor working conditions on the other. His vision was for villages of co-operation, a new world order of mutual help and social equality, and his followers were called co-operators or socialists. I am very proud that Robert Owen was born on 14 May 1771 in Newtown, Powys, in my beautiful country of Wales.

The Co-op group traces its roots back to the start of modern co-operation in Rochdale in 1844, and 177 years later the Co-op group continues to put its members and their passions at the centre of its business, with a focus on working with others—co-operating. Since its launch in 2016, the Co-op group's local community fund has provided approaching £100 million to more than 20,000 local good causes, making it one of the largest funding mechanisms for charities in the UK.

UK co-operators believe that too much power and wealth rests with a small number of investors, shareholders and executives. Decisions are often made for the benefit of the powerful and the wealthy and not for the benefit of communities, workers, consumers and the environment. I believe the answer lies in the Marcora law. I was fortunate to secure a Westminster Hall debate on 8 September about the co-operative purchase of companies. I urge the UK Government to learn from Italy, where the former Industry Minister, Giovanni Marcora, established the worker buy-out system more than 30 years ago.

The Marcora law was established in a period of economic crisis in the 1980s to encourage workers to become entrepreneurs, saving their jobs by taking their entitlements plus three years' projected social security payments in a lump sum to invest in a new company, supported by Government loans and advice. Specifically, the Marcora law established a rotation fund for the promotion and development of co-operation, and a special fund for the protection of employment levels. It gives workers the pre-emption right to purchase their companies and, more importantly, the financial support to buy out all or parts of an at-risk business and to establish it as a worker-owned co-operative.

The Cooperazione Finanza Impresa—CFI—operates the Marcora law on behalf of the Ministry of Economic Development of the Italian Government. The CFI is an institutional investor and has been implementing the Marcora law since 1986. The Ministry holds a 98.6% share of the capital investment and has an overseeing role on the CFI board. The CFI has made investments of more than €300 million in 560 companies, saving the jobs of 25,000 workers and retaining the skills and experience of the Italian workforce. Hundreds of Italian businesses at risk of closure have been preserved as worker co-operatives, with a return of more than six times the capital invested by the CFI funding mechanism. Our UK Co-operative party public polling shows that 64% believe that the economy would benefit if workers could buy their businesses when they were at risk of closure.

During my debate, I urged the UK Government to introduce legislation that would give workers an adequate opportunity to request ownership during business succession

and to provide an early-warning system to warn workers in advance of insolvency or when viable businesses are at risk of disposal. That would give workers the time and ability to assess the scope of acquisition and prepare a co-operative business model, and it would provide an opportunity to bid for a business at risk of shrinking or closure. A UK Marcora law would sustain businesses and help the UK shift to a fair and democratic economy through our co-operative values.

I asked the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Sutton and Cheam (Paul Scully), whether he would introduce a UK Marcora law and he told me that there were no plans but that the Government were open to proposals. Mark Drakeford, the First Minister of Wales, and his Welsh Labour Government were overwhelmingly re-elected last May on a Senedd election manifesto that pledged to provide greater support for worker buy-outs. Mark has stated many times that he will work with the co-operative sector and the Wales Co-operative Centre to double the number of worker-owned businesses in Wales, and he appointed Vaughan Gething, the Minister for Economy, with specific responsibilities for the co-operative sector in Wales.

In Wales, we are proud to have the Wales Co-operative Centre, set up by the Wales Trades Union Congress in 1982 to provide business support to co-operatives in Wales. The centre's research shows a business succession timebomb. Small and medium-sized enterprises make up 99% of businesses and 62% of private sector employment in Wales, but 43% do not have a succession plan and only 12% of family firms make it to the third generation. One in five SMEs faces the prospect of closure or succession in the next five years, with 29% under the same ownership for the past 21 years. So 15,000 business owners may be leaving their businesses. That is one of the reasons a UK Marcora law is so important: to save family businesses.

My friend Huw Irranca-Davies, MS for Ogmore and a former MP, who is chair of the Senedd co-operative group, introduced an employee ownership Bill to the Welsh Parliament to give workers support to buy out their workplace if it is at risk of failure. It received cross-party support in principle in the Senedd from Labour, Plaid Cymru and the Liberal Democrats. Huw will now meet Welsh Government Ministers to see how to progress his Bill.

While I was disappointed with the response from the Under-Secretary of State to my debate of 8 September, a few days later I had a lovely surprise. I received a letter from Camillo De Berardinis, the CEO of the CFI, saying that he had watched my speech in the Westminster Hall debate and that he was inviting me to be the guest speaker at the 35th anniversary of the CFI on 16 November to celebrate the commitment of all the Italian workers who had bravely tackled the crisis of the company they worked for and successfully recovered it. I was honoured to accept that invitation. It was virtual, by the way; I did not manage to get to Italy, but there we go.

The Minister will be pleased to know that I will not be giving up campaigning to have a UK Marcora law. On 11 January, I will introduce a ten-minute rule Bill entitled the co-operatives employee company ownership Bill. I know the Minister is very magnanimous and he does listen, so, to conclude, does he now have any plans to introduce a UK Marcora law?

9.58 am

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate, and I have spoken in these debates in the Chamber and in Westminster Hall as well. First, I thank the hon. Member for Wycombe (Mr Baker) for setting the scene so well. He brought the issue to Westminster Hall some time ago and I spoke then, and I mean it honestly when I say that his presentation has been absolutely on the button.

I have often said that co-operatives, mutual societies and indeed credit unions are a phenomenal help to so many families throughout Northern Ireland—I obviously want to give a Northern Ireland perspective to the issue. I want to speak about the co-operatives in my constituency and the Newtownards Credit Union branch, which has been the salvation of many people I know in a difficult time.

I commend my hon. Friend the Member for East Londonderry (Mr Campbell) and concur with his comments on LV= mutual, which the hon. Member for Wycombe also referred to. It is really important that those at the ground level of the co-operatives, mutuals and credit unions have some say in where they go. My local credit union has mentioned that it would do more for people if it was given the opportunity to do so.

I was happy to read an article last week on affordable social housing in Northern Ireland that gave examples of how things can progress. In it the Northern Ireland Communities Minister indicated that the role that credit unions and others can play should be further explored. She said:

“If we are to achieve our objectives it is likely that a wider range of sources for financing will be needed such as charitable trusts and foundations, credit union loans, capital markets: from the sale of long-term bonds and developer contributions.”

The benefits of housing co-operatives, community-led housing and self-build initiatives

“will also need to be explored further”.

She is absolutely on the button, and she is right in what she says.

In a debate on affordable housing we had in this Chamber last week, I mentioned the good work of community-led housing and self-build initiatives. The good that could be done must be more widely investigated throughout the United Kingdom, and I urge the Minister—he always responds in a constructive way to our requests—to work collaboratively with the devolved Administrations to unlock further the best-kept secrets of credit unions. He has spoken about credit unions before, and we have had conversations about them both outside and inside the Chamber.

A lovely article in the *Financial Times* succinctly sums up what co-operatives, mutuals and credit unions are really about:

“The history of non-profit lenders has been intertwined with civil rights movements in the UK and abroad since the second half of the 20th century, as campaigners, religious groups and philanthropists sought to help marginalised groups gain greater access to financial services... Credit unions act like community-focused banks, using deposits from members’ savings accounts to fund low-cost loans with interest rates capped at 1 per cent per month in Northern Ireland and 3 per cent per month in the rest of the UK—about 43 per cent APR.”

In the past, I was fortunate to have one of the Minister’s colleagues—he was then a Minister but he is not now—visit Northern Ireland and particularly the credit unions. His input on that visit was incredibly

helpful. We visited the credit union in Newtownards and met the man in charge, George Proctor. He has built up the membership—both adults and young people—phenomenally and it has become a major go-to when it comes to being a voting member and being able to borrow money whenever people need it.

The credit union sector is large and has grown in recent years. There was about £1.6 billion in outstanding loans at the end of 2020—up 19% since 2016—but the sector also faces challenges in keeping up with regulations and changing customer expectations of services such as online banking. The number of UK credit unions fell by more than a fifth in the same period, as smaller unions closed and were taken over by larger groups. Although the numbers are down, the clientele has kept steady and has risen. Credit unions are an essential component in any rural area and town, as they offer people the ability to save money, to borrow money, when needed, at a small interest rate, and to repay that money at an affordable rate, with no stress. Suddenly, the boiler breaking down three weeks before Christmas does not result in a nightmare but can be quickly and efficiently dealt with by using local credit unions.

I am fortunate to have 13 registered credit unions and co-operatives in my constituency, and I will name each one for the purposes of *Hansard*: Downpatrick Co-operative Marketing Ltd, Northern Ireland Fish Producers’ Organisation Ltd, the Ballynahinch Credit Union Ltd, Portaferry Credit Union Ltd, Newtownards Credit Union Ltd, Newtownards Royal British Legion Club Ltd, BDS Credit Union Ltd, Ards Saturday Market Traders’ Co-operative Limited, Comber Community Credit Union Ltd, Strangford Down Ltd, Northern Ireland Horse Board Co-operative Society Limited, North Eastern Lobster Fishermen’s Co-operative Society Limited, Ballywalter Youth and Community Co-operative, and Comber Earlies Growers Co-Operative Society Limited. All of those, at different levels and with different financial resources, represent a large number of people.

Mr Gregory Campbell: My hon. Friend is itemising the co-operatives in his local area, which can be replicated across the United Kingdom. Does he agree that as long as these groups, whether they are mutuals, co-operatives or credit unions, can demonstrate their professionalism and their adaptability in the modern marketplace, are to be supported? They need to see the wider community rally behind them and get involved with them for the better future of all of our communities going forward.

Jim Shannon: I thank my hon. Friend for that intervention. Yes, I do agree. When we look at the breadth of the market, and who these organisations represent, it indicates support that goes above and beyond. There are cattle market co-operatives, farmers’ co-operatives, fishermen’s co-operatives, plus a few reasonably sized credit unions. The agricultural co-operatives, the credit unions and the market traders co-operative—bringing all those people together, as my hon. Friend said—are examples of co-ops that help to sustain an independent rural community and a way of life. They are an essential component of these communities and a lifeline for them.

These organisations are undoubtedly able to do more, when we consider that the Financial Conduct Authority estimates that 28 million people—more than half of

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UK adults—have some element of financial vulnerability. In February 2020, up to a third of adults had less than £1,000 in savings, and one in 10—about 5.6 million people—had been paying a high-cost loan with an annual interest rate above 100% at some point in the preceding 12 months. What co-operatives, mutuals and credit unions do is enable their members to borrow at rates that they can afford to pay back. It is not like going to a payday loan company or others in the community who take advantage of people in their time of vulnerability. What these organisations offer is critical for the future.

Perhaps the Minister can give us some indication of any discussions he may have had with credit unions or co-operatives in Northern Ireland. I know I asked that earlier on, but it is always good to get a perspective here, in Westminster, where we are all under the great Union flag of the United Kingdom of Great Britain and Northern Ireland together—we are all part of that.

There is an issue with lending, and it is my firm belief that credit unions could be a way of dealing with this issue. Further, more investment and help should be given to allow credit unions to push their products and abilities into more communities as a viable savings and loans option. With that, I will conclude by thanking the hon. Member for Wycombe for introducing this debate, and I look forward to the comments from the shadow Ministers and the contribution from the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard).

Dame Angela Eagle (in the Chair): I intend to call the Front-Bench speakers no later 10.28 am.

10.8 am

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): Thank you, Dame Angela. You will be pleased to hear that I will not inflict 20 minutes of Plymouth co-operatives on everyone. However, I would like to thank the hon. Member for Wycombe (Mr Baker) for introducing this debate. It is really important that co-operatives and mutuals have a voice in Parliament; that is why, for the past many decades, we have had a Labour and Co-operative group of MPs that has been making the case for co-operatives. I am proud to be a Co-operative party MP; those are not just some extra syllables in my job title. Being a Co-operative MP is not just a label; it is an instruction to campaign for mutuals, fairness, co-operation, doing business in a fairer way and sharing wealth and power. Those of us in the Co-operative party take every opportunity to put forward the huge advantages of co-operative and mutual business models.

We have seen huge changes and progress in recent years, both under the last Labour Government and, where campaigns have been successful, under the current Government. However, we are seeing the context change; we are seeing a hollowing out of our communities and a more precarious environment for businesses. However, we are seeing no less entrepreneurship and no less drive and creativity from our businesses. People are now looking at alternative models to organise their business to make a difference.

When businesses fail, it is often because those in charge have become removed from the realities of the shop floor. That is where mutuals and co-operatives

have an advantage over other business models. When workers have a stake in their own business, they can contribute to the decisions that are made; they can see that businesses can be better run, more sustainable and better focused on not only the product and service they offer to their customers, but the people who work in that business to make it better every day.

Co-operatives provide an opportunity to renew our high streets and villages and to give everyday people a say in how their local community works. The opportunity to expand the co-operative and mutual sector is immense. I would like to see the Government adopt Labour's policy of doubling the size of the co-operative sector. It is a bold, challenging ambition; however, if Ministers put in place the right conditions to make it happen, it is also achievable.

Doubling the size of the co-operative sector would lead to more sustainable, greener and better jobs in all our communities, more people having a stake in the businesses they work for and, as we heard from the hon. Member for Wycombe, better productivity and better outcomes at the end of it. It is a win-win-win situation. There are only two things that hold it back: a view that the market will provide for itself—in which case, let us remove the legislative blocks that sometimes discriminate against co-operative and mutual businesses—or a view that it will not provide the type of future we need. I do not see a future that does not include more mutual and co-operative businesses. That is what we heard from the hon. Member for Wycombe, and I hope that is what we will hear from the Minister when he gets to his feet.

In the south-west, we have long believed in the power of co-operatives to strengthen our economy. In Plymouth, we have co-operatives such as Nudge Community Builders, which works to transform life chances in one of our poorest communities—not just in Plymouth, but in Britain—by rebuilding and refurbishing buildings along Union Street and Stonehouse. It is transforming that community by not only improving the buildings, but creating spaces for start-ups, social enterprises and community services. It is helping to restore pride in something by allowing people to invest in their own community through that effort.

I bought shares in Nudge's co-operative share issue to help reopen the notorious pub The Clipper, on Union Street, taking it from a 24-hour boozer to an amazing community space. It has transformed that community just by changing one pub. I have also bought shares in its latest effort, to reopen the Millennium building—a former nightclub and cinema, and the scene of far too many antics to discuss in polite company—as a new hub for live music, with a brewery, a shop and restaurants, and a place for people to come together. That building has stood derelict for decades, and it is a co-operative and community venture that is bringing it back to life. That share issue is still open, if the hon. Member for Wycombe wants to show his support. I know that Nudge would welcome a final push to help get it over the line.

However, it is not just Nudge that has done brilliant things using co-operative share issues. I also praise Plymouth Energy Community.

Mr Steve Baker: The hon. Gentleman has spoken with such passion and enthusiasm—he could not see, under my mask, the enormous smile he put on my face.

If he sends me a link to Nudge's site, I will have a look at investing. I would be delighted to consider it.

Luke Pollard: I thank the hon. Gentleman for his enthusiasm. I am really passionate about this issue, and people in Plymouth that have invested are passionate too. It is not just about investing. Co-operative share issues have not had the press they deserve, because it is not just that putting that 50 quid in a co-operative share issue or a mutual will return more financial benefit than leaving it in a bank where interest rates are low. It is about the social purpose—the social multiplier—and the economic multiplier that will come from that investment. It is taking place not only in Plymouth, but right around the country.

Plymouth Energy Community has funded solar panels on the roofs of our city's primary schools and our largest leisure centre, as well as on the top floor of all our car parks. It has opened Plymouth's first solar farm in Ernesettle and it is about to apply for planning permission for a second solar farm at Chelson Meadow—next to Saltram House—which is the scene of Plymouth's largest landfill. I will support that share issue when it opens, too.

CATERed is another superb example of a co-operative in Plymouth. Faced with the challenge of poor school food, the Labour council brought together food provision into a co-operative, which our primary schools and some secondary schools have now bought into. That provides not only healthy, nutritious food but an investment in the staff who provide that food—in the kitchen and serving—which is unbelievable. What is important is that those staff feel valued, the food is healthier, the profits are reinvested and there is not a turkey twizzler in sight. It really is a model for others to follow.

Stephen Doughty: My hon. Friend's example sounds very much like the Big Fresh Catering Company in the Vale of Glamorgan, which I mentioned. Does he agree that co-operative councils, such as in Cardiff—Plymouth sounds like a co-operative paradise; I assure him that Cardiff is too—are also making differences in other areas of public services by using co-operative principles? I think of our music strategy and the Cardiff Music Board, Cardiff Commitment, which is supporting young people back into education or training, and our race equality plan. All have co-operative principles at their heart, investing in that social capital in our communities.

Luke Pollard: My hon. Friend is exactly right. There is an energy around this policy area not only because it returns good outcomes but because it is the scene of so many good ideas and so much innovation. That innovation is often at the periphery, because co-operatives and mutual are not mainstreamed in the way that they really need to be. There is not an accelerator that moves those ideas into the mainstream. As co-operators, many of us are quite nice, decent people, and mutualism has a reputation of being nice and caring for and lovely, which often means that we are quite comfortable sitting in a corner. As an economy, we often say, "We have got a fair mutual side; it's over there in the corner." We know it is important because we put it in the corner where we put all our important things. It is time now to move mutual and co-operative policies into the mainstream, not only as niche providers but as an alternative to mainstream provision that would give those mainstream

business models a run for their money. To do that, some of those legislative and, in particular, financial resourcing barriers need to be removed. There is an opportunity to go through them progressively and remove them, to make sure that we are getting there.

Creating a co-operative development agency in England, following the lead of Wales, would make a big difference. We could put new duties on Governments to promote the growth of co-operatives, not just of businesses. We could look at new capital instruments, such as a national co-operative-held investment bank, which would allow better investment in UK co-operatives. We could consider a new duty on banks to encourage greater lending to co-operatives and to ensure banks are held to account over the types of businesses they support. There is sometimes discrimination in funding to co-operatives because their corporate structures can be a little bit different, a little bit challenging. However, the social benefit and opportunities that come from that investment can be even bigger than investing in the usual type of business models. There is an opportunity there to make that happen.

Christina Rees: My hon. Friend is giving a passionate and comprehensive speech. The number of co-operatives is low. Perhaps there is a case for a business model in which a co-operative's share of a private or public enterprise could be incorporated into the model, so that we raise awareness of the advantages of being part of a shared ownership scheme.

Luke Pollard: I am grateful to my hon. Friend for that. Long before I had grey hair and was elected to this place, I wrote an article for the Co-operative party about co-operative insurgency—the idea that a harder, bolder form of co-operation could also come out of a purposeful building out of a co-operative shareholding in business models. To follow my hon. Friend's idea, it is not only about creating a co-operative or mutual from day one; it can be about mutualising a business model. Even a small, co-operatively held component of a big publicly listed company could help drive and direct an ethos and culture change within that business, which could produce better outcomes for staff and the overall business model.

However, I am afraid that not all is well in our co-operative sector in Plymouth. Our Plymouth credit union is on the verge of closure, which I worry will deny access to finance for people on the margins of finance and society in particular. The City of Plymouth Credit Union's office is opposite my office, on Frankfort Gate, and at the end of the week, the queues that come out of that credit union show a number of individuals who always face challenges—not only economic and financial challenges but challenges elsewhere. We must also be aware of the closure of credit unions. I do not know what will replace the provision the Plymouth credit union gives to some of those most marginalised people, but we need to find an alternative. The basic bank accounts that the Treasury has been promoting via businesses will not be enough to replace the service provided by Plymouth credit union, and I encourage the Minister to look at what happens when credit unions fail.

Jim Shannon: I thank the hon. Gentleman for his excellent contribution. As I said in my contribution,

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when some of the smaller credit unions closed they were amalgamated with larger ones. Is that a possibility for the credit union that he is discussing?

Luke Pollard: I thank the hon. Gentleman for his intervention. I hope that it will be, but I fear it may not. The challenge is that the future is very uncertain, especially for smaller credit unions that do not have the financial backing of a larger credit union. The social benefit that they provide is considerable, and it is worth the Treasury looking at that.

My final point is a challenge to those people who speak about co-operatives and mutuals, like myself and everyone in this place. Often the debate around co-operatives and mutuals is an urban-themed one; as an MP for a city, most of my examples have been urban themed. However, there is enormous potential in telling the story of the success of the mutuals and co-operatives in our rural and coastal communities. In our rural communities, we see an amazing penetration of successful co-operative businesses, providing support at scale not only for rural housing and, in particular, agriculture, as we heard from the hon. Member for Strangford (*Jim Shannon*), but for fishing. Greenhook Fishing in Plymouth is our brand-new co-operative. It is pioneering sail-powered fishing in Plymouth, and is bringing back the Plymouth Hooker, a fantastic old-style fishing boat. It also provides opportunities for people who have left prison and veterans to be re-trained in new skills, not only in boat construction but in fishing.

Greenhook Fishing is following a model that is present in many other coastal communities and rural communities—of co-operatives being successful, getting on with it and never identifying as a co-operative. My challenge to those who speak about co-operatives is that we should talk up rural and coastal co-operatives as well. I am very pleased that the Co-operative party has started a new commission around rural co-operatives, to feed into Labour's rural review, that will make the case for further investment in rural co-operatives as distinct from urban co-operatives and the challenges that they face. The future is bright for mutuals and co-operatives, and I look forward to hearing the Minister's response.

Dame Angela Eagle (in the Chair): I now call the Front-Benchers, beginning with *Chris Stephens*.

10.22 am

Chris Stephens (*Glasgow South West*) (*SNP*): It is a pleasure to see you in the Chair, *Dame Angela*. I thank the hon. Member for *Wycombe* (*Mr Baker*) for leading the debate. I want to touch on the importance of the co-operative sector in Scotland, particularly in community energy, and the key role co-operatives will have in ensuring that we meet our net zero targets. I am keen to speak about that later.

First, I should declare my membership of *Glasgow Credit Union*, which is the largest and most successful credit union in the UK, with over 50,000 members. It was formed in 1989 by workers at what was then *Glasgow District Council*, and it has moved on and flourished from there. I thank the *Greater Govan Credit Union*, *Pollok Credit Union*, *Vale of Leven Credit Union* and *Penilee Credit Union* for their work on behalf of *Glasgow*

South West constituents. Joining a credit union was by far and away one of the best financial decisions that I have ever made, and I know that many constituents and many people across the UK feel the same way.

The Minister will know that I have championed the credit union sector cause. To help it grow, I hope that he will join me in pushing the Prudential Regulation Authority to consider changing the capital requirements for credit unions. Successful credit unions appear to be getting punished if their assets rise above £10 million. I know that the Minister has some sympathy with that point, and I look forward to some positive comments about the credit union sector.

Co-operatives and mutuals can help develop communities and the economy. Co-operatives are a form of business owned and run by members. In the UK, co-operatives operate under various governance models and legal forms, including workers co-operatives, multi-stakeholder co-operatives, community benefit societies, community interest companies. It is interesting that they have existed in the modern form since 1844, when cotton mill workers in *Rochdale* formed the *Rochdale Society of Equitable Pioneers* to buy goods at lower prices. That example lives on in *Glasgow South West*, with the creation of the *Threehills* community supermarket, which is now starting to operate. That has become a very successful model.

The Financial Conduct Authority, of course, holds a public register of major societies, and Co-operatives UK publishes a report each year about the scale of the sector; the 2021 report is quite interesting reading. It noted that there were 7,200 co-ops, employing 250,000 people, with a combined turnover of £39.7 billion, and ranging in size from large retailers, such as the Co-op, to credit unions, farmers' associations, and, of course, community pubs—what a fantastic idea they are, too. Interestingly, the report argues that co-ops appear to be much more resilient to the challenges brought by covid-19 and, indeed, their coming out in support of their members was a factor in that achievement. Perhaps more interestingly, the report also notes more ambitions and optimism about the future from co-ops than among other small businesses.

In Scotland, *Scottish Enterprise*, through Co-operative Development Scotland, supports company growth through co-operative models, which can protect community services that bring benefits to the local economy. It helps businesses and community enterprises grow by offering advice and services, including free masterclasses and one-to-one support. A community co-operative is a democratic values-led business model, in which community members come together to buy and run an asset for the benefit of local residents. Typical assets in Scotland include wind turbines, hydro schemes, shops, and pubs, among other things.

The Scottish Government have made strong progress towards community energy, including through co-operatives. They recognise that local energy cannot be delivered in isolation; it must develop alongside, and within, a vibrant national energy network. Both are crucial to ensuring that we transition to a net zero future by 2045 in a way that delivers secure, affordable and clean energy for us all.

The Scottish Government established their flagship community and renewable energy scheme—or *CARES*—with the aim of supporting and growing community and local energy projects throughout Scotland, as well

as aiming for a considerable increase in the number of shared-ownership energy installations across the country. The scheme is open to a host of different groups and organisations, including bencoms and co-operatives, community groups, faith groups, housing associations, local authorities, national and regional non-profit organisations and rural small businesses.

The Scottish Government had a target for 500 MW of community and locally-owned energy by 2020, which was exceeded, so they increased it to 1 GW by 2020 and 2 GW by 2030. Progress towards that target has been positive, but changes in UK Government subsidies—for example, the closure of the feed-in tariff scheme—have undermined that progress. However, we continue to encourage shared ownership models as a means of increasing community-led involvement in commercial projects.

We are committed to helping island communities—a point was also made by the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) about rural and island communities—and we must ensure that they also become carbon neutral. Supporting those carbon neutral islands should be in the vanguard of reaching the net zero emissions targets by 2045.

As we move towards recovery from the pandemic, greater focus and priority must be given to decarbonisation as a driver for community-led action. New opportunities for communities will arise in the shift towards more localised energy solutions, giving more influence and choice and, in doing so, improving the quality of life for those living here.

10.29 am

Tulip Siddiq (Hampstead and Kilburn) (Lab): It is a pleasure to serve under you, Dame Angela. I am standing in today for the shadow Minister, who has other business in the House. I thank the shadow Secretary of State for Business and Industrial Strategy, my hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds), for his help in advance of this debate.

I am delighted to have this opportunity to make the case for co-operatives and mutual societies, which give us a greater say and stake in the institutions that affect our lives and play such an important role in improving equality and productivity at work. I thank the hon. Member for Wycombe (Mr Baker) for bringing forward this debate. I think it is fair to say that I have not always seen eye to eye with him on every debate in this House, but I am pleased to say that in this debate I wholeheartedly agree with him on the importance of mutuals and co-operatives in our economy.

The principles of co-operation and mutual support have roots in small “c” conservative and socialist traditions. The histories of the co-operative movement and the Labour party in this country are closely entwined. Our shared history was referenced several times by people from both sides of the House. My hon. Friend the Member for Neath (Christina Rees) talked about Robert Owen, who was born in her local area. My hon. Friend the Member for Preston (Sir Mark Hendrick) talked about the roots of the modern co-operative movement, which can be traced back to 1844 and the Rochdale Pioneers.

It is no coincidence that the co-operative movement emerged when it did. It was at a time of great industrial upheaval, and people recognised the common bonds

that united them and their shared interests. We are approaching a different type of industrial revolution as we decarbonise our economy. As my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard) said, more co-operative ideas and practices are needed to make the best use of our resources, which will be crucial for the green transition.

As many people will know, the Labour party was founded in 1900 at a time of profound change. The Co-operative party was established 17 years later in 1917. In 1924, the two parties entered an electoral agreement to stand joint candidates in elections. We recognise our shared values and commitments to building a society in which power and wealth are fairly shared. My hon. Friend the Member for Plymouth, Sutton and Devonport—I always mention the full title of the constituency because I get annoyed when people call me just “the Member for Hampstead”—talked about the fact that the Members here represent both parties. They are not just extra words on the electoral ballot; it is an instruction for fairness and equality, and I know that a lot of the Members who have made the effort to be here represent both parties in Parliament.

In 2021, our two parties advocate not only for co-operative shops owned by the customers, but for the whole mutual sector. Co-operatives and mutual societies have never been more important for the UK’s economy and public life. The hon. Member for Wycombe talked about more than 7,000 co-operatives operating across the UK with a combined turnover of almost £40 billion. Almost 235,000 people earn their livelihoods directly through co-operatives. Again, the hon. Member talked about the sectors that they trade in, which are as diverse as agriculture, renewable energy, the creative industries, manufacturing, distribution, wholesale, retail and finance.

However, we have seen a decade of rising inequality, low growth and productivity, which has left many businesses poorly prepared for covid-19 hitting us. However, we have seen how co-operatives have proved resilient in the face of hardship. The sector grew by £1.1 billion in 2020, despite the economic challenges resulting from the pandemic.

The resilience of co-operatives is rooted in the higher levels of productivity that can result from employee ownership. In the United States, the National Centre for Employee Ownership tracked the performance of over 57,000 firms and found that employee ownership could greatly improve a business’s productivity and chances of success. This resilience and strength allowed the mutual sector to play such a heroic role during the pandemic by plugging gaps in the Government’s support for communities across the country.

My hon. Friend the Member for Plymouth, Sutton and Devonport, in his whirlwind tour of his constituency, pointed out some of the co-operative ventures in his patch, including Nudge, Plymouth Solar Farm and CATERed—my personal favourite because of my previous role in education—which provides healthy food for children. My hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) talked about Cardiff Co-operative Council, which seems to be carrying out an astonishing number of administrative tasks but also trying to promote more equality in his patch.

I looked up some examples before this speech, including Arla Farmers, which contributed £900,000 litres of long-life milk to the Government’s grocery packs for vulnerable

[*Tulip Siddiq*]

people during lockdown. The Little Pioneers nurseries—again, a personal interest of mine because of my previous role—run by Midcounties Co-operative, kept nurseries near hospitals open and affordable for children of key workers. They also offered additional temporary places for key workers who were unable to rely on their usual childcare arrangements and developed a frontline hero support fund to subsidise fees for key workers' families.

However, despite the fantastic contribution that co-operatives and mutual societies make to society and the economy, not everyone in the Government has been a friend to the sector. Less than 1% of businesses in the UK are co-operatives. My hon. Friend the Member for Preston and the hon. Member for Wycombe both pointed to Germany's co-operative economy, which is four times the size of the UK's. My hon. Friend the Member for Neath talked at great length about Emilia-Romagna in Italy and said that we could learn a lot from that region. Co-operative enterprises generate close to 40% of GDP in that region, and the province has the lowest socio-economic inequality of any region in Europe. I hope to look further at my hon. Friend's ten-minute rule Bill, which sounds very interesting. I hope that the Minister will pay attention to the details as well.

I agree with my hon. Friend the Member for Preston that if the Government were really serious about levelling up and building back better, they would be looking to learn from other countries about how to expand the sector. Instead, the growth of co-operatives in this country is being held back by a legislative and regulatory framework that is not designed for co-operative businesses. Given their unique structure, co-operatives are often excluded from traditional investments. I hope that the Minister will look at that closely.

I am pleased that the sector has some powerful advocates on the Government Benches, such as the hon. Member for Wycombe, who secured this debate and has spoken on this topic many times, but I wish more Conservative Members would support him and champion this cause. Under this Government, the number of mutual credit unions has plummeted by more than 20% since 2016—something that the hon. Member for Strangford (Jim Shannon) referenced in his speech. It is ordinary customers who have paid the price, with many forced into the arms of unethical lenders.

I was delighted last week to see members vote to reject the controversial takeover of the insurer LV= by the private equity firm Bain Capital. I want to spend a moment to recognise the work of my hon. Friend the Member for Harrow West (Gareth Thomas), who cannot be here today because of a family emergency. I was in correspondence with him yesterday, and I know how hard he worked to protect the mutual status of this historic firm. I thought it would be remiss of me not to mention him, even though he could not be here. We all know that LV= was founded to ensure that even the poorest people in Victorian Liverpool could afford the dignity of a proper funeral. While we can celebrate the incredible campaign to prevent the sale of this historic mutual institution, the Government must now ensure that it is much harder for organisations to lose their mutual status at the expense of the members they serve.

The sector does so much to boost productivity, fairness and equality, but with the right support I believe it could contribute even more to the UK economy and public life. While the strength of co-operatives and mutual societies rests with their members, the sector will reach its full potential only with a supportive regulatory and legislative framework put in place by the Government. Labour is proud of the achievements of the co-operative movement, and in government we would be even more ambitious about its future. My hon. Friend the Member for Plymouth, Sutton and Devonport talked about how Labour has pledged to double the size of the co-operative and mutual sector. As my hon. Friend the Member for Neath pointed out, the Welsh Labour Government have already made progress on that front.

I will finish by asking the Minister about the vision going forward. The sector has been neglected for a decade. Our great mutual and co-operative institutions have been put at risk of takeover by foreign equity firms, so will he outline his plans to reassure Members who care passionately about this cause that the Government can be trusted with the future of this important sector?

10.38 am

The Economic Secretary to the Treasury (John Glen): It is a pleasure to serve under you in the Chair, Dame Angela.

I thank my hon. Friend the Member for Wycombe (Mr Baker) for calling today's debate. As we have heard, he is a strong believer in the transformative capabilities of the co-operative and mutuals sector. He opened the debate with a very reasonable challenge on the drivers and enablers of growth across the different parts of the sector. I will reflect carefully on what he said and examine further the proposals that underlay some of the contributions this morning, but I will also think about what we can do to work with regulators to address those drivers.

I also thank the other Members who have contributed this morning. It has been a fascinating debate, and we have heard about a number of enterprises, across a number of constituencies, that are making a real difference to communities up and down the country. The Government strongly support the co-operative and mutuals sector—not just financial mutuals, which offer mortgages, affordable credit and insurance, but the whole sector across the country. We see it as making a special contribution to society and the economy due to, as Members have said, the focus on the interests of their members in the long term, the democratic nature of those institutions, and their local focus and commitment.

The evidence for that is clear. For example, a recent report from the Association of Financial Mutuals highlighted that mutual insurers serve over 30 million people across the UK, and that contribution deserves recognition. I have recently engaged a number of times with the hon. Member for Harrow West (Gareth Thomas), who is unable to join us this morning, and I recognise that he has brought forward a set of proposals and written to the Chancellor. We will be reflecting on that very carefully. I have received correspondence from LV= subsequent to the vote, and I will continue to update the House on that.

I am a big believer in the power of co-operative institutions of all sizes, from the giant Co-operative Group to High Wycombe Rugby Club and the Chalke

Valley Community Hub in my own constituency. It was interesting to hear from the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) about his prolific investments, from the Clipper pub to sail-powered fishing; I am pleased that this forum has perhaps offered him further investment opportunities from my hon. Friend the Member for Wycombe.

The variety of businesses embracing the co-operative model founded by the Rochdale Pioneers almost 200 years ago is something to be championed, and there is much that other sectors can learn from the guiding principles of co-operatives and mutuals. Those organisations can contribute to a new era of responsible capitalism in which financial services, firms and businesses do not just focus on their bottom line, but also on their societal impact. The hon. Member for Cardiff South and Penarth (Stephen Doughty) highlighted a number of examples in his constituency, such as the taxi drivers and the work going on to improve the quality and resilience of the supply of food in schools.

I agree that there is potential for the sector to generate even more prosperity, opportunity and liberty by helping people to take greater control of their lives and finances. Clearly, though, co-operatives and mutuals need strong foundations. In recent years, we have made some significant advances on that front. We have cut the red tape facing the sector through measures such as the Co-operative and Community Benefit Societies Act 2014. We made it easier for such organisations to attract capital, and that supportive approach continued during the pandemic. Co-operatives and other mutuals were not only given access to our financial assistance schemes, but we also took legislative action through the Corporate Insolvency and Governance Act 2020.

Beyond the pandemic, we have reaffirmed our commitment to the co-operative model and the values that underpin it through our £150 million community ownership fund, which supports co-operatives and community-owned businesses to level up the UK by enabling them to take over valuable and viable local assets at risk of closure. The first set of announcements on that were in the recent Budget, and that is across the whole of the United Kingdom. That will mean a minimum of £12.3 million in Scotland, £7.1 million in Wales, and £4.3 million in Northern Ireland. We have announced 21 projects receiving the first tranche of that funding, which I hope will be a significant intervention. Another issue I would like to focus on—to reference the points made by the hon. Member for Neath (Christina Rees) on the Marcora law and her wider engagement with the experience in Italy—was discussed in a previous debate. I am sorry that she was disappointed with the Under Secretary's response and I look forward to her ten-minute rule Bill in the new year.

However, we need to recognise the difference between the UK and Italian economies, which I think will make the Marcora law less effective here. We cannot subsidise businesses that are predisposed to fail. I remain open to discuss any constructive proposals with her, but Italy has a much higher rate of long-term unemployment than the UK has currently, so it is not clear if providing an advance sum of unemployment benefit would generate savings on welfare spending in the UK, as it may do in Italy. I am sincere in my call to bring forward constructive proposals, appropriate for the UK economy, perhaps drawing on the experience we have seen in Italy.

Christina Rees: I thank the Minister for his offer to have further discussions. Can I bring more information about the success of the Marcora law in Italy to share with him at that discussion?

John Glen: Absolutely. I sincerely look forward to that and we will engage with the substance of the information.

In my role as Economic Secretary, I would like to focus on the role of mutuals as providers of financial services, because they can play a significant role there. I see these organisations as key to providing people with greater financial stability and therefore greater choice. Indeed, I believe this is levelling up in action.

Credit unions are at the core of this. A few weeks ago, I visited the Glasgow Credit Union that the hon. Member for Glasgow South West (Chris Stephens) mentioned, and a few years ago I visited 1st Class Credit Union in Glasgow. They are two of the largest and most successful credit unions of the 402 that exist across the United Kingdom. The Glasgow Credit Union even offers mortgages, consequential of the deep relationships and bonds it has with its members and its understanding of their financial position. That demonstrates the potential that well-organised, well-supported credit unions can provide in communities.

The hon. Member for Strangford (Jim Shannon) listed the 13 credit unions in his constituency and talked about the distinct tradition that exists in Northern Ireland with respect to credit unions, across multiple sectors. Credit union and co-operative legislation is devolved in Northern Ireland, but I continue to listen carefully to what the hon. Gentleman has to say on this matter.

Affordable finance is key to generating opportunity, wealth and liberty for people around the country.

Chris Stephens: The hon. Member for Strangford (Jim Shannon) and I both raised the point about the Prudential Regulation Authority, the work it does and the capital requirements it places on credit unions. Does the Minister have anything to say about that? Can he encourage the PRA to make some changes to help successful credit unions?

John Glen: I am extremely grateful for the prompt; one of my kind officials passed me a note on this matter and reminded me that there has been progress in this area. We saw some changes in the way that was delivered last year. In 2020, the PRA implemented a simplified capital regime for credit unions to remove barriers to growth. This created a graduated rate approach, removing the 2% capital buffer and the link between capital requirements, activities and memberships. These changes were broadly welcomed by the sector, but I have committed to continuing to work with the sector further. I hope I will be allowed to introduce legislation next year to address some outstanding concerns that exist within the sector as a whole. I am grateful for the prompt and to the hon. Member for Glasgow South West for raising that matter.

As I said, affordable finance is key to generating opportunity, wealth and liberty for people around the country. We provided £3.8 million to fund the pilot for the no-interest loans scheme, which I have championed over a number of years. The scheme is run by Fair4All Finance, which encourages credit unions and other

[John Glen]

non-profit lenders to offer these loans. I believe that when this gets through the “proof of concept” phase imminently, it stands to be able to expand significantly. A number of individuals have approached me wanting to support this work, and I look forward to campaigning to broaden that pool on a sound foundation of how it would operate.

We have introduced other changes to help credit unions to generate greater opportunity and wealth for communities. For instance, we introduced and ran a pilot prize-linked savings scheme for credit unions until March this year, which was a real success. Independent research found that it helped to increase positive awareness of credit unions, enabled individual savers to build financial resilience and demonstrated that prize-linked savings be an effective tool in encouraging people to build a nest egg. We have 13 credit unions around the country and the Association of British Credit Unions Ltd currently involved in continuing the scheme, and I hope more will join them in future.

We have also released £96 million of dormant asset funds to Fair4All Finance, to support access to affordable credit products, including those from credit unions. Last Monday, on Second Reading of the Dormant Assets Bill, we introduced the extension of the pool of moneys that will be available from an extended range of financial instruments—£880 million over the next 10 years—which will be for Fair4All Finance to allocate.¹ We will bring forward legislation when parliamentary time allows. That phrase is used a lot, but I am working hard to generate that opportunity in the next Session. It would allow credit unions to offer a wide range of products and services.

I want to spend a moment on building societies, because they are key to unlocking opportunity and driving positive change across the country. For example, in mortgages, Yorkshire and Skipton building societies are among the first institutions to bring back a 95% loan, when there was a problem in the spring, and 95% loan to value mortgages after the lockdown. That obviously brings first-time buyers on to the housing ladder. In addition, the sector is pioneering new products that will decarbonise the UK housing stock. For instance, Nationwide offers a green additional borrowing mortgage, and the Leeds building society has launched two new mortgages for the most energy-efficient homes.

To help building societies continue to flourish, we want to ensure they benefit from an appropriate legislative framework. That is why last week we published a consultation proposing several changes to the Building Societies Act 1986, working with their representatives, to try to provide them with greater flexibility in their funding model, and maintain their key mutual status, which is so important. The consultation also includes proposals to update their corporate framework in line with companies.

Sir Mark Hendrick: The Minister has waxed lyrical on the good work that the Government are doing on credit unions and is now touching on building societies. Is he considering changing some of the regulations on demutualisation? As I mentioned earlier to the hon. Member for Wycombe, if we cast our minds back, we will remember that the demutualisations of the past gave a number of those building societies, which were

more dependent on mortgage lending, a lot of leverage that made them very vulnerable during the financial crisis. Will the Minister comment on that, and on how he will be proactive in developing the co-operative sector, as well as building societies, through his work on mutuals?

John Glen: I mentioned the response we are considering when I talked about the hon. Member for Harrow West and LV=. The reason I am waxing lyrical is that we have genuinely put in place specific interventions across a number of dimensions of the broader sector to ensure that building societies can continue to operate more effectively, offering services that their customers want, and retain their current status. I mentioned the community ownership fund as a source of support for individuals and community groups, encouraging them to form new business models that might be more effective in dealing with their long-term community interest.

I am conscious of the time, but I hope I have illustrated that the Government are committed to supporting mutuals and co-operatives and the unique qualities they provide. Just as those organisations provided opportunity, wealth and liberty to those Rochdale pioneers, we see them as key to strengthening communities, expanding possibilities and increasing prosperity for people today. I look forward to continuing the conversation on specific interventions. As I said to my hon. Friend the Member for Wycombe as I entered the Chamber this morning, it is important that we strike the right balance between hearty aspirations for a healthy sector receiving appropriate consideration of reasonable changes to the rules and regulations underpinning them, and a doe-eyed romanticism about things that are not financially secure in the medium and long term. My job is to interrogate those opportunities and take legislative action where I can, but also to be clear that we have to take a clear, economically valid and reasonable approach to this issue if we are going to have a secure and thriving sector, which I sincerely hope we will.

10.55 am

Mr Baker: I have immensely enjoyed this debate and everybody’s contributions to it. It is an honour to be the person who happened to have their name on the top of the application, so it is with some humility that I speak last. I particularly want to say how much I enjoyed the remarks of my hon. Friend—and on this issue, he certainly is my hon. Friend—the Member for Plymouth, Sutton and Devonport (Luke Pollard). The sheer enthusiasm he has for the contribution of co-operatives to his community said more than any number of statistics that any of us might have cited. That is the reality of co-operatives and mutuals in our society. They are deeply loved institutions, precisely because their members feel part of them: “It is my mutual. It is my co-operative. I am part of it.” I only hope that all of us might aspire to the degree of earnest and heartfelt support for those institutions that the hon. Gentleman has put on record, and I hope he will not mind me embarrassing him by expressing such gushing support.

I am very grateful to my hon. Friend the Minister for what he has said. He has been very clear that the Government want to support mutuals and co-operatives. I will write to him later today with the Co-operatives UK brief, which is quite extensive, and will specifically draw its recommendations to his attention, in the hope

1. [Official Report, 5 January 2022, Vol. 706, c. 1MC.]

that he might be able to take up some that do not conflict with his justified pragmatism and his desire not to be too romantic. I know that my hon. Friend would not want to be accused of an excess of romanticism.

I am extremely grateful for this opportunity to sum up the debate, and to all hon. Members who have spoken. On a day like today, it is a treat to have spoken in unity rather than in division.

Dame Angela Eagle (in the Chair): I think romance is always required in politics.

Question put and agreed to.

Resolved,

That this House has considered the contribution of co-operatives and mutual societies to the economy and public life.

10.57 am

Sitting suspended.

Post Office Historical Shortfall Scheme

11 am

Dame Angela Eagle (in the Chair): Before we begin, I remind Members that they are expected to wear face coverings when they are not speaking in the debate, in line with current Government guidance and that of the House of Commons Commission. I remind Members that they are asked by the House to have a covid lateral flow test twice a week if coming on to the parliamentary estate. This can be done either at the testing centre in the House or at home. Please also give each other and members of staff space when seated, and when entering and leaving the room.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I beg to move,

That this House has considered the Post Office Historical Shortfall Scheme.

I am delighted to have the opportunity to serve under you in the Chair, Dame Angela. I welcome the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Mid Norfolk (George Freeman) to his place as a substitute for the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Sutton and Cheam (Paul Scully), who has executive departmental responsibility for this issue.

I have a number of specific concerns about the Post Office's administration of the historical shortfall scheme, which I will come to in due course, but I want to say something to the Minister and his colleagues in Government. If he takes nothing else away from the debate, I want him to take this away: from assisting constituents in relation to the HSS, it has become apparent to me and, I have no doubt, to others in the House that the culture in the Post Office still leaves a great deal to be desired. It is probably not unique for the Post Office to have a poor culture, but I say that because it has been accepted by Ministers. In fact, it is now a universally accepted truth that what happened in relation to the Horizon scandal was allowed to happen, and happened for as long as it did, because of the culture in the Post Office.

My basic concern is that if the culture is still not right, such a scandal could happen again. This is an opportunity for Ministers. We do not expect them to be responsible for the day-to-day management of the scheme or anything else in the Post Office—there are plenty of people who are rather handsomely paid to do that—but Ministers can and should insist on seeing that there has been a demonstrable change of culture.

Kevin Hollinrake (Thirsk and Malton) (Con): I thank the right hon. Gentleman for securing the debate. What he says is absolutely right, and the scheme almost entirely mirrors what we did with Lloyds bank. We asked the bank to mark its own homework in opening a compensation scheme, which proved to be a complete travesty. It has to be completely redone, at a cost of hundreds of millions of pounds to Lloyds, and it has obviously caused massive distress to the victims. Does the right hon. Gentleman agree that the HSS must be done impartially?

Mr Carmichael: Yes, of course, although there would not be a cost to the Post Office, because there is only one shareholder—the Secretary of State—so it would ultimately come to the taxpayer. I will touch on that in a few minutes.

Jim Shannon (Strangford) (DUP): Will the right hon. Gentleman give way?

Mr Carmichael: Very briefly. This debate is for just half an hour.

Jim Shannon: I thank the right hon. Gentleman for giving way. It was not just the fact that the system let people down. It was the mental and physical health issues that people suffered as a result. Some of them ended their lives early, experienced illness or depression, or lost all they had. The implications of all this go far beyond the system.

Mr Carmichael: Absolutely. Indeed, as I will come to in a few minutes, my constituent Elena Kimmitt, who was for many years the sub-postmistress in Stromness, illustrates truth better than anyone else I can think of.

I thought the question about culture was perhaps just me being a grumpy guy after a bad meeting, as I can occasionally be, but I had a recent lengthy discussion with the National Federation of SubPostmasters. In correspondence to me, the federation put it in the following terms:

“The culture of the Post Office of today and tomorrow must be significantly different to that of the past. In a recent survey of Postmasters conducted by the NFSP, only 29% believe they are being listened to by Post Office today. In terms of resetting the relationship between Post Office and the network, Postmasters gave Post Office a score of 5 out of 10 for their progress so far.”

The executive director with responsibility for the historical shortfall scheme, Declan Salter, was left in a position in July this year where the Post Office board did not renew his contract, and it has still not been renewed. I would like to hear about that from the Minister, either today or in due course in correspondence. It has left the administration of the scheme rudderless. We need to know the intentions of the board. If it is not going to renew the contract of the person it put in charge of the scheme, it should at least come forward and tell us what it intends to do instead.

Throughout this whole sorry affair, the strategy of the Post Office has been to use public money to outgun the sub-postmasters. The settlement with the sub-postmasters was forced on them by the Post Office. That is in the context of the Post Office knowing, by 2013 at the latest, that many of the convictions were unsafe.

Mr Kevan Jones (North Durham) (Lab): I thank the right hon. Gentleman for securing this debate. Does he agree that it is actually worse than that, because the Post Office spent £100 million to defend the indefensible? He said earlier that the Government are the only shareholder. Does that not give rise to the question of what the Government, as shareholder, and Ministers were doing to actually stop the Post Office frittering away £100 million of public money?

Mr Carmichael: It does. That has to be examined and established in the fullness of time. That is probably more than we will achieve today. It is still one of the outstanding questions in relation to this issue.

The question of public money being used to defend the indefensible, as the right hon. Gentleman raises, goes to the heart of the way in which the historical shortfall scheme is being administered. That hit me like a bolt of lightning on 23 November, when I was part of the good faith meeting—that is a term of art, not a description of what we actually went through—with representatives from the legal firm acting for the Post Office, Herbert Smith Freehills. I do not know what Herbert Smith Freehills charged the Post Office for that one hour, but the poor lawyer it put forward certainly earned her money in a way she had perhaps not anticipated at the beginning of the meeting. I pick my words with some care, because having checked the Herbert Smith Freehills website earlier today, I see that I was at university with its chief executive. However, I am left feeling that, if the Post Office just paid everybody what they asked for, it would probably end up still better off financially than it has by pursuing it in this way.

Nobody on that call was able to explain the position of the Post Office. We were told right at the start that there would be no recording of this meeting; in a good faith meeting, that seems a quite remarkable way of demonstrating good faith. I know myself, as a former legal practitioner—albeit more than 20 years ago; I would probably know just enough to be dangerous these days—that there are two ways in which lawyers can be used on these occasions. They can be used as an adviser, and indeed as a conduit for good information, or they can be used to insulate the client from the anger of the claimant. It was pretty clear from the Post Office putting nobody up for that so-called good faith meeting that it was the latter, rather than the former.

The meeting involved me and Anne Robertson, principal of JEP Robertson & Son solicitors in Orkney. Incidentally, as someone instructed to administer an estate, she has gone above and beyond anything that anybody could reasonably expect of a solicitor in that situation. Her client is in fact now the estate of the late Elena Kimmitt, the postmistress in Stromness from 31 July 1989 until she resigned in October 2008, essentially because she could take no more. I first had contact with Elena in my early days as a Member of Parliament. I started talking about post offices and she got in touch and said, “Well, if you’re interested, come in and see me and I’ll tell you what it’s really like.” And she did.

We all talk about the role of sub-postmasters and sub-postmistresses. Elena Kimmitt was somebody who instinctively took enormous pride in the fact that she was part of the Post Office, which allowed her to help so many people, including older people, within the community. She was caught in the Horizon scandal and was absolutely devastated by the apparent disappearance of cash within the new computerised system. She had a long sequence of relatively small losses, which gradually increased, and caused her enormous anxiety.

I have spoken to Elena’s sons about it. They tell me she balanced her books every Wednesday; they well remember the gradual change in her. She went from being a happy, competent, outgoing mother to somebody who was withdrawn, quiet and reserved. On Wednesday night, the balancing night for the post office, instead of coming home for the usual family meal, she started not to want to take part and would instead just eat a few biscuits and have a glass of wine. That is the change that the situation she was going through wrought in her. She

was making up the losses from the Horizon system from her own pocket. She asked the Post Office on many occasions for help, but she was always told that the system was infallible and that if money was going missing and it was not her, then it must be her staff. Her staff had all worked for her for long periods of time, and included her mother and husband.

In May 2002, matters came to a head when there was a shortfall of £3,000. She contacted the Post Office again and was told, again, that the system was infallible. She inquired whether other offices were experiencing similar difficulties. She was told no, there were no others and that it was her problem and her responsibility. That was a significant amount of money for Elena and her husband to take from their own savings to put into the business.

Elena eventually gave up the post office in 2008. One year ago today, on 13 December 2020, just six months after she had made an application to the historical shortfall scheme, she died. Her two sons and her former employees have no doubt that Elena's life was badly affected by the actions of the Post Office—she was devastated, and felt she could not continue in the job that she loved.

That brings me to my questions about the administration of the scheme. My concerns begin with the composition of what is called an application form, but which should properly be regarded as a claim form. The wording of the questions is clearly slanted towards fault and questions actions by employees that are completely unrelated to the employment. The wording actively discourages and gives no space or invitation to specify what the experience of the applicants has been or the effect that it had on them. The application form did not specify that it would be the only opportunity that Elena would be given to state her case. No advice was given that she should seek legal advice before completing and submitting what was a legal claim.

Can we hear from the Minister or the Post Office on who drafted the form? There was no warning whatsoever to applicants that any offer would be considered solely upon and restricted to the amount stated on the form. The form seems to be designed to steer applicants away from any thought of compensation, even to the point of the space given for the response.

The question then arises of consequential loss. There is nothing in the form that would allow for the sort of compensation that Elena should, in law, have been entitled to. The application form asks postmasters to identify any alleged shortfall losses, as well as any other losses that are caused by the Horizon shortfall—namely, consequential loss. That appears to limit any payment to the claimant to proven consequential loss as defined by the Post Office. There is no reference to compensation for anguish, upset or distress caused by its action. There is no reference in the form to any payment. In correspondence to me on 22 October 2021, the Post Office was sympathetic and apologised, but it could not extend the offer on the basis of the information available “at this stage”. Those are the significant words. Having subsequently given it information about Elena Kimmett's loss, I would have expected it to entertain that, but there appears to be no opportunity for it to do so.

There is a lot more that I could say, but I am aware that others want to make brief interventions and I want to make time available for the Minister to give the

fullest possible answers. I will finish with this one final nugget from that good faith meeting on 23 November. When we indicated at the end that we were not content with what we had been told and would not accept the offer, the representative of the solicitors acting for the Post Office turned round and said, “Be aware that if you go to the next stage, it is possible that the sum offered could be reduced or withdrawn completely.” If ever there was a point when we understood the lack of respect that still pertains between the Post Office, its representatives and the sub-postmasters whom we represent, that was it. That was the disgrace. That is why it has to change.

11.16 am

Dame Angela Eagle (in the Chair): I call Kevan Jones next. I hope to call the Minister at 20 past 11.

Mr Kevan Jones (North Durham) (Lab): I thank the right hon. Member for Orkney and Shetland (Mr Carmichael) for securing this debate today. He talks about culture. I have been involved in the issue for more than 10 years. It was first brought to my notice by Tom Brown, a constituent, who came to me with a similar case. A highly respected individual in the community was suddenly accused by the Post Office of stealing £86,000 because of the Horizon system. He spent two years of hell, and when he went to go before a judge at Newcastle Crown court, he arrived at the door and was told by the Post Office that it was not pursuing the case. In that time, he would have gone bankrupt and paid £86,000 back to the Post Office. In the 10 years in which I have been dealing with his case and many other cases, the culture described by the right hon. Gentleman is spot on. It is arrogant and dismissive. There is a cover-up.

We are now into a scheme that needs to be abolished. It is designed to put the onus back on the individual postmaster and postmistress and to reduce the liability of the Post Office. The scheme was open for only three months in 2020, and if someone did not get their claim in by then, they could not get a claim at all, so that was designed to reduce the numbers and reduce liability. The Post Office has no idea. In its accounts, it budgeted for £35 million of compensation. The figure is now estimated to be more than £300 million.

The scheme also excludes the 555 people, including my constituent, Tom Brown, who took action against the Post Office. We got to the truth only when the case went to court. The Government used £100 million of public money to try to stop the case going forward. They had to settle with the claimants because they ran out of money. There was a tsunami of money from the Post Office. I welcome today's written ministerial statement about those who were convicted and who can be included in the compensation scheme. However, the scheme needs to be abolished. It should be put to one side. We need a comprehensive scheme outside the Post Office. The Government will have to put in place a scheme for everybody, including the people they have already put forward and including the 555 who took the class action. Without their taking that action, we would not have discovered the lies, deceit and cover-up by the Post Office. I am sorry, I do not accept the Government washing their hands of this and saying that the Post Office is at arm's length from the Government. They had an active shareholder on that board who did nothing to stop the scandal. I call for the scheme to be scrapped

[*Mr Kevan Jones*]

and a comprehensive scheme to be put in place that covers everyone to be compensated. Yes, it might cost hundreds of millions of pounds, but that is because it was not the postmistresses and postmasters' fault. It was the fault of the Government and the Post Office.

11.20 am

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (George Freeman): I am grateful, Dame Angela, for the chance to serve under your chairmanship. I congratulate hon. Members for their contributions today and the right hon. Member for Orkney and Shetland (Mr Carmichael) for raising the matter. I am here with apologies from the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Sutton and Cheam (Paul Scully), who has been called into the House on primary legislation elsewhere. However, I relish the chance to respond on behalf of the Department for Business, Energy and Industrial Strategy, having experienced in my constituency the appalling injustice that the sub-postmasters suffered.

In one village in my constituency, Gressenhall, I saw the misery, the family disruption and the hell, as referred to by hon. Members, that the sub-postmasters were put through in a frankly disgraceful episode of institutional contempt for the little guy—if I can put it like that—at the bottom of the system. I am pleased today that, as hon. Members have remarked, we are announcing through a written ministerial statement—there will be an oral statement, subject to the Speaker's permission, tomorrow—the Government's commitment to fully fund the historical shortfall scheme and the losses for those who have not yet been compensated.

Kevin Hollinrake: The Minister makes a fair point, but so does the right hon. Member for North Durham (Mr Jones). The scheme excludes those who took part in the group litigation. That is entirely unfair and unjust. Lee Castleton, who is not one of my constituents but somebody I have tried to help through a third party, got £28,000 in compensation but he lost more than £400,000. That is simply unfair and that route for compensation cannot persist.

George Freeman: I thank my hon. Friend for that intervention. My hon. Friend the Member for Sutton and Cheam is the lead Minister on this matter and I will raise that with him. For the record, I want to make clear what has happened. Those who settled have a settlement. Today, we are tackling the issue of those who were not subject to a settlement. Nevertheless, my hon. Friend makes an important point. This must be fair and it must be seen to be fair.

I want to begin by echoing the Government's support for the point about culture. It is vital that the painful and difficult lessons from this disgraceful saga are properly learned. Let the message go forth from this Dispatch Box that we expect the Post Office to tackle that culture change properly. I am delighted that there is a culture change programme and two new non-executive directors. However, this is not a tick-box exercise; it is a serious commitment that an organisation wholly owned by the taxpayer delivers properly and learns the lessons from this disgraceful saga. I dealt with the issue when I was a

Minister in the Department in the coalition Government in 2015. I saw what seemed to me to be institutional obfuscation and institutional defence of injustice. All those who conspired in that should hang their heads in shame.

The right hon. Member for Orkney and Shetland mentions a law firm. I signal that some lawyers have stepped up to the mark on this and in particular Patrick Green QC at Henderson Chambers, who worked pro bono to help many of the sub-postmasters; Neil Hudgell at Hudgell Solicitors; and Freeths, who did tremendous work speaking up for those who did not have a voice. It is only because of the bravery of those sub-postmasters and their lawyers that we are where we are today.

It is good news that we have announced that funding, but I do not want to focus on that today. The Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Sutton and Cheam, has campaigned hard on it and he will speak to the House tomorrow. However, I want to set the record straight on where we are today for those watching or reading this debate. As everyone in the Chamber will be aware, the Post Office introduced the Horizon scheme in early 2000 and subsequently recorded shortfalls in cash at post office branches, which the Post Office then blamed on sub-postmasters—completely unfairly, it subsequently turned out. That resulted in horrific suffering, not just in losses for the small businesses being run by the sub-postmasters, but family losses, divorces, depression, mental health problems and anxiety, not to mention the loss of a facility in many rural areas that is crucial to the community. Many people were sent to prison. That is an absolute disgrace. It is important that the lessons are learned properly and that the culture that conspired to allow that to happen is seriously changed.

In 2017, a group litigation order was brought against the Post Office by the 555 postmasters. The postmasters won two landmark trials in 2019 and reached a settlement with the Post Office for £57.75 million. Those court cases and subsequent cases in the Court of Appeal have demonstrated just how wrong the Post Office was to behave in the way it did. It has apologised, and is now working to overhaul its culture to address the findings of Mr Justice Fraser.

Mr Kevan Jones: The postmasters had to settle because they ran out of money. My constituent Tom Brown got £20,000 in compensation; he paid £86,000 back to the Post Office. Can the Minister tell me where that £86,000 is, and why Tom is not entitled to get it back?

George Freeman: The right hon. Member makes a really important point. I will raise that specifically with the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Sutton and Cheam, and perhaps he can address it in his statement tomorrow. On behalf of the Government, I express our deep sympathies to those sub-postmasters mentioned today—to Tom and to those in Scotland, York and around the country. This is an injustice that must urgently be tackled.

Mr Carmichael: The best way to demonstrate a change of culture and good faith would be for the Post Office to start the whole process again from the beginning, instead of insisting that people who have made applications

under a flawed process will have to see them through to the end and get less than they are entitled to as a consequence.

George Freeman: I understand the point that the right hon. Member is making. Let me include, for the record, the history of how we got to this situation. As part of the 2019 settlement, the Post Office committed to putting in place a scheme for those postmasters who were not part of that settlement and did not have criminal convictions related to the Horizon scheme. The historical shortfall scheme was set up to meet that commitment, and it is an important step. It opened in May 2020 and closed to applications later that year.

To be fair, the Post Office made significant efforts—quite rightly—to reach out to all postmasters, sending 7,000 individual letters to current postmasters and a further 20,000 to former postmasters. It is fair to say that the Post Office was quite surprised—I do not think that any of us in this room will have been—by the response. The scheme received over 2,300 eligible applications. I hear the points that the right hon. Member for Orkney and Shetland made about the nature of that form. Because I am not the lead Minister on this, I have not looked at it, but he makes an important point, which I will raise with the Minister. The form needs to make clear to people what they are entitled to and needs not to discourage them from understanding their rights, the enforcement of which is long overdue.

The response to the HSS meant that the cost of the scheme went beyond what the Post Office could afford, and it turned to the Government as its 100% shareholder. The Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Sutton and Cheam, has set out that the Government will provide sufficient financial support to the Post Office to ensure that the historical shortfall scheme can proceed properly and that those people are fully compensated. I understand that that raises a question about the fairness for those who settled out of court,

which is a point that the Minister will no doubt want to address. The Post Office is contributing from its own funds.

Kevin Hollinrake: If the estimate is £300 million and there are 2,300 applications, that is £130,000 each. Lee Castleton got £28,000. The constituent of the right hon. Member for North Durham (Mr Jones) got £20,000. That just cannot be right.

George Freeman: My hon. Friend makes a powerful point, which I am sure that the Minister will want to address. I want to mention the question of speed. When the Government step up and say, “We will fully fund this,” it is incumbent on the Post Office to pull its finger out and get on with processing claims more quickly. I understand that the intention is that the vast majority of applications will be claimed within months, by the spring, and all of them will be claimed within the year—and that is long overdue.

I will close by picking up on a couple of the points that hon. Members have made. I will ask the Minister to write to the right hon. Member for Orkney and Shetland about the board. The hon. Member for Strangford (Jim Shannon) made the same points about his constituents. With the right hon. Member for North Durham (Mr Jones), I share the Government’s apologies to Tom Brown and others in his constituency, and I take the point about lessons for Ministers and for the Department for Business, Energy and Industrial Strategy. My hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) made a very good point; we cannot have unaccountable quangos marking their own homework, and there are really important lessons about accountability.

It is good news that the Government are making a commitment to fully fund the HSS, but there are other issues that still need to be sorted so that this never happens again and that the injustices are properly resolved.

Question put and agreed to.

11.30 am

Sitting suspended.

Abortion Services Commissioning: Northern Ireland

[MARK PRITCHARD *in the Chair*]

2.30 pm

Mark Pritchard (in the Chair): Before we begin, I remind Members that they are expected to wear face coverings when not speaking in the debate, in line with current Government guidance and that of the House of Commons Commission. Members are asked by the House to have a covid lateral flow test twice a week if coming on to the estate. This can be done either at the testing centre in the House or at home. Please give one another and staff members space when seated and when entering or leaving the room.

In addition, I wish to make a short statement about the sub judice resolution. I have been advised that there are active legal proceedings in the High Court in Belfast between the Society for the Protection of Unborn Children—SPUC Pro-Life Ltd—and the Secretary of State for Northern Ireland and Minister for Health. I am exercising the discretion given to the Chair in respect of the resolution on matters of sub judice to allow full reference to those proceedings, as they concern issues of national importance.

2.31 pm

Alex Davies-Jones (Pontypridd) (Lab): I beg to move,

That this House has considered the commissioning of abortion services in Northern Ireland.

As ever, it is a pleasure to see you in the Chair, Mr Pritchard. I am particularly pleased to lead this debate on a topic that is close to my heart. Members may be aware that I recently left my role as shadow Minister for Northern Ireland to join the shadow Digital, Culture, Media and Sport team. The issues on the ground in Northern Ireland are complex, but this topic was always the one that spoke to me the most during my time in the shadow Northern Ireland team. My successor, my hon. Friend the Member for Gower (Tonia Antoniazzi), will be an equally loud voice for women's rights, and I wish her well in her new role. I look forward to hearing her comments.

Abortion in Northern Ireland is, as I hope we all recognise, an extremely sensitive and emotive issue that engenders passionate views on both sides. While I always look forward to a good debate, and I would expect nothing less on a topic such as abortion, I hope that Members will be respectful in their contributions. I politely remind colleagues that the focus of this debate should remain the commissioning and delivery of abortion services.

My personal opinion on abortion is clear: it is important that anyone considering an abortion, regardless of where they live, receives impartial, non-directive and clinical information on pregnancy in order to make an informed choice. While some argue that abortion is a devolved matter for Northern Ireland, especially now that the Northern Ireland Executive is able to legislate on this issue, the conformity of the whole UK with the European convention on human rights is a matter for Westminster, not Stormont. The UK Government ultimately have a responsibility for ensuring that all our nations across the UK abide by our international and domestic legal obligations, and that is what brings us to this place today.

We must remember that Northern Ireland has a pro-choice majority when it comes to abortion. A number of Members, including the hon. Members for Foyle (Colum Eastwood), for Belfast South (Claire Hanna) and for North Down (Stephen Farry), and others who represent constituencies in Northern Ireland, are committed to upholding that majority.

I must place on record my gratitude to the many individuals and organisations who have laid the groundwork for today's debate. The right hon. Member for Basingstoke (Mrs Miller), my hon. Friends the Members for Bristol South (Karin Smyth) and for Walthamstow (Stella Creasy), as well as my right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson) have spoken on this topic at length. I hope my contribution will do their work some justice. I have also been supported by the team at MSI Reproductive Choices and Women's Aid Northern Ireland—long may their fantastic work continue.

The changes to abortion laws, which extended abortion rights to the women of Northern Ireland, were made in line with the recommendations made by the UN Committee on the Elimination of Discrimination against Women. Affording women in Northern Ireland these rights was a pivotal step in finally aligning abortion policy across all nations in the United Kingdom, and in my view it was a very welcome move. The legal framework for abortion services in Northern Ireland required under law came into effect in March last year, following an extensive consultation period. The circumstances around the legislation of abortions were clear. During that time, officials engaged with stakeholders, including the Northern Ireland Department of Health, healthcare professionals, the all-Ireland Church Leaders Group, abortion service providers and individuals with personal experience.

The initial regulations were replaced by the Abortion (Northern Ireland) (No. 2) Regulations 2020, which came into effect in May. The regulations, approved by both the House of Commons and the House of Lords, as required by the Northern Ireland (Executive Formation etc) Act 2019, will remain in force in Northern Ireland. These regulations outline the legislation on abortion under any circumstances by a registered doctor, nurse or midwife up to 12 weeks and up to 24 weeks where there is a risk to physical or mental health in the opinion of two registered medical professionals. Thanks to this change, abortions with no gestational limit are also now legal in Northern Ireland, where there is an immediate necessity to save a life or to prevent a grave permanent injury to the physical or mental health of a pregnant woman, or in the case of severe foetal impairment or fatal foetal abnormality.

I had the great privilege of responding to those regulations on behalf of the Opposition in Committee earlier this year. At that time, I and a number of other colleagues spoke about the heartbreaking challenges that many women and girls requiring abortions face thanks to the delays in delivering safe and local abortion services. It would be remiss of me not to pay particular tribute to my hon. Friend the Member for Walthamstow—my good friend—who has led the way in her commitment to women and girls in Northern Ireland. It is only thanks to her amendment to the Northern Ireland (Executive Formation etc) Act 2019—I must add that the amendment was passed overwhelmingly by the House

—that the situation changed, in theory, for women and girls. Finally, women and girls would no longer be required to use unsafe, unregulated services or to make the heartbreaking journey across the Irish sea to seek an abortion in Britain. Those changes were a very welcome move and a critical step for women's rights and, ultimately, equality across Northern Ireland. However, years down the line, these women and girls are still waiting.

I fully recognise concerns around the devolution settlement, especially as a Welsh MP, and I am sure colleagues will want to raise such concerns today. Put simply, however, in the prolonged absence of a functioning Executive in Northern Ireland, it was right that the law was amended to reflect the UK's human rights obligations. Despite the legislative progress that has been made, we all know that the reality for women seeking abortions in Northern Ireland is fundamentally unchanged. The law simply is not being properly implemented. The Department of Health in Northern Ireland has not commissioned or funded termination services for the purposes of implementing the abortion regulations across Northern Ireland.

According to the Northern Ireland Human Rights Commission, the Department has also failed to issue any guidance to health and social care trusts on the provision of abortion services, including when and in what circumstances medical staff may exercise their freedom of conscience when delivering a service. These are basic asks, and ultimately the Executive must abide by their responsibilities around abortion services, especially since they are now enshrined in law.

When it comes to service delivery, the five health and social care trusts across Northern Ireland simply do not have the resources to uphold their responsibilities. Earlier this year, the health and social care trusts collectively applied for additional funding to meet the new legislative requirements for abortion services, but frustratingly, the Health and Social Care Board did not consider that. Across the trusts, abortions were offered within existing services and only where resources allowed. Staff were transferred from other sexual and reproductive services that were on hold as a consequence of coronavirus. A simple glance at the reality of the situation suggests that that short-term plan is completely inadequate.

Colleagues will be aware of the timeline that various health and social care trusts across Northern Ireland have followed over the last year or so. In October 2020, the Northern Health and Social Care Trust was forced to transfer staff back to other sexual and reproductive healthcare services, meaning that it ceased to take any new referrals for abortion services. At that time, the remaining four trusts were unable to provide abortions for between 10 to 12 weeks, because of the lack of resources.

Just months after the regulations legalising abortion came into effect, barriers were clearly already in place for those requiring support, and that is simply not good enough. It is utterly frustrating that legal action from the Northern Ireland Human Rights Commission was required before any proper action was taken to fix the problem, which persists today.

Colleagues will be aware that in November 2020, the Northern Ireland Human Rights Commission initiated legal action against the Secretary of State, the Northern Ireland Executive and the Department of Health for Northern Ireland for failure to commission and fund

abortion services in Northern Ireland. The judgment in that case was finally reached in October this year and, as we all know, the Secretary of State for Northern Ireland, the right hon. Member for Great Yarmouth (Brandon Lewis) was found by the High Court to have failed to uphold his duties to provide full abortion services in Northern Ireland.

Although it is not ordinarily the Opposition's role to defend the Government—I hope Members will understand that this is a particularly rare exception for me—the failures of Northern Ireland's Department of Health must be included in the dialogue. We all know that without funding public, services will undoubtedly suffer. That is a fairly basic linear pattern. Without funding or a commissioned framework, health trusts across Northern Ireland simply cannot provide these much-needed services.

In October, the High Court made its will clear—enough is enough. The Secretary of State must work with the Department of Health in Northern Ireland to push it to act. He must act swiftly if he is to comply with the law and stop those who oppose it from denying people access to the abortion process through bureaucratic channels. I am pleased to see that after the legal proceedings were launched, the Secretary of State formally directed Stormont to commission abortion services before the end of March 2022, but the Northern Ireland Human Rights Commission says that the situation has not yet improved. That absolutely must change.

The reality that is often lost in the conversation is that the decision to have an abortion is an emotive one. It is rarely an easy one. The pandemic has undoubtedly had an impact on both the commissioning and the delivery of abortion services in Northern Ireland, and that is understandable to a certain extent. What is not understandable is the cruel effect that delaying the availability of these services is having every day on women and girls in Northern Ireland. Many will have been forced to travel to unfamiliar cities, and at the height of the pandemic they would have had to do so alone, without a consoling hand or a smile to support them during this very difficult time. That is the case thanks to sheer political failure.

My final point, which I am sure other Members will refer to in their remarks, relates to abortion exclusion zones. Freedom of speech and the right to protest is a very important human right, and I know from having spoken on this topic before that there are many Members in this place today who will disagree with my position on abortion. When it comes to exclusion zones, however, I want to highlight the comments made by the Chief Commissioner to the Northern Ireland Human Rights Commission, Alyson Kilpatrick, who said last week that a law to introduce safe access zones outside abortion clinics would not stop pro-life campaigners taking part in public protest.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate the hon. Lady on securing this timely debate. Does she agree that those who advocate a pro-abortion stance in this debate—which is more appropriately and properly dealt with in the Northern Ireland Assembly—often fail to take account of the plight of the unborn child when they, quite regularly, elucidate and elaborate on the issues affecting women in positions that she has alluded to for the past 10 minutes? Does she understand that there are others involved, such as the unborn child?

Alex Davies-Jones: I thank the hon. Member for his contribution to the debate. We do disagree in our personal views on abortion. The full consultation process was carried out. Ultimately, at the heart of this issue are the women and girls who need these services, sometimes desperately. They are being denied their fundamental human rights in law to access these services. Abortion is a personal choice for anyone to make, and those women and girls need to be at the heart of this debate.

The commissioner, Alyson Kilpatrick, was briefing Stormont's Committee for Health on the Northern Ireland Human Rights Commission's position on the private Member's Bill, which seeks to make it illegal to protest or hold demonstrations inside exclusion zones. She said that protesters

"can use the media. They can use various other platforms. They can campaign and protest outside decision-makers' premises. In fact, the Bill also allows them to protest relatively near to abortion clinics... What it does not allow is for protesters to invade the space and upset, unnecessarily and disproportionately, people who want to avail themselves of the service. They have absolutely every right to say that they disagree, but they do not have a right to impose that on people who are in the process of accessing the service."

It is therefore vital when debating the situation with abortion services in Northern Ireland that we bear in mind the difficulties that some women and girls face even when those services are available to them.

The commissioning and indeed availability of abortion services is complex. Put simply, every single day that passes denies women and girls the safe, local service they are entitled to. At any time, that would be deemed unacceptable. In a pandemic, it is morally unjustifiable. While it can be dangerous to draw comparisons, I do often consider how the dialogue around other equalities differs from the conversation around abortion. I consider it my duty as an elected representative to challenge these inequalities at every opportunity.

Let me be clear: as someone representing a devolved area, I understand well the sensitivities around the devolution settlement. The balance of our political system relies on the deep respect for devolved powers. Contrary to what other Members may think, I truly believe that that respect is not a contradiction to my overwhelming belief that the United Kingdom is at its best when we work together to uphold fundamental rights. The obligation to uphold said rights lies with this Parliament and this UK Government. Where those rights are denied, as they currently are, the Government have a moral and legal duty to act.

We all need to be honest here. The Northern Ireland Executive are failing women and girls in their obligation and that cannot continue. Quality healthcare and safe, local abortion services are a basic right, and the time to act has long come and gone. For the sake of women and girls in Northern Ireland, it is vital that access to services is commissioned immediately. It is clear that we cannot rely on the Northern Ireland Executive to do so alone. I, therefore, urge the Minister to provide an update on her discussions with the Minister for Health in the Executive. I hope she is able to provide the reassurance that I and so many women and girls in Northern Ireland desperately seek.

Mark Pritchard (in the Chair): Before I call Ian Paisley, will hon. Members please check that their mobile devices are on silent?

2.45 pm

Ian Paisley (North Antrim) (DUP): Thank you, Mr Pritchard, it is an honour to serve under your chairmanship. I congratulate the hon. Member for Pontypridd (Alex Davies-Jones) on bringing the matter to the attention of the House. She is absolutely right that this is a narrow debate on a narrow set of issues. It is not, therefore, about women's rights, despite the fact that what we have heard today has been padded out with a lot of comments about women's rights.

It is not, unfortunately, about the rights of the unborn child, whom we should pause to consider, because no one ever speaks up for them. No one ever speaks up for that beating heart in a mother's womb; no one ever gives voice to that. Today is not about that, unfortunately. Today is about the narrow confines of the rule of law, and where law should properly made.

I am aghast at the irony of today's debate. We have had a lot of comment about this being the rightful place to make these laws, and how it is not a contradiction to stand as a Member from another devolved region and say that the devolved Assembly in Northern Ireland has no right to make those laws and regulations. When that region is currently in court on these very matters, trying to shape the laws of Northern Ireland, it is the most abhorrent contradiction for this place to try to grasp that power back, and the Assembly in Northern Ireland is on this very day debating some of the issues that pertain to this matter. The irony is not lost on anyone, except the unborn.

Scott Benton (Blackpool South) (Con): I thank my hon. Friend for giving way; he is a great champion for the life of the unborn child, as are all his DUP colleagues. Does he share my concern that the regulations violate the terms of the Northern Ireland Act 1998 and fundamentally dishonour the devolution settlement? That point is particularly appropriate now that Stormont has been restored.

Ian Paisley: That was a telling point and absolutely right and proper. Yes, this does dishonour and betray the devolution settlement. There are no two ways about; that is the only way it cuts. When powers are devolved to one region and then it is decided that it is not doing things the way we like, so the powers should be taken back, that is not lost on anyone.

We are not allowed to make up facts in this debate. The myth has been projected today that the majority of people in Northern Ireland agree to and with the most liberal abortion laws in any other part of the United Kingdom. Given that that has never been tested, that statement is erroneous and not factual. Any time the Assembly has voted on such matters over the years, it has taken the other view. Whenever this House has voted on it, the representatives from Northern Ireland who attend this place were divided, but the majority voted against the new regulations as outlined.

We cannot make up the facts and pretend that, because one or two Members support this, all Northern Ireland supports it. That is a myth and one that has to be challenged. Talk to any section of society in Northern Ireland, in the tribal way that Northern Ireland is often caricatured—talk to members of the Roman Catholic faith, members of the Protestant faith, members of no faith—and one will find that the weight of opinion is

solidly for the rights of the unborn child. That is the socially conservative society that Northern Ireland actually is.

Carla Lockhart (Upper Bann) (DUP): My hon. Friend makes a valid point. Some 80% of respondents to the consultation on the imposition of the legislation did not want it imposed on Northern Ireland, which completely dispels the myth that the majority of people in Northern Ireland are pro-abortion. In fact, they are pro-life.

Ian Paisley: I do not need to make the point, because my hon. Friend has just made it so exceptionally well.

When the regulations were first set in train in July 2019, it was argued in this Parliament that Parliament was duty-bound to pass the amendment that became section 9 because Northern Ireland, it was stated, was in violation of its international human rights obligations under the convention on the elimination of all forms of discrimination against women and the recommendations of the 2018 CEDAW Committee report on Northern Ireland.

However, when one drills down into that report, the explanatory memorandum to the Abortion (Northern Ireland) Regulations 2021 acknowledges the fact, which the Government now confirm, that paragraphs 85 and 86 of the CEDAW Committee report, which the House rested upon when it made its case in 2019, do not constitute legally binding international obligations. Constantly, those arguing for these liberal laws hang their hat on the false premise that it was an international obligation, when it was no such thing. That myth needs to be dispelled. We should not base our laws upon a lie, and that is what has happened. That is why people are so agitated about what the Government did.

The hon. Member for Pontypridd is right: everyone is entitled to their own opinions on these serious, weighty and emotional matters; however, they and the Government are not entitled to make a pretence that the law was an international obligation that had to be followed when it was no such thing. The Government have now changed their former line of reasoning, arguing that it is the 2019 Act rather than the CEDAW recommendations that requires them to force Stormont to implement the Abortion (Northern Ireland) Regulations 2020 and the 2021 regulations. If ever something has been made perverse, it is the way in which the law is now being argued for.

It is plainly an untenable situation, where non-binding recommendations have been misrepresented to create a binding Act that removes any obligation to and any protection that the unborn child heretofore had. In doing so, the Government leave Northern Ireland in a straitjacket on one of the most sensitive issues that it could ever consider. The UK Government should not have imposed the same law on Northern Ireland that the UN Committee on the Rights of Persons with Disabilities has criticised in respect of the United Kingdom. That committee expressed its concern

“about perceptions in society that stigmatize persons with disabilities...and about the termination of pregnancy at any stage on the basis of fetal impairment.”

By allowing for abortion up to birth—think of it—in cases of non-foetal disabilities such as Down’s syndrome, cleft lip and club foot, the regulations are deeply offensive to the values of Northern Irish people and their politicians.

The House is currently considering a private Member’s Bill that the Government have given fair wind to, introduced by the right hon. Member for North Somerset (Dr Fox), on the rights of children with disabilities. I am honoured to be the secondary sponsor of that Bill. On the one hand, Parliament is trying to introduce laws to protect children with Down’s syndrome, to honour them and to give them their place in society. At the same time, this House says, “Destroy that Down’s syndrome child.” That is what is perverse and wrong, and it is why people are so agitated.

We shall see evidence of that in the latest progress of the Severe Fetal Impairment Abortion (Amendment) Bill, which is being debated as we speak in Stormont. There is a myth that a majority of Northern Ireland politicians are for these liberal laws, when, in fact, the only vote that has taken place in the legislative Assembly since these laws were introduced was on a law to amend them and to remove some of the most horrible liberal policies that affect the unborn. That point, and that sense of irony, is not lost on us.

I welcome the fact of this debate. I also welcome the fact that the Opposition are not here in force today. I think that is surprising, because the Opposition have made a habit of trying to push these matters on to Northern Ireland. I think that, perhaps, under their leader the penny is starting to drop that they cannot keep interfering in the devolution process. They cannot keep saying on the one issue—the Protocol—that they cannot get involved in a debate because they are defending the Belfast agreement, and then the next day come into this place and say, “We want to interfere in the Belfast agreement, set its issues aside, and interfere in a piece of legislation in Northern Ireland.” They cannot have it both ways—that is the message that we send out. This House cannot have it both ways, because that would be obscene and it would be wrong.

Today, I proudly proclaim my defence of, and give my voice to, the unborn. The unborn have a right to life. It is not a health issue to remove the life of an unborn child. It is a moral issue, and this House should have the moral compass to do what is right.

2.56 pm

Claire Hanna (Belfast South) (SDLP): It is a pleasure to serve under your chairmanship, Mr Pritchard, and I thank the hon. Member for Pontypridd (Alex Davies-Jones) for securing this debate. The issue of abortion in Northern Ireland is challenging for many people. Many of us, myself included, have had to go on a real journey of compassion and learning over several years. I am very aware of the sensitivities around it and of the strongly held views. However, it is very clear that there is nobody who this affects more, and nobody that this is more distressing for, than women and girls.

As with many issues over the years that the Executive found too hard to deal with, the changes in Northern Irish law were brought about via interventions from this place from Members of the Opposition. The inadequacy of the previous regulations was very clear for many years. Many women had to go to court and relive the most distressing experiences, in order to build momentum and support for change. This is in many ways a rule of law issue. Despite what other Members have said today, without a plebiscite, we do not know exactly what every single member of the public thinks in Northern Ireland.

[*Claire Hanna*]

However, I would be very surprised if any Member could tell me, with a straight face, that a majority of people support the previous provisions under the Offences Against the Person Act 1861, which carried a sanction of up to life imprisonment for those involved in an abortion—regardless of the circumstances.

Whatever people have to say about how they came about, these regulations are the law; this is a rule of law issue and it is entirely inappropriate that these services have yet to be fully commissioned. We are all very much aware of the pressures that the health service and health professionals are under. However, if we are honest, we know that healthcare and health service pressure is not at the core of this issue. We also know that it is not acceptable to duck our responsibilities and force women to travel to Britain—especially in a pandemic.

People know, in their heart of hearts, that to deny these services is simply exporting the issue. They know that this legislation does not actually reduce the number of people who require an abortion; it just has the impact of making a stressful situation even worse for those who are going through it. Despite the pandemic, we know that 371 women and girls still travelled to Britain for abortions, which by law, they should have been able to access in Northern Ireland. We know that many others had to resort to unregulated abortion pills—with all the potential health and legal complications that would result from that.

I am a deep believer in devolution, and it is a matter of regret to me that the Executive failed to commission services in line with their legal obligations. It is also a matter of regret to me that in 23 years, to the best of my knowledge, the Executive have not delivered any piece of equality legislation. Those who believe they are holding some imaginary line should realise that in fact, they are growing the belief among many people in the centre ground in Northern Ireland that the only way they can have the rights and entitlements they wish to have is by changing the constitutional paradigm.

Tomorrow, we will be back in this Chamber discussing the impact of Brexit in Northern Ireland, and there are Members who will rehearse in that debate a very uncompromising position about the need for there to be no divergence whatsoever between Britain and Northern Ireland. As recently as yesterday, the Democratic Unionist party leader repeated his calls to bring down the Assembly over the principle of divergence between Britain and Northern Ireland. The mantra is that there can be no divergence in Northern Ireland—that everybody in Northern Ireland has to have the right to exactly the same sausages as people in Britain have—yet they are willing to fight and stand against people in Northern Ireland having the right to the same healthcare services as those in Britain. The prospect that many more women will be forced to either travel or go to court in order to change the current situation is cruel and distressing.

I will briefly reference the Severe Fetal Impairment Abortion (Amendment) Bill, which in a weird echo is being debated in the Assembly as we speak, and which targets some of the most distressing cases of women seeking an abortion. Those cases are incredibly rare—less than 0.1% of abortions, as I understand it—but that Bill has still invited hours and hours of discussion by MLAs about the plight of those women. By all credible assessments,

the Bill is legally incompetent and unlikely to receive Royal Assent. It is found by many disability campaigners to be a fairly cynical and exploitative move that undermines many of the efforts that are being made for people with disabilities, and I believe it is effectively a campaigning opportunity for some people to play out the most distressing experiences in the lives of people who, in nearly all cases, are facing a heartbreaking diagnosis after a much-wanted pregnancy.

The hon. Member for Pontypridd has also referenced the safe spaces—the exclusion zones. While abortion is a conscience matter for the Social Democratic and Labour party, that is a piece of legislation that we are all strongly in support of, and I welcome the ruling of the Human Rights Commission that it does not diminish the right of people to protest if they so wish.

In conclusion, the issue of abortion is not something that I take lightly. I know that many people who have arrived at a different position than I have arrived at come from a place of sincerity and compassion, but I also have no doubt that the decision that many women take requires the same level of compassion and dignity, and it is long past time that we make available the services that the law provides for them. There are clearly wider conversations to be had about how we can improve the circumstances of people who are faced with these sorts of choices, such as more adequately securing people's belief that the state will meet their needs and support them if they are dealing with a very disabled child, because that is not the case at the moment. I am sure that every Member of this House meets families who are living a hell, given the inadequacy of the services that are provided to their families. Perhaps if those services were more comprehensive, people would not feel that abortion was the best choice for their family.

We also fully support better reproductive services, better education, and better information around relationships and consent in school—all the things that we should do to reduce the number of occasions on which people feel abortion is the only choice for them—but quite clearly, for those who do, that is their choice, and the services should be there to meet that choice.

3.3 pm

Carla Lockhart (Upper Bann) (DUP): It is a matter of deep regret that this House has sought to impose its will above the devolution settlement. At the heart of devolution must lie respect for the areas of legislation that have been determined to fall within the jurisdiction of devolved authorities. In complex and highly charged matters such as abortion, the benefit of the doubt should always be granted to the devolved authorities that they are capable of managing their own affairs.

Both the Abortion (Northern Ireland) Regulations 2020 and the Abortion (Northern Ireland) Regulations 2021 were passed despite the overwhelming majority of MPs representing Northern Ireland who take their seats in Westminster voting against the regulations on both occasions, despite the overwhelming majority of respondents to the consultation on the legislation being opposed to its imposition in Northern Ireland and despite the Assembly being back up and running prior to those regulations becoming law. The very premise for the legislation was flawed, with the claim that intervention was required by Westminster because Northern Ireland was in breach of international law. That claim has been

demonstrated to be absolutely wrong—even the explanatory notes for the legislation noted that the CEDAW report recommendations

“are not binding and do not constitute international obligations.”

My hon. Friend the Member for North Antrim (Ian Paisley) eloquently outlined the change that had to be made in the regulations’ explanatory notes to demonstrate that the very foundation on which that law was brought forward was factually incorrect. That is a crazy way to make law—to build it on something that is fundamentally wrong.

The regulations go far beyond what is legally required, as well as beyond the law in England and Wales. They are also discriminatory against those diagnosed with disabilities. A submission to the Secondary Legislation Scrutiny Committee stated:

“Abortion is a sensitive matter throughout the United Kingdom, but no more so than in Northern Ireland to which the Abortion Act 1967 has not been extended”.

The Abortion (Northern Ireland) (No. 2) Regulations 2020 “radically alter the framework for abortion services in Northern Ireland”,

and

“its provisions exceed those already available elsewhere in the UK. For example,”

that includes unconditional access to abortion where

“the pregnancy has not exceeded its 12th week”.

We hear about Northern Ireland’s stance on pro-life and about the number of people who have had to make a difficult journey to GB for access, but we do not often hear about the 100,000 lives who are alive today in Northern Ireland because we did not sign up to the 1967 Act. One hundred thousand lives—people working in our hospitals and the NHS, teachers, and those right throughout our society who are alive today and contributing to society because they were not aborted. Our law values life.

Tragically, the radical regulations permit sex-selective abortion, since the sex of a foetus can be determined through non-invasive prenatal testing. Imagine, baby girls—in the main—being aborted just because they are girls. We call ourselves a progressive society; there is nothing progressive about having a law that allows for babies to be aborted because of their sex.

On the subject of disability, Lord Shinkwin noted during the debate in the other place on the latest version of the abortion regulations imposed on Northern Ireland earlier this year:

“The regulations...threaten me because they challenge that right by devaluing my existence. The narrative of the regulations is that I should not really exist. Indeed, I would be better off dead.”—[*Official Report, House of Lords*, 28 April 2021; Vol. 811, c. 2271.]

Paul Girvan (South Antrim) (DUP): On that point, on the importance of the unborn and of protection for the unborn, and on the recognition of that in law, whenever we hear of incidents such as the Omagh bombing, when the unborn were killed, they are included in the numbers of the dead. In the incident at Hillsborough, the unborn were included among the dead. I believe that that is the point: they are a life and they are deemed in law to be a life. The recognition is there, and yet now we believe that we can snuff it out.

Carla Lockhart: Absolutely. My hon. Friend makes a very valid point. The most basic human right is the right to life and, unfortunately, in our society now the unborn do not have that right. That is not right, and we should not accept it.

As Lord Shinkwin notes, the CEDAW recommendations, one of the great premises on which the law was introduced, expressly prohibit perpetuating stereotypes towards persons with disabilities. The regulations appear to contravene the very recommendations to which they claim to conform. Other Members may be unaware—Members from Northern Ireland have already noted this point in the debate—that proceedings continue in Northern Ireland today, highlighting how unwarranted and extreme these abortion regulations are.

This very afternoon, Members of the Legislative Assembly in Northern Ireland will consider the Severe Fetal Impairment Abortion (Amendment) Bill, a private Member’s Bill brought forward by my good friends and colleagues, MLAs Paul Givan and Christopher Stalford. The Bill seeks to amend the regulations to remove the ground for an abortion in cases of severe foetal impairment.

The Bill passed the second stage in the Northern Ireland Assembly with 48 votes to 12, and was supported by an overwhelming 99.55% of the more than 9,000 submissions to the Northern Ireland Committee for Health consultation. The Bill will now have its consideration stage this afternoon. It goes some way towards meeting the objective of the CEDAW report, on which section 9 of the 2020 regulations is framed—that stereotypes towards persons with disabilities should not be perpetuated. Under the current regulations, babies with entirely non-fatal disabilities, including Down’s syndrome, cleft palate and club foot, can be singled out for abortion in Northern Ireland because of their disability. The provisions allow for them to be aborted right up to birth.

As has been said, we need a society that values people. We see the amazing Bill that has been brought forward for children and young people and people living with Down’s syndrome. We want a society where our legislation values those people and lets them see that we want them to exist and to contribute to society. Our abortion laws allow for them to be aborted up to birth. That tells people with disabilities that their lives are less worthy of protection than the lives of those without disability, and perpetuates deeply unhelpful stereotypes about their quality of life by suggesting that it might be better for them not to have been born.

The regulations matter because they send a clear message that people with disabilities are not equal to others—the Bill being discussed in Northern Ireland today says they are. In England and Wales, where a very similar law is in place, 90% of babies diagnosed with Down’s syndrome before birth are aborted, and we know of women who have been offered multiple terminations of their unborn child, up to a very late stage of pregnancy, because their child has been diagnosed with the disability.

A submission to the Secondary Legislation Scrutiny Committee on the 2021 regulations noted:

“The Committee will recall that the proposals consulted on by the Northern Ireland Office in respect of the 2020 Regulations were rejected by almost 80% of those responding. And yet this breadth of feeling was not reflected in the legislation which subsequently ensued.”

The Severe Fetal Impairment Abortion (Amendment) Bill “goes some way to begin to redress that democratic deficit.”

[Carla Lockhart]

The Bill indicates the Assembly's capacity to legislate for itself on abortion, as well as the disparity between the regulations imposed without consent on Northern Ireland and the views of the majority of the population and their elected representatives. I urge the Government to rethink, to respect the devolution settlement and to allow Stormont the time and space to formulate a made-in and made-for Northern Ireland policy.

Finally, I pick up on a point made by my hon. Friend the Member for East Londonderry (Mr Campbell), who has left early. Never once in this debate is the baby mentioned by the pro-abortion speakers. It is all about the women. I value women. I am a woman myself. I have a baby myself. I value women, but I also value the life of the unborn. As my hon. Friend the Member for North Antrim has said, I am unashamedly pro-life. I will be a voice for the voiceless. We need to get to a point in this society where our laws legislate and create a society that values life and where people can choose life. Yes, we need additional services—I would be the first to say that—to help women who choose life, but I want our laws to value the unborn and value the baby in the womb.

3.14 pm

Fiona Bruce (Congleton) (Con): It is a pleasure to follow the hon. Member for Upper Bann (Carla Lockhart), my co-chair on the pro-life all-party parliamentary group. I commend her for her informed and sensitive speech and for all that she does to be a voice for the unborn in this place.

I rise to speak in this debate to support the right of the Northern Ireland Assembly, representing the people of Northern Ireland, to determine the way forward on abortion—a matter devolved there for some 100 years. I will also highlight the problems arising from the 2020 and 2021 regulations.

I agree that this is a sensitive matter; it is one of fundamental importance in terms of the lives of the unborn, respecting the wishes of the people of Northern Ireland, and respect for the long standing Sewell convention of devolution—that the UK Parliament does not normally legislate in respect of devolved matters without the consent of the devolved legislature. Before I move on to the particular problems of the 2020 and 2021 regulations, I will first refer to two other issues: the Secondary Legislation Scrutiny Committee and the House of Lords Select Committee on the Constitution Abortion (Northern Ireland) Regulations 2021. There were multiple submissions to the Secondary Legislation Scrutiny Committee earlier this year as it considered the Abortion (Northern Ireland) Regulations 2021. Those submissions illustrated the worrying damage that imposing such changes could inflict on the Union. I will quote just one, which says that the Secretary of State's new powers would

“give him complete control of policies related to abortion and education in Northern Ireland, which are devolved matters. They will take away from the people of Northern Ireland any power to affect any abortion policy the Westminster government choose to impose”,

and that,

“given the current unrest in the province, these measures could do untold damage to the already fragile Northern Ireland Assembly and the Good Friday Agreement.”

Those are profound implications.

I turn to the House of Lords Select Committee on the Constitution, which published a report on the Abortion (Northern Ireland) Regulations 2021 in April highlighting several constitutional issues arising from the regulations. The Committee stated:

“The 2021 Regulations raise an important issue concerning devolved competence. On the one hand the Secretary of State cites a statutory duty, arising from section 9 of the 2019 Act, to make the 2020 and 2021 Regulations... On the other hand, one of the governing parties in the Northern Ireland Executive opposes the Regulations as an unwarranted interference with the devolution arrangements... The prospect of different laws on abortion operating in Northern Ireland would cause substantial legal and political difficulties, and risk undermining the devolution arrangements. We urge the Government and the Northern Ireland Executive to adopt a more constructive approach to resolve this matter.”

I agree.

I now turn in detail to the problems arising from the 2021 and 2020 regulations. Some of these points have been touched on, very eloquently, before; forgive me, Mr Pritchard, if I touch on them again. They are worth repeating. The 2020 regulations allowed the Westminster Government to introduce a completely new abortion framework to Northern Ireland—even broader than the already extremely permissive regulations applicable here. For example, the regulations allow for an abortion, without the need for any ground or reason to be given, for any pregnancy up to 12 weeks. That, effectively, permits sex-selective abortion, as it is now possible to tell the sex of an unborn child between seven and 10 weeks.

Government Ministers here have repeatedly stated that sex selection is not a lawful ground for the termination of pregnancy. When sex-selective abortion was debated in Westminster in 2015, a Minister described it as an “abhorrent practice”. In permitting abortion on demand up to 12 weeks, the regulations go far beyond the law in Great Britain. Indeed, they are even more permissive than required by the CEDAW report, which I will come on to shortly.

The 2021 regulations are even broader, as they deal not only with abortion but with wider issues such as sex education. However, no formal consultation has taken place on the regulations. The Government relied on a mere six-week consultation on the 2020 regulations—six weeks that ran during the general election campaign of 2019 and in the lead-up to Christmas that year.

Then there is the question of the cost of implementing this new framework for abortion in Northern Ireland, which is shrouded in confusion. There was no impact assessment for the 2020 regulations. It appears that the UK Government—the Minister may correct me—have given no indication of how costs will be borne, arguing that this is a matter for the Department of Health in Northern Ireland. However, the Department of Health in Northern Ireland considers this funding to be a matter for the UK Government.

There is the further legal point of controversy as to whether the obligations in the Northern Ireland (Executive Formation etc) Act 2019 were a one-off, so that the 2020 regulations met them, which is the view of the former Attorney General for Northern Ireland, John Larkin QC, or whether those obligations are continuing, which I understand is the view of the Government.

It is critical to remind ourselves, as colleagues have done, that the minor UN CEDAW committee was not the UN speaking as a whole, which was often the

impression that we were given when we were discussing the Northern Ireland (Executive Formation etc) Act 2019. Those discussions were far too brief. I remember one important debate on the Bill, on 18 July, that lasted just one hour. On another occasion, if I remember correctly—and I stand to be corrected—we were asked to look at House of Lords amendments in just 17 minutes, which was totally inadequate for the consideration of such important legislation.

That CEDAW committee was not the UN speaking as a whole and, as we have heard, its recommendations are neither binding nor international law. That has been specifically confirmed by the Northern Ireland Office itself in its explanatory memorandum to the Abortion (Northern Ireland) Regulations 2021, which states, with reference to paragraphs 85 and 86 of the CEDAW report:

“In particular, those recommendations are not binding and do not constitute international obligations.”

The whole premise on which we passed the 2019 Act was false.

On the basis of those non-binding recommendations, the Government seek, through the 2021 regulations, to give the Secretary of State sweeping powers to direct not just Ministers but civil servants and health bodies in Northern Ireland to implement a broad abortion framework. That is a far wider group of people and bodies than envisaged by the Northern Ireland Act 1998, which allows the Secretary of State to give direction to Ministers or a Northern Ireland Department only in certain circumstances, namely,

“for the purpose of giving effect to any international obligations”—and we have agreed today, I hope, that the CEDAW recommendations were not international obligations—or for the purpose of

“safeguarding the interests of defence or national security or of protecting public safety or public order”.

The wide-ranging powers given to the Secretary of State by the 2020 and 2021 regulations cannot be justified on any of those grounds.

I turn now to commissioning. There is no reference to what services might be commissioned in either the 2020 or the 2021 regulations. The regulations are now, as Mr Pritchard has said, the subject of a pending court decision, which makes for a further legal complication. The requirement to commission services under the direction of the Secretary of State may disappear if that legal challenge is successful, leaving a legal loophole. What is particularly concerning about the commissioning, however, is that the regulations do not include any proposed inspection arrangements for premises conducting abortions, whether NHS or private. It would appear that the Northern Ireland Regulation and Quality Improvement Authority has no powers to inspect any premises to compare with those of the Care Quality Commission in England. If that is the case, that omission is doubly concerning when we consider recent reports by the CQC of abortion clinics in England. In the last few weeks, a British Pregnancy Advisory Service clinic in Middlesbrough was rated inadequate after inspectors found that medicines were not stored safely and that systems to protect people from abuse were not “effective”, while a Doncaster BPAS clinic was put into special measures following an inspection. It is essential that proper provision for the inspection and regulation of abortion services is in place in Northern Ireland.

As mentioned, abortion remains a devolved matter that rests with the competency of the Northern Ireland Assembly. The Northern Ireland (Executive Formation and Exercise of Functions) Act 2019—which, in section 9, includes the order-making power under which the regulations were created—was imposed on Northern Ireland at the behest of parliamentarians from other parts of the UK. No Northern Ireland MP in Westminster supported the passing of that Act.

The Northern Ireland Assembly have been up and running for some time. It not only has the legislative competency to act on abortion-related matters but, as we have heard, it is in the process of doing so through the Severe Foetal Impairment Abortion (Amendment) Bill. Respect for the competencies of that Assembly and the devolution settlement surely dictates that all other abortion matters should be determined by the Assembly, particularly since abortion has been a devolved matter for so long.

The Severe Foetal Impairment Abortion (Amendment) Bill seeks to address the discriminatory nature of abortion law implemented in Northern Ireland under regulation 7 of the 2020 regulations, which permits abortion up to birth on the grounds of disability. It is a matter of increasing concern across the UK in terms of its discriminatory aspect, as we heard in the House only two weeks ago in a debate on the proposed Down’s syndrome Bill.

Application of regulation 7 would very much go against the progressive tide of thinking in that respect. The fact that abortion up to birth for serious foetal disability is already in effect in GB is no reason to implement it in Northern Ireland—particularly as it is now considered to be deeply concerning and ill-defined legislation. I know that because my son was born with a club foot. I do not consider that to be a serious disability. We have seen it corrected; no one looking at my son today would know that he had been born with that disability.

Even the CEDAW report on which the regulations rely stated:

“In cases of severe fetal impairment, the Committee aligns itself”

with the UN

“Committee on the Rights of Persons with Disabilities in the condemnation of sex selective and disability selective abortions, both stemming from...negative stereotypes and prejudices towards women and persons with disabilities.”

With great sadness, I conclude that imposing the ill-thought-through and hurried-through regulations would demonstrate a profound lack of respect for the people of Northern Ireland and their elected representatives. As I have repeatedly said in this House—I refer to my remarks on 8 July, 18 July and 9 September 2019, and on 8 January 2020—the hurried handling of the issue of abortion, which is a devolved policy area, and the Northern Ireland (Executive Formation) Act and the subsequent introduction of regulations has been, in my opinion, unconstitutional, undemocratic, legally incoherent and utterly disrespectful to the people of Northern Ireland.

Mark Pritchard (in the Chair): I ask the hon. Member for Strangford (Jim Shannon) to wind up at about 3.38 pm, to allow the Front-Bench Members 10 minutes each.

3.29 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in the debate on an issue that is very close to my heart. I will replicate the opinions of my colleagues and of the hon. Member for Congleton (Fiona Bruce). I am my party's health spokesperson. As a Northern Ireland MP—I was born and bred there and I still live there—I have listened to the views of those around me: of women and men; of young and old; of those who are affected by the meddling of this House in one area and cry out for help in other areas, only to be told that the issues are devolved. There is no justification for interference in the devolved settlement in Northern Ireland in this matter.

The Abortion (Northern Ireland) Regulations 2021 conferred egregiously wide powers on the Secretary of State to

“direct a Northern Ireland Minister, a Northern Ireland department, the Health and Social Care Board and the Public Health Agency to take any action capable of being taken that is required for the purpose of implementing the recommendations in paragraphs 85 and 86”

of the CEDAW report. The regulations note that the Secretary of State will have powers to direct any “relevant person” to take any action that they are capable of for the purpose implementing the recommendations in paragraphs 85 and 86 of the CEDAW report. It is not clear that Parliament intended to allow such wide-ranging powers to be created, given the obligations voted on in section 9 of the Northern Ireland (Executive Formation etc) Act 2019, which outlines such powers as applying to Ministers and Northern Ireland Departments only, while the 2021 regulations extend these powers to direct public health organisations.

That sets a dangerous precedent for commissioning on a devolved issue. There is no clear limit to the sweeping powers granted to the Secretary of State; they are potentially indefinite. The Northern Ireland Office states that

“the statutory duty imposed on the Secretary of State by section 9 of the NIEF Act is such that until all of the recommendations in the CEDAW Report are implemented in Northern Ireland, he will not have complied with his statutory duties in full.”

That is very concerning and very worrying. These are wide-ranging powers across a spectrum of issues that extends well beyond abortion. The list under paragraph 86 of the CEDAW report, for example, also includes sex education. The powers taken by the Secretary of State in the 2021 regulations allow the UK Government to override Stormont on devolved issues on an ongoing basis, even though the Assembly is functioning. We may not like all the things happening at the Assembly, but it is a functioning Assembly and it has a cross-section of political support in Northern Ireland.

Notably, consent for constitutional change is one of the fundamental principles of the 2005 St Andrews agreement, which restored the political institutions of Northern Ireland in July 2006. The radical abortion amendment to the 2019 Act has not received the consent of the Northern Ireland Assembly. Repeatedly laying these statutory instruments glosses over the deeper issues related to devolution and that abortion is devolved to Northern Ireland, but seemingly now in name only.

Abortion is an immensely sensitive issue in Northern Ireland, a place where both lives matter—both the life of the pregnant woman and the life of the unborn child, the baby yet to be born. It is an issue that crosses the

bounds of political persuasion, class or creed. At the walk for life at Stormont, which I was happy to attend with my hon. Friend the Member for Upper Bann (Carla Lockhart), I stood shoulder to shoulder with nationalists, Alliance voters and Unionists alike. We rose above the politics because life matters, including the life of the unborn baby. I was thankful for the thousands and thousands who came out to respectfully plead that we did not implement the most liberal abortion laws in Europe, to no avail.

I respect the hon. Member for Pontypridd (Alex Davies-Jones)—she knows that, I spoke to her beforehand—and I want to be respectful to everyone because it is my nature to be so. With that in mind, I say this. The hon. Lady referred to consensus. First, back on 2 June 2020, 75 of the 90 Members of the Legislative Assembly demonstrated cross-community opposition to the imposition of abortion legislation that discriminated against those with non-fatal disabilities, including Down's syndrome, and an absolute majority voted specifically against the imposition of abortion regulations that allow disability discrimination, as the 2021 regulations have done. Secondly, I am aware of a poll earlier this year that indicated that 60% of the people of Northern Ireland were against abortion on demand for any purpose. Those are two reasons why the consensus that the hon. Lady referred to does not hold up.

Thirdly, a poll by the University of Liverpool and Britain's Economic and Social Research Council showed that only 5% of the public in Northern Ireland support introducing abortion up to 24 weeks, which is what the UK Government implemented through their regulations. Fourthly—my hon. Friend the Member for Upper Bann made this point, but it is important that I put on the record that I feel the same; it has never been contradicted, and indeed has been enhanced—it has been reported that an estimated 100,000 people would likely not be alive today had Northern Ireland been subject to the same drastic expansion of abortion legislation as the rest of the UK has experienced since the Abortion Act 1967. With abortion on demand, those people would not have jobs and would not be contributing to society. I thought that was a very salient tale of just how important that is.

In effect, it seems that abortion in Northern Ireland has become a reserved matter, predicated on the consent of Westminster, and by extension, the CEDAW recommendations, rather than a devolved matter of full legislative control as before 2019. In the last two days, from my constituents in Strangford, I have been contacted with some 400 emails on this issue—I say that honestly. How many emails have I had in favour of abortion in the last six months? Three. Three in favour of abortion, and 400 in the last few days. Indeed, in those six months, thousands spoke against it.

I want to reflect the opinion of those in Strangford and across Northern Ireland. I am very proud to represent everyone on this issue, and people do take the time to come and tell me their views. I have had nationalists come to my office who pleaded with me to stand firm against this most liberal abortion regime in the world. The case is clear. The majority are against abortion.

One of my constituents tells me that she emailed one Member of the House who has spoken out passionately, telling this House that she spoke for the women of Northern Ireland. I will not shame anybody, because that is not what I do, but my constituent, who wrote to

that Member and asked her to represent her, is still waiting for a reply. There is a pick-and-choose when it comes to Northern Ireland that goes from Government right down to individual Members. I am not picking and choosing. I can speak with authority and say with certainty that the overwhelming majority of those who have contacted me are appalled at this legislation. They are appalled that the wishes of a cross-section of the Assembly have been ignored by the Government. They are appalled that the legislation means that a reason for taking a life at 27 weeks can be a cleft lip. Does anyone really think that that reason could be condoned legislatively or in any other way?

My hon. Friend the Member for Upper Bann speaks with passion, compassion and sense, and I commend her for that. My voice should not carry any less weight because I am a man. I speak for my constituents—male and female, young and old. I represent them very well, I believe, and I am fervently urging Members to consider what they are asking to be implemented expressly against the democratic will of the people of the Province.

There is coming a day shortly when the day-to-day business of Northern Ireland could well be the responsibility of this House, and all decisions could be made here, but not now and not at this time. Today is not that day. It is the place of the Northern Ireland Assembly to make a decision on abortion. It should be up to Assembly Members to respect them. They should be respecting the thousands upon thousands of my constituents who say that they do not want abortion on demand, that they want to speak up for the unborn and, above all, to respect life. The life of the unborn baby is so important to all of us.

3.37 pm

Tonia Antoniazzi (Gower) (Lab): It is a pleasure to serve under your chairship, Mr Pritchard. I congratulate my hon. Friend the Member for Pontypridd (Alex Davies-Jones) on securing this timely debate on the commissioning of abortion services in Northern Ireland. I am proud of her work, as my predecessor, for women and girls in Northern Ireland. I will endeavour to do all that I can to support them.

At the beginning of my parliamentary career, I worked as Parliamentary Private Secretary to the shadow Northern Ireland team and was a member of the Women and Equalities Committee. This afforded me the opportunities to work with colleagues in Northern Ireland and to have a greater insight into the inequality of women in Northern Ireland compared with the rest of the UK. I had the opportunity to meet the hon. Member for Belfast South (Claire Hanna) before she was in this place. I remember the conversation well. She spoke today about compassion and learning and that this issue is a journey. I think we all understand what a journey it is for women in Northern Ireland.

Being part of the Women and Equalities Committee when it did the report on abortion law in Northern Ireland gave me an in-depth view of the change that was needed to move forward. I pay tribute to all the organisations and politicians who spoke to us. Moreover, I pay tribute to the women who shared their deeply personal experiences with us as well.

The standpoint of the Labour Front Bench is that these women should have the right to make an informed choice. Any woman who suffers a loss or makes a

decision to end a pregnancy should have support services available to them. I was very dismayed to hear that there is an 80% increase in need, and limited funding means that women have got up to a six month waiting list for support. How can this be acceptable in 2021?

I have listened to all of the speakers in today's debate. It is important that we all understand and are respectful of each other's views. I was brought up a Roman Catholic and my father was the deputy head of a Roman Catholic school. I had that one-sided view of the right to life. However, as a woman and having been in education for 20 years, I have seen at first hand the pain that girls and women have had to go through. That is why those services are so important. As my hon. Friend the Member for Pontypridd outlined at the start, this is not a debate about the mechanics of devolution; it is a debate about the rights and the duty of this Parliament to uphold the rights of citizens across the United Kingdom. The law is clear: we need to get on with delivering those services.

The hon. Member for North Antrim (Ian Paisley) and the hon. Member for Strangford (Jim Shannon) talked about the views of the people in Northern Ireland. I want to draw their attention to an Amnesty International poll, done by an independent research company in 2020, which

“demonstrates an overwhelming demand for change to Northern Ireland's draconian abortion laws.”

It is important that we are fair, just and transparent about the data that is out there on the views of people in Northern Ireland.

As my hon. Friend the Member for Pontypridd explained in her excellent speech, the changes to abortion laws extended abortion rights to the women of Northern Ireland. They were made in line with the recommendations of the UN Committee on the Elimination of Discrimination against Women and affording women in Northern Ireland those rights was about aligning abortion policy across the United Kingdom. It was a key moment for us, but little has changed since March 2020 for women in Northern Ireland. This is the title of the debate, and the lack of the commissioning of abortion services in Northern Ireland is having a direct impact on women.

The debate is about the rights of women in Northern Ireland and their right to access basic reproductive healthcare without needless barriers. It is about their right to clear, accurate and impartial advice and guidance about their healthcare choices. There is a worrying lack of impartial guidance, if any guidance at all, on a woman's right to choice when she finds out she is pregnant. The GP should be women's first port of call and they do not always get the advice they need there. When women turn to the internet and google abortion services in Northern Ireland, they are led to services that put in delaying tactics, making it impossible for them to terminate their pregnancy if they wish to. It also forces more and more women to purchase abortion pills online. We should not be in that situation. Fortunately, those women are not living in fear of prosecution now when they use that service.

Ian Paisley: Will the hon. Lady give way?

Tonia Antoniazzi: Unfortunately, I need the time.

The lack of commissioning means that Informing Choices NI has had to withdraw its central access point and BPAS has had to come in to support it as well.

[*Tonia Antoniazzi*]

Women have a right to have high-quality access services as early as possible and as late as necessary and those rights are currently denied to women because of the inaction of the Northern Ireland Executive, the Department of Health in Northern Ireland and the Secretary of State. It has been nearly two years since those essential services should have been made routinely available in Northern Ireland, but as colleagues have said, the reality for many women is that the change in legislation might as well not have happened.

The lack of funding or a commissioning framework has led to piecemeal service provision, with women's access dictated by their postcode. Women in the Western Health and Social Care Trust area have had not access to services in nine months and they cannot go to another trust to access services, having to pay nearly €500 privately to go to Ireland or to England and access pills online if it is not too late. What should be a service for all becomes a service for a lucky few: those who can take a hit to their income, take a day off work or travel the hours to access healthcare. That is not fair. The impact of covid has also been felt in service provision and in the travel restrictions.

The reality for women in Northern Ireland is that access to basic healthcare rights is in no way guaranteed. Will the Minister and the Secretary of State for Northern Ireland meet me to discuss an immediate way in which the Government can address the current crisis for women in Northern Ireland? What additional measures will the Executive put in place, especially in light of the new covid variant omicron, to ensure that the provision will be extended and maintained into the new year?

I look forward to hearing what the Minister has to say, because this is a very important issue for women and girls in Northern Ireland.

3.45 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Maria Caulfield): I am grateful to the hon. Member for Pontypridd (Alex Davies-Jones) for securing the debate. The Northern Ireland Office Ministers regret that they are unable to be here today, but I am sure they welcome the opportunity to have this debate and hear the wide-ranging views on abortion in Northern Ireland. It is an extremely emotive and sensitive subject and it is important that we have that debate in this place.

It is now more than two years since the Northern Ireland (Executive Formation etc) Act 2019 was passed, where Parliament stepped in and decided that women in Northern Ireland should have access to the same healthcare rights as women in England, Scotland and Wales. Even though the law was changed two years ago, it is true that services have not been commissioned in full.

The Northern Ireland (Executive Formation etc) Act placed a duty on the Secretary of State for Northern Ireland to ensure that abortion services which meet the recommendations are put in place and implemented. He has a legal duty to uphold that. As we have heard today, it is true that women have to access abortion in the rest of Great Britain, even though early medical abortion is available in four of the five trusts in Northern Ireland and BPAS has stepped in to provide an interim referral service for women and girls on a temporary basis.

Women and girls who require surgical abortions and post-10 week abortions still have to travel to Britain. The only way for the legal obligations to be met is through local commissioning. The Secretary of State has been clear with the Northern Ireland Department of Health and the Northern Ireland Executive about the commissioning of abortion services that are consistent with the regulations passed in 2019. Despite continuous engagement by the Secretary of State, he remains frustrated that progress is not being made.

As a result of the ongoing delay in commissioning services specifically by the Department of Health and the Northern Ireland Executive, Members will be aware that in July this year, the Secretary of State issued a direction to the Northern Ireland Department of Health, the Minister of Health, and the Health and Social Care Board to commission and make abortion services available by no later than 31 March 2022.

Ian Paisley: I thank the Minister for giving way because that point is absolutely vital. By the Secretary of State recommending to the Minister in Northern Ireland that he commission these services, is that not an acceptance that these services are devolved matters? Conversely, matters that are reserved, such as the protocol, can be debated here—and posed and changed here—if that is the Government's position. If the Government's position is that this matter is devolved, it should remain devolved.

Maria Caulfield: I thank the hon. Member. I was going to come on to the point he raised in his remarks, but will touch on it now, if I may. Health is a devolved matter and that is very much recognised. It was frustrating. It was a free vote, and he knows how I voted and I would do the same today. However, at the time, there was no functioning Assembly. This Parliament had to make decisions, not just on this issue, but other issues such as budgetary matters. As a member of the Northern Ireland Affairs Committee at the time, I remember making the case to MLAs that this was why it was so important to get the Assembly up and running, because decisions were made in this place that did not reflect and respect devolution. Decisions were having to be made in this place on devolved matters.

Colum Eastwood (Foyle) (SDLP): I totally agree that this is a very sensitive issue and there are strongly held views on it, but it is as if we are sometimes speaking in a vacuum. Yes, there was a political vacuum in Northern Ireland when the law was made, but there was also an issue around the law, where the High Court clearly stated in the Sarah Ewart case that the Northern Ireland Executive were falling foul of the law in terms of human rights protections around fatal foetal abnormality and sexual assault.

Whatever people might think about the law that this place brought in, the Northern Ireland Executive did not bring in a law to deal with that issue. Nobody that I have heard who opposes the law here has come up with a solution to deal with the fact that Sarah Ewart and many other women were forced, when the baby was not able to be born or to survive, to carry to full term. Those people were left without any recourse by our Northern Ireland Executive, so it is all very well talking about devolution and everything else, but when

responsibility lay with the Northern Ireland Executive, they did not lift the ball, did not deal with it and left women, such as Sarah Ewart, in a very invidious position.

Maria Caulfield: We are left with the law that was passed in 2019, so the Secretary of State is now under a legal duty to implement it. He has directed the First Minister and the Deputy First Minister to include it on the agenda for the Executive Committee. That is not taken lightly because, while I understand the points the hon. Gentleman has just made, health is a devolved matter, but the UK Government have to uphold their legal duties in terms of the decision.

The Secretary of State for Northern Ireland has taken the decision in line with his statutory duty. He recognises that it is an unprecedented step, but it was taken after allowing a year for the commissioning of services since the Northern Ireland Office provided a framework in spring 2020. The Secretary of State has clearly stated that fully commissioned services must be provided by March next year. If it becomes clear before that deadline that the Department of Health, or indeed the Northern Ireland Executive, are not making progress, he will have to take further steps to ensure that his legal duties are upheld.

I know that I am running out of time, but I will just follow up on a couple of comments. The hon. Member for Pontypridd asked about progress, and I hope that I have set out that the Secretary of State has set the deadline of March and is monitoring progress closely. On the issue of exclusion zones, my understanding is that there is a Bill before the Assembly, brought forward by an MLA, that is being debated on that very issue, and in terms of devolution, the decision will be made there.

On the importance of devolution, which was raised by my hon. Friend the Member for Congleton (Fiona Bruce) and hon. Members for North Antrim (Ian Paisley), for Strangford (Jim Shannon) and for Upper Bann (Carla Lockhart), absolutely, health is a devolved matter and these decisions are devolved for a reason. My plea to MLAs now is the same as when I was on the Back Benches in 2019 and being forced to make these decisions: however fragile the Assembly is, it is important that it keeps going so it can make these devolved decisions. Colleagues have set out clearly the importance of that, which I recognise.

The Secretary of State has said that he is committed to continuing to work closely with colleagues and stakeholders in Northern Ireland. It has always been our position that these services should be delivered locally. I am grateful to all hon. Members. I know that this is a sensitive and difficult issue to debate, but I thank everyone for debating it in such a sensitive and respectful manner. With that, I draw my remarks to a close.

3.53 pm

Alex Davies-Jones: It has been a privilege to take part in today's debate and have the opportunity to speak up on behalf of women in need of abortion care in Northern Ireland. I am grateful for the contributions of colleagues from across the House, and although I recognise that some of us are unlikely to ever reach a consensus on the issue, it has been good to see that the debate has been mutually respectful. I particularly welcome the comments from my hon. Friend the Member for Belfast South (Claire Hanna), who spoke passionately about the need to have women and girls at the heart of the issue, and we need to uphold and make available their legal right to local services for a safe abortion.

The central theme of the debate has been choice. In law, women in Northern Ireland have the right to choose, but that is meaningless without access to safe, local abortion services. We have been debating the issue of access to abortion in Northern Ireland for years, and it is simply past the time for action to take place. With that in mind, I welcome the Minister's reiteration of the Secretary of State's commitment to bring this in by 31 March 2022 to ensure that the legal duty is upheld.

While I am no longer the shadow Minister for Northern Ireland, I am pleased to have passed the brief into the capable hands of my hon. Friend the Member for Gower (Tonia Antoniazzi). I will closely scrutinise the Government's work on the issue, and I urge the Minister and the Secretary of State to work to meet the needs of women in Northern Ireland without delay.

Question put and agreed to.

Resolved,

That this House has considered the commissioning of abortion services in Northern Ireland.

3.54 pm

Sitting suspended.

Greenwashing in Finance

[SIR EDWARD LEIGH *in the Chair*]

[*Relevant documents: Thirteenth Report of the Treasury Committee, Session 2019-21, Net Zero and the Future of Green Finance, HC 147; and the Government Response, Session 2021-22, HC 576, and Oral evidence taken before the Treasury Committee on 8 December 2021, Work of the FCA, HC 146.*]

4 pm

Kevin Hollinrake (Thirsk and Malton) (Con): I beg to move,

That this House has considered tackling greenwashing in finance.

It is a pleasure to serve under your chairmanship, Sir Edward. I am grateful to my hon. Friend the Member for Kensington (Felicity Buchan), who has passed responsibility for this debate to me as she is unable to attend. Subject to the House's confirmation this evening, I am happy to say that I will replace her on the Treasury Committee, where she has done such fine work.

On the face of it, greenwashing sounds pretty trivial. The Treasury Committee provides a lot of very interesting information on the subject in its report of April 2021. Chris Cummings of the Investment Association described it to the Committee as

“finding something that looks a bit green and promoting it as a green success story”.

People may say, “Well, companies do that all the time, don't they? They exaggerate their marketing claims and it doesn't sound like too big a problem.” But, unchecked, it is a massive problem because finance has a huge role to play in decarbonising our whole economy, not just the financial part of it.

I will give some useful examples of greenwashing. BP got into trouble a year or two ago for promoting its green credentials by saying that it was putting solar panels on all its service stations. The reality, however, is that at that time BP was 96% focused on oil and gas exploration in its investment and economic activity. I very much hope—and I am sure that this will be the case—that BP will decarbonise its organisation over the coming years. Nevertheless, its claim can clearly be described as greenwashing.

McDonald's said that it had moved from plastic to paper straws. However, the paper straws were not recyclable, and neither were many of the containers used in its products. Coca-Cola claimed to be one of the most environmentally friendly organisations on the planet, yet it is the No.1 plastic polluter on the planet. We need to ensure that there is clear evidence about which companies are green and which are not.

Of course, all these companies form part of the investment strategy for many of the important fund managers for which the UK is famous. Tracker funds are particularly popular among investors, particularly unsophisticated investors. A couple of years ago *The Guardian* reported on an environmental, social and governance-related tracker fund that included two of the world's largest oil and gas companies. We must ensure independent verification of claims of green credentials.

On the positive side, the fact that companies are making these claims at least gives cause for hope that this issue is important to the investor community. If people think there is a market for this, if we can get the

independent criteria right for the future, and if green credentials can be easily and objectively ascertained, there will be a lot of cash flow.

Indeed, that is what happened when the Government introduced their green bonds, which were hugely over-subscribed. That was great and it shows that people are keen to invest in things that can contribute to decarbonisation and a cleaner planet. Indeed, the experience has been similar in just about every jurisdiction and nation that has offered opportunities to invest in green companies and funds, with schemes being over-subscribed.

People choose what to invest in based on their principles. They are keen to support this part of the economy, so they want to be sure that they are investing in something that is green. The difficult with greenwashing, however, is that the investment might not be green; if independently verified, that would result in significant disappointment. Fund managers and finance houses invest cash on behalf of others in these companies. Many people make such investments because they want to contribute to decarbonisation, so it is tremendously important that the cash flows to the right companies—namely, those that are green and that are transitioning to a greener position.

The other big issue is risk. If somebody had invested in one of the top four US coal producers back in 2010, the current market capitalisation of those companies would mean that the value of that investment had reduced by 99% over the past 11 years. There is a big risk in investing in something that might become a stranded asset because of our transition to a greener environment. The difficulty, of course, is that it is the smaller, less sophisticated investors who are more likely to be caught in that trap.

In evidence to the Treasury Committee only this week, Charles Randell, chair of the Financial Conduct Authority, said that the marketing of green funds and investment opportunities was open to scammers to hijack. Therefore, while people think they are doing the right thing by investing in the right areas, others are piggybacking on that to create new opportunities to scam the general public.

The UK has a huge role to play in financing the transition to a green zero-carbon future. It is one of the leading financial centres in the world, managing about £10 trillion in assets, contributing about £132 billion to our annual economic activity and about 7% of our GDP. Its role in this area, providing the finance for decarbonisation, is hugely important. That is why this conversation is hugely important,—because we need the cash flow to go to the right places for decarbonisation. The finance sector has a huge role to play, so we need to ensure that those are bona fide green investments.

Although the UK is a world leader in finance generally, it is too early to say that we are a world leader in green finance. We are doing many things that are moving in the right direction, but it is too early to say that, certainly according to the conversations I have had with people from the City, and there will be independent verification of that as we go along. We need to ensure that we take the right steps in future to make sure that we are a world leader not just in finance but in green finance. It is too early to say that today.

The UK Government have done much good work in this area, with the green bonds I referred to earlier and the UK Green Investment Group, which will pump-prime

investment into green technologies. Indeed, the Chancellor has set out that the UK will become the world's first net zero-aligned financial centre, which is very welcome.

There is clearly big UK demand. In evidence to the Treasury Committee, the FCA chief executive said that in the coming years about 33% of fund manager investments would be into ESG, which is very welcome news. However, according to a recent investor survey, 80% of investors quoted the lack of disclosure and consistent definitions of green as a drawback to their ability to invest in the right areas. We need clarity so that fund managers and consumers clearly understand what is properly green and what is just greenwashed—in other words, that people get what they think they are buying.

The Government's work on green taxonomy—how investments are categorised in different corporations—is welcome. They have set up the green technical advisory group to look at that. There will be climate-related financial disclosures by 2023 for the largest companies and more information by 2025. Some of the larger pension funds are already required to provide that information in their annual reports. There are also mandatory transition plans. All of those things are good UK domestic innovations, but this stuff needs to be international, not just national. Our broad rules are based on what happens in the EU, but the Government have set out that we are going to move on from there and set up a more challenging regime that is more pertinent to the UK domestic situation.

The EU has already set out its position in some areas and has completed its first phase of setting standards, but there are questions about whether it is aligned to the 1.5° warming target. Also, according to the criteria, gas is potentially permanently allowed rather than seen as a transition fuel, and nuclear is also included. Is that based on science or has this been the subject of lobbying by certain sectors? Such questions need to be answered.

The key is to make sure that the measures by which we judge green investments are standardised and harmonised internationally, with proper data and metrics behind them so that we do not compare apples with pears. We need to be able to tell whether they are proper green investments. There are different kinds of green investments. For example, there are investment funds that invest purely in green technologies such as renewables, and others that invest in ones that are transitioning from one technology to the other, which could be just as important as the green technologies themselves.

I am interested to hear the Minister's perspective on this, but I am not entirely clear on who will draw up the rules. As I have said, I am sure that the green tech advisory group will be charged with a lot of the responsibility, but I would appreciate more information on whether the FCA and the Treasury will be working together on this.

I have some questions for the Minister. We have worked together on lots of different things and I look forward to talking to him about this issue in the coming days, weeks and months. Who will do the standardisation and harmonisation? When will it happen? What will it cover in terms of labelling the standards themselves and the benchmarks? Will those standards include scope 3 emissions, meaning not just the scope 1 direct emissions from the organisations but those from their supply chain and customer base? Will the criteria be measured against the 1.5° target? There are mandatory transition

plans for our largest FTSE 100 companies by 2023; when will the rest of the economy be required to look at those mandatory transition plans?

Finally, I have a word of caution about unintended consequences. We want to minimise the risk of stranded assets. We need to make sure that companies and fund managers have a glide path so that they understand the transition period, adjust for the future, make strategic investments and not be left high and dry by a sudden change in policy. It is incredibly important that we take businesses with us. Even businesses that are considered brown today may be green tomorrow, and they need to be given the right period of time to decarbonise, because they too could be a very important part of our future decarbonisation plans and strategy.

4.13 pm

The Economic Secretary to the Treasury (John Glen):

It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on leading this debate, even if he acquired it from my hon. Friend the Member for Kensington (Felicity Buchan). I wish him well in his new role on the Treasury Committee, subject to the approval of the House later this evening. I thank him for the constructive contributions that he has made during my tenure, including on this subject.

Let me start with a simple statement of fact: the Government have high ambition to transform the UK financial sector and align it with net zero. We are taking bold action to deliver on that. As my hon. Friend mentioned, we launched two record-breaking green gilts this year in September and October, and announced new sustainability disclosure requirements for businesses across the economy to report their impact on the planet. We are starting to see real results. London was ranked the leading hub globally for green finance this year in a leading index run by Z/Yen, overtaking Amsterdam. I do not want to be complacent, but I think we have made significant progress already, specifically on green finance.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I thank my hon. Friend the Minister, for giving way and I congratulate my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on securing this debate. On the issue of those reporting requirements, as has been said companies clearly have indirect as well as direct impacts through their supply chains. Is it only direct impacts that will have to be reported, or will the indirect impacts of company supply chains also have to be acknowledged?

John Glen: I thank my hon. Friend for his intervention. I shall come in a few moments to address the details of the reporting requirements, the mechanisms for enforcing them and their extent. If I have not adequately scrutinised his point and given him the right response, I will right to him—but I hope I will cover it fully in a moment.

Z/Yen said that London was

“propelled up the table by the government implementing measures to stimulate Britain's green finance sector”

and that it

“has the best sustainability standards in the world”.

As my hon. Friend the Member for Thirsk and Malton mentioned, at COP26 the Chancellor announced that the UK would go further and become the world's first

[John Glen]

net zero-aligned financial centre. That is easier said than done. In fact, delivering this will require the Government and private sector to work hand in glove—I welcome the UK private sector's leadership on this. At COP26, we heard that organisations with \$130 trillion of assets globally have now made a net zero commitment. These are big numbers with big implications; it is critical that the claims that firms make about their green performance are credible and backed up with real action.

I will now turn to the title and substance of today's debate. It is absolutely clear that we need a robust approach to greenwashing. We have heard that phrase a lot over recent years, but I would define greenwashing as when businesses, or investment funds, make misleading or unsubstantiated claims about the environmental performance of their products or activities. That can lead to the wrong products being bought—undermining trust in the market—and to misallocation of capital intended for sustainable investments. In other words, it has the potential to be a significant problem at a time when we are trying to make a sincere and credible transition that is verifiable.

The Treasury Committee report on decarbonisation and green finance, published in June, was also clear that “‘greenwashing’ is detrimental to good consumer outcomes and to the achievement of... net zero”.

As interest in environmental, social and governance investing increases—which it is, rapidly—it is only right that there should be more attention given to, and more scrutiny of, the claims that firms make. It is for all those reasons that the Government have sought to be on the front foot on tackling greenwashing.

I will take the Chamber through the three areas of action: disclosures, mainstreaming climate into financial regulation, and transition plans. On disclosures, as I mentioned previously, it is the Government's intention to propose legislation, I hope in the next Session, to implement economy-wide sustainability disclosure requirements. This will see financial services firms, real economy corporates and investment funds reporting information on the risks they face from climate and environment, and those that they create. A key element of SDR will be reporting against the UK green taxonomy, which my hon. Friend the Member for Thirsk and Malton has mentioned. The taxonomy will set a robust standard for when economic activities can be considered environmentally sustainable. It is specifically designed to tackle greenwashing by creating a common understanding of which activities, and which investments, can actually be considered green. There is one other aspect on disclosures. Asset managers, asset owners and investment products will all be required to substantiate any sustainability claims they make in a way that is accessible to clients and consumers. All of this will create much-needed transparency in the market and ensure that firms cannot claim things without backing them up.

Our second area of action as a Government has been mainstreaming climate change in the UK's financial regulation. In March, the Chancellor set out new remit letters to the Financial Conduct Authority and Prudential Regulation Committee, which included climate change for the first time. In November, the FCA published its new environmental, social and governance strategy, and

the themes of trust and transparency are core to the FCA's plans in this area. I am also aware that market participants are increasingly reliant on third-party ESG data and rating services to make decisions, which is why the Government are considering bringing these firms into the scope of FCA regulation and will report back next year.

I also want to address transition plans. Industry leadership on climate change, particularly through net zero commitments, has been impressive, but commitments need to become concrete action. That is why the Chancellor announced at COP26 that the UK would move towards making the publication of transition plans mandatory in the next 12 months. A transition plan should set out an organisation's high-level carbon targets, its interim milestones and, most importantly, the actionable steps it plans to take. That will improve transparency around how those headline commitments translate into action.

My hon. Friend the Member for Thirsk and Malton asked me a number of questions about which businesses will have to report, when those requirements will come into force and how reporting will help us reach net zero, and I will take those in turn. We will ensure that any burden on business is proportionate and provides useful information for investors' decision making. Exact details of organisations and products in scope will be determined by the relevant regulators and Government Departments following consultation. Anticipated timings are set out in the roadmap that we published in October.

The UK's approach ensures that the SDR will come into force in a sequenced, co-ordinated manner, so that reported data flows from corporates to the financial sector, investors and financial market participants make sense, are logical and are scrutinisable. The “Greening Finance” road map, published by the Government in October, sets out the indicative path to introducing integrated sustainability disclosure requirements across the whole economy. The implementation of legislative and regulatory measures will be subject to the parliamentary timetable that I referenced earlier.

In terms of the impact of reporting on the UK getting to net zero, high-quality corporate sustainability reporting is clearly foundational to investors having the information that they need to make well-informed investment decisions. Any action to align capital investment with the transition to net zero is contingent on financial markets having access to the right and relevant information, and identifying which companies are successfully managing their climate-related risks and opportunities. Fixing that information gap is the first phase of the UK's approach, and getting market participants to act on the information is the second phase, which will ensure that financial flows across the economy shift to align with that net zero commitment. There has been a concerted attempt across Government to ensure that we are very clear about what that journey needs to look like, and more will flow from the legislation next year. I hope that addresses my hon. Friend's points.

The Government are taking determined action to tackle greenwashing and maintain trust in the growing market for sustainable finance. I thank my hon. Friends the Members for Thirsk and Malton, and for Central Suffolk and North Ipswich (Dr Poulter) for their well-informed contributions and challenges. I hope that this has been a helpful exchange for my hon. Friend the Member

for Thirsk and Malton. I will consider his points carefully, as I always do, and take forward any elements to which I have not responded.

Question put and agreed to.

4.24 pm

Sitting suspended.

Neighbourhood Policing: West Midlands

4.30 pm

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): I beg to move,

That this House has considered funding for neighbourhood policing in the West Midlands.

It is a pleasure to serve under your chairmanship, Sir Edward. I am delighted to have the opportunity to lead today's debate. I start by thanking my hon. Friend the Member for Birmingham, Erdington (Jack Dromey) for securing this debate, and for allowing me to open in his stead. I congratulate him on his appointment to the shadow Home Office team; I know he will be a great champion for the safety and security of our communities in that brief. He has been doing an outstanding job in raising the issue of the lack of policing in the west midlands. I also thank colleagues who have joined us this afternoon to discuss this timely and important topic. We are holding this debate to discuss police funding for the west midlands and to argue for our region to get the fair funding that it needs and deserves.

The west midlands has the fourth highest rate of crime in the country. This Government have been in power for a long time—11 years, to be exact. When they were re-elected in 2019, it was on a promise to level up every region in the United Kingdom. Nowhere needs that more than the west midlands, which has lost out terribly from policing cuts over the past decade, and where many of our communities have been blighted by crime.

We all know the Government's record here, particularly on the delivery of justice for victims; we have plummeted to record lows in the last decade. Between 2010, when the last Labour Administration were in government, and 2020, the percentage of crimes that ended in a charge or court summons was halved. The delivery of justice for victims of violent offences is even worse. Someone who has been robbed is half as likely to see the culprits charged or taken to court—down from 19% to 8.2%. For violence against the person, charge rates are four times lower than they were a decade ago. Some 98% of reported rape cases do not result in a charge. What does that say to women?

That is where we are after a decade in which the Conservatives have cut 20,000 police officers from our forces. We have seen central Government grants to the police fall by 30% in real terms, and forces are increasingly relying on income raised through council tax, known as the police precept. Police have also been forced to make more use of reserve funding—money set aside for unforeseen spending—and have had to sell off capital assets, including police stations, to help to raise funds. Between 400 and 600 police stations were closed between 2010 and 2018 by the Conservatives, in addition to the loss of 20,000 officers.

We on this side of the House know that cuts have consequences. That kind of capacity, experience and expertise cannot be replaced overnight. The Prime Minister pledged to recruit an extra 20,000 officers by 2022 and, since then, only 11,000 extra officers have been recruited. Truly, only the Tories could cut 20,000 police officers, watch crime rates soar, recruit 11,000 officers, pat themselves on the back and say, "Job well done."

[Preet Kaur Gill]

In the west midlands, we have had 2,221 officers cut and £175 million slashed from our budgets since 2010. At the same time, there have been huge cuts to the services that are vital to preventing crime in the first place, such as youth clubs, mental health services, local council funding and probation services. The police are also having to respond to complex and serious crimes, ranging from human trafficking to sexual crimes against children, which are becoming increasingly common. Despite that, the Government's much-trumpeted uplift programme promises to restore only 1,200 officers to our region, leaving us 1,000 short of where we were. Is that levelling up? No, it is not—the people of the west midlands would say so too.

The situation has been absolutely frightening for some of our constituents. In one case that I had recently, two masked men broke into the home of an elderly lady in my area and tried to rob her. A neighbour's light came on, they were disturbed, and they ran off, but I cannot imagine just how petrified she was. The police officer who responded did his absolute best; he gave her advice on changing her locks, and so on, but when asked how she could possibly feel safe and secure—how she could be sure that they would not come back—she could only say to her that she could move in with her relatives. That is deeply unacceptable.

I remember working on the case of another lady who was pulling into her driveway when a man ran over and stole her bag out of her passenger seat. She called the police and gave them a description of the man and his getaway car, but without CCTV, they said there was not much more that they could do. They did not have the resources to prioritise it and the case was NFA'd—no further action was taken. We hear this all the time.

I cited some of the most appalling national statistics on charge rates earlier. Is it not incredible that in the UK, the CCTV capital of Europe, our charge rates are so appallingly low? Many of our constituents see the rise in violent crime in their areas, and they are scared. Violent crime is rising, with conviction rates at record lows. Gangs with machetes on the streets are not uncommon, as is knife crime. Is this the new norm? The Conservatives have become the party of crime and disorder. To keep our communities safe and restore confidence, we need to bring back neighbourhood policing. Constituents say to me all the time that they barely see officers on their streets and that they do not know their officers' names. They do not know whom to call and are instead directed to online reporting.

So stretched have services been that the police are constantly reacting, making trade-offs on what to prioritise, and doing less and less proactive work. They are not able to build relationships or undertake vital preventive work and early interventions with young people, which we know are so effective. Neighbourhood policing is what many police officers proudly tell me they want to be doing more of—being a trusted presence within the community, working closely with people and using a range of problem-solving skills to address community issues, which we know have worked in the last decades. It is about providing a visible deterrent to people who think they can commit crime and get away with it.

Under the Conservatives, criminals have never had it so good, which is why I back the plan for the new West Midlands police and crime commissioner, Simon Foster, to put boots back on the ground with 450 extra neighbourhood police officers, guaranteeing that officers are based in all our local areas and ensuring that victims of crime are always a top priority and can access timely advice, care and support. Clearly, the funding situation is not easy for West Midlands police, but it is right to direct investment into more officers on the ground, rather than maintaining empty stations. Bricks and mortar, without people, do not stop crimes, but this is a situation of the Government's own making.

Let us be clear that officers are much needed. There are rising levels of theft and robbery, and devastating cuts to preventive and mental health services have left the police to pick up more and more of the pieces, with less time to spend fighting crime. The College of Policing estimates that 2% to 20% of incidents reported to the police are linked to mental health issues. Under this Government, neighbourhood policing numbers in our region have been decimated, dropping from 1,821 to 760 between 2010 and 2018. Police community support officer numbers also fell, from 811 in 2010 to 464 in 2021.

Given the expectation that a new policing funding settlement will come out on Thursday, we have called today's debate to make a last-ditch plea to Ministers to give our region the funding it needs. I work closely with my local police and have nothing but admiration for their selfless service, bravery and professionalism, but they are being let down. The west midlands is not getting a fair share. It is patently unfair that forces with lower crime rates, such as nearby Warwickshire, have increased their police numbers over the past decade, whereas our region could still be left 1,000 officers short under the Government's uplift plans. With the new funding settlement on Thursday, my question to the Minister is very simple: will he give West Midlands police the fair funding that they need? Will he hear the pleas of our constituents who feel let down by the Government and give our forces a fighting chance?

4.38 pm

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): I commend my hon. Friend the Member for Birmingham, Edgbaston (Preet Kaur Gill) for making such an eloquent speech and raising all those figures. I also commend my hon. Friend the Member for Birmingham, Erdington (Jack Dromey), who secured the debate. Owing to his position as a shadow Minister, he is unfortunately not able to take part.

This is a crucial debate to my constituents and the people of Birmingham. We have people who live in fear. In my constituency, gangs maraud around with knives, baseball bats, sticks, machetes and, in some instances, guns. The police are called, but they are not able to attend because they need sufficient numbers for such an event, which I understand.

There is a business in my constituency. A group of young people got together and opened a car wash. They do not employ labour from abroad; they wanted to do it themselves and make a living for themselves. For some reason, they were set upon by a gang—probably because they did not want them to open the business where

they had. They made several complaints to the police themselves. Nobody turned up. A week later, when the father approached me and spoke to me, they still had not come. I made enquiries and the police were not able to visit those young people, who wanted to better their lives and their local environment.

It is not the fault of the police officers who work in my area. They work extremely hard—fantastically hard—but they do not have the numbers. As my hon. Friend the Member for Birmingham, Edgbaston says, the West Midlands PCC is working extremely hard to increase numbers. It is important to heed the words of the PCC. If they do not have the officers to do the work, it is difficult to do the work. That is what the problem is.

I have a fantastic sergeant working in my constituency, Nick Hill. He came in as a breath of fresh air in my patch. He is available literally all the time. He comes to community events. He wants to engage, to the extent that we were able to set up a police drop-in at a local church on a Tuesday afternoon, so that people who could not get through to the police on the phone or by other mechanisms could come and see the police and report things. That is a fantastic initiative.

We have some local police officers who are doing a fantastic job. On my own security, Nick has been fantastic. If I tell him where I am holding surgeries, he tries his best to support me. We all have to think about our position and our safety, particularly since the tragic incident of Sir David Amess. That is an additional requirement for the police. More issues are being added to the list for the police to address.

There are also issues within the policing structure. The Home Office has said that more officers need to have a degree to work on the streets.

The Minister for Crime and Policing (Kit Malthouse): No, they do not.

Mr Mahmood: Well, that is what I am being told—that police officers need to have a degree to be able to work. A lot of recruits have been taken in. I know about four recruits who have come into my constituency as police officers who have come in through the degree mechanism, and there are others who have been told they need to complete degree qualifications in order to move on, which removes them from the limited number of police we have. There are some people who want to be on the street, who want to do policing, who have the qualification, who want to build connections within the community and deliver those services. What we want are police officers who understand local communities and know what is going on.

In another policing debate, I mentioned a PCSO in my area who was a member of the Labour party, and joined the police, so he cannot deliver leaflets for me any more. Rob Capella has done fantastic work. He has been there almost 20 years now. He is recognised by the community. Less so now, because he has less of a team to operate, but he used to go on the streets to understand and speak to people. He was a huge resource as the eyes and ears of the police, working in the community, and that gleaned great intelligence. We can only do that if we have sufficient numbers of police.

Before 2010, we used to have neighbourhood meetings. We would get police there. We would get PCSOs there. We would get people speaking to them in Perry Barr.

My hon. Friends here will understand that, in Perry Barr, where we have Handsworth, Lozells and Aston, there have been significant issues with policing and crime. Before 2010, we had some of the lowest crime rates across the country. We did only one thing: increase the police. We had more PCSOs in those areas, and we delivered for the community.

People in the Asian community have a huge issue in terms of robberies that are taking place. Most people understand that it is a traditional practice to have gold jewellery, particularly for weddings and those sorts of events. Those things have been targeted specifically, and damage has been done to buildings and to people. We need more police officers, and we will achieve that only if, on Thursday, we look at the police settlement for the west midlands and listen to the PCC, who is working hard to ensure that we get more police officers. It is the only way to deal with crime. That is what Margaret Thatcher said—to give an example of someone the Minister may look up to. The only way to police is to ensure that there is sufficient policing in the community. If we do not have sufficient police in the community, it is not safe for them or for my constituents. My plea is that West Midlands police get their fair share of the police officers required to give our communities peace of mind and to have law and order in our city and my constituency.

4.46 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): It is a pleasure to see you in the Chair, Sir Edward. I congratulate my neighbour, my hon. Friend the Member for Birmingham, Edgbaston (Preet Kaur Gill), on leading the debate, and my hon. Friend the Member for Birmingham, Erdington (Jack Dromey), who is now the shadow Minister for Immigration—and apparently for debate procurement—on securing the debate.

I hear all the time from constituents who are frustrated about the small number of prosecutions of those who burgle our homes, steal our cars and threaten our loved ones. It is inescapable that falling police numbers are part of the explanation of why that is happening and why people are so frustrated. Even if the Prime Minister and the Policing Minister keep their promise and restore some of their party's cuts to police funding, we will still end up with 1,000 fewer officers in the west midlands than in 2010, and we will continue to suffer from an unfair formula that drives up our council tax and gives us a smaller share of Government grant than places such as neighbouring Warwickshire, resulting in its ability to increase its police numbers at the very time that ours have been substantially reduced. That is the unfairness.

I am totally behind the call for a fairer formula, properly applied, and better funding for West Midlands police. It is essential if our constituents are to get a better deal. I also wonder whether other areas of reform need consideration. In 2005, my old boss, Charles Clarke, who I am sure you remember, Sir Edward, suggested proposals to increase police numbers and to lower costs by reshaping and reducing the overall number of forces. His ideas, as the Minister may know, were bolstered by a report from Her Majesty's inspectorate of constabulary that argued that the existing structure of the police was not fit for purpose. It recommended creating strategic constabularies of sufficient size to provide effective neighbourhood policing and tackle organised crime.

[*Steve McCabe*]

Those plans were opposed by politicians of all parties, if I remember correctly, and by chief constables and the then Association of Police Authorities. As a result, we still have broadly the same configuration in place almost 17 years later, although now it seems to have been bolstered by police and crime commissioners.

I acknowledge that lots of police and crime commissioners do a good job and make a good impact, although it occurs to me—the Minister will recall a debate in this place a few weeks ago—that they have in their own way led to a further politicisation of the police. They have brought much more politics into the police, which is why we had an argument the other week about the West Midlands police and crime commissioner's Conservative opponents opposing his police plan which, of course, is a requirement. But the creation of so many commissioners also means that reform, which may mean reducing the number of forces, is much less likely to take place now.

I have concluded that we need two things: top-quality detectives, investigators and specialists to help crack the cyber-crime that destroys businesses and empties bank accounts, to stop people such as modern slavers and to smash criminal gangs. But we also need police to tackle burglary, vehicle theft and antisocial behaviour. If neighbourhood policing is forced to compete with organised crime for resources, I suspect it will always be the poor relation. In the west midlands, we have already lost 50% of neighbourhood officers.

Perhaps now is the time to think again about reform. Why not a two-tier system, with ringfenced resources protecting the numbers policing our streets, gathering local intelligence and keeping the community safe and a separately funded second tier of specialised officers able to wage war on organised crime? That would require revision of the formula and probably a reduction in the overall number of forces, but it could yield the kind of policing that many of our constituents are asking for.

4.52 pm

Taiwo Owatemi (Coventry North West) (Lab): It is a pleasure to serve under your chairmanship, Sir Edward. I thank my hon. Friend the Member for Birmingham, Erdington (Jack Dromey) for securing this important debate and my hon. Friend the Member for Birmingham, Edgbaston (Preet Kaur Gill) for leading it.

It goes without saying that over a decade of Conservative budget cuts have had a hugely damaging effect on police forces up and down the country. Since 2010, police staff numbers across England have declined dramatically. We have over 21,000 fewer people working in the police: 8,000 fewer officers, 7,000 fewer staff and 7,000 fewer community police officers.

We have talked about how the police cannot deal with these levels of cuts without a devastating impact on public safety, on upholding the law and on the morale of the remaining workforce. However, those national figures do not give the full picture, which is why we are here today in this important debate.

The impact of deep funding cuts to neighbourhood policing in the west midlands has been beyond terrible. The region currently suffers from the fourth highest crime rates in the country. Between 2010 and 2018, Government cuts have decimated neighbourhood policing

in the west midlands by almost 40%. This is disgraceful. In the last 10 years, the number of police community support officers has been cut in half.

Officers are now severely overstretched and unable to be a visible presence in a single neighbourhood, and crime rates in the west midlands have certainly not been cut. Over the last 10 years, overall crime in the west midlands has risen by 21% and violent crime has risen by 41%. That is not a coincidence.

While the Government have spent a decade dismantling neighbourhood policing in the west midlands, our police officers have found themselves struggling to combat or prevent crime and unable to provide the public with policing rooted in their neighbourhood. My constituents in Coventry North West are suffering the consequences of that. They tell me that seeking justice when they are the victim of a crime is incredibly difficult. Many feel unsafe in their own homes or on their streets, especially the most vulnerable among them.

This is certainly the case for one of my constituents, Maureen Crealey. After parking her car in her own driveway, Maureen woke up to find that it had been stolen in the middle of the night. This was one of a string of car thefts on her street. When Maureen reported this crime to the police, they gave her a number and took her details, but no one has since gone to her house. No one has gone to examine her street or provided reassurances to the public. Maureen is a widow who lives alone and has been left feeling frightened, abandoned and vulnerable—not by the police but, in her own words, by a system that has failed to give our police the necessary

“manpower to cover our streets”.

Maureen was very clear when she wrote to me:

“More money needs to be invested in our police to protect the citizens of Coventry.”

I could not agree more. Without extra resources and police officers, police forces do not have the capacity to give constituents such as Maureen the support they need to feel safe in their own homes. In fact, police capacity to respond to anything except the most dire emergency has been diminished significantly. I know that this reality pains many current and former officers. Officers know only too well that policing in this country is cash-strapped and struggling to keep up with complex demands and rising crime rates. This is exactly why antisocial behaviour, drug dealing, theft and home burglaries are all too common in Coventry.

The police are not able to deal with these common crimes, because this Conservative Government have hamstrung policing capacity in my city. Most worryingly, the cuts have regrettably diminished trust in the police. Many constituents do not feel that the police are on their side or are visible enough in their community. This is often because police officers cannot be everywhere at once and because their capabilities are being slashed by the Government. We must take urgent action to support our neighbourhood policing in the west midlands. The Government must support our outstanding police and crime commissioner, Simon Foster, who has been working tirelessly to rebuild neighbourhood policing and invest in community police officers.

I call on the Government to work with Simon and to restore our neighbourhood policing in the west midlands, but the Government must not stop there. They must

reform the policing funding formula to ensure that sufficient sustainable resources are fairly allocated to the west midlands. They must strengthen youth and prevention services to make sure that we tackle the root causes of crime. They must pass a victims Bill that prioritises the needs and experiences of victims as they move through the criminal justice system. To truly fulfil the Government's pledge to level up the west midlands, will the Minister agree to enact these much-needed measures, or will the Government's inaction be further proof that "levelling up" is another hollow slogan from the Prime Minister?

4.58 pm

Tahir Ali (Birmingham, Hall Green) (Lab): It is a pleasure to serve under your chairmanship, Sir Edward. I would like to thank my hon. Friend the Member for Birmingham, Erdington (Jack Dromey) for securing the debate. I also thank my hon. Friend the Member for Birmingham, Edgbaston (Preet Kaur Gill), who is my constituency neighbour, for leading it.

I recently had the pleasure of joining local police units on an operation in the Sparkbrook area of my constituency. The operation was focused on road and traffic offences and was a huge success. Several untaxed and uninsured drivers were picked up, stolen vehicles were towed and parking tickets were issued by Birmingham City Council's civil enforcement officers. The operation was very well received by residents and was a great example of the kind of productive work that can be done in partnership between the police and the local authority. Officers were glad to be out in the community, working to keep people safe, and residents were thankful for their efforts.

However, it also gave me an opportunity to speak to Inspector Fitzpatrick and Sergeant Chris Gallon, who informed me of the constant challenges faced by themselves and officers. We all know that police numbers are stretched thinner than ever before and that the Government's promise of 20,000 more officers across the country will barely begin to address the challenges faced. Crime is becoming more complex, with many offences spanning numerous boundaries in terms of enforcement and responsibility. The decimation of local council funding and support after years of Tory austerity has meant that police are often the first to respond to those in greatest need of care. All this occurred alongside a worrying spike in gang activity and other serious crime.

As a result, our police officers are often bogged down in reactive policing, with fewer and fewer resources available for proactive, long-term community work. We know that neighbourhood policing takes time, commitment and sustained effort over many months to build productive partnerships with local businesses and community groups. Local officers in Birmingham, Hall Green are already doing much of this work despite the scant resources available to them. Imagine what could be achieved if our police were fully resourced and supported in their efforts.

Another thing I learned while speaking to officers is that the problems confronting neighbourhood policing are clear and straightforward. Resources are simply not available, either to the police or the local council. It is evident that our communities want a greater police presence. Neighbourhood policing gives us the opportunity to really tackle the social problems that many of our

constituencies face daily. I urge the Government and the Minister to examine seriously the resources required to ensure consistent delivery of neighbourhood policing in the west midlands.

Back in 2000, when I was given responsibility for neighbourhoods and community safety, police numbers were increased and we saw a decline in criminal activity in the west midlands and Birmingham area. That has reversed under Tory austerity. Enough is enough—that is what our constituents tell us daily. It is vital that the Government and the Minister listen not only to residents but to the police themselves, and particularly those who patrol the streets we live in and who see what is happening, about what is needed to keep communities safe, for the police to protect and for us, as elected Members, to represent them.

5.3 pm

Marco Longhi (Dudley North) (Con): It is a real pleasure to speak under your chairmanship, Sir Edward. I thank the hon. Member for Birmingham, Erdington (Jack Dromey) for securing the debate. This Government value all our police officers. That is why, with our 11,053 extra police officers, we are not on target, but ahead of target to deliver our manifesto pledge of 20,000 new officers; there are 867 new officers already working in the west midlands.

The financial settlement gave West Midlands police an inflation-busting 5.8% increase to its budget—a staggering £36 million. In addition, the rises in local tax that residents pay, together with council tax, put West Midlands police at the top of league tables across the country for precept increases; since 2012, a staggering increase of 79% has been imposed on people in Dudley North and across the west midlands by the Labour police and crime commissioner.

Dudley people—and those across the west midlands, I am certain—can see that effective policing is about more than just money. It is about local decision making and how that filters down from the chief constable and the police and crime commissioner.

Valerie Vaz (Walsall South) (Lab): Will the hon. Member give way?

Marco Longhi: I would rather not, just now. The facts sadly speak for themselves. We need the right strategy for deploying all the new police officers we recruit, making the right decisions locally, and having the will and competence to deliver on them. The Labour police and crime commissioner has closed dozens of police stations, while spending more than £30 million on refurbishing plush offices at his headquarters in Lloyd House in Birmingham.

Steve McCabe: Will the hon. Gentleman give way?

Marco Longhi: Not just now.

Steve McCabe: Does it say in the hon. Gentleman's speech whether he will give way at any point?

Sir Edward Leigh (in the Chair): Order. Calm down. The hon. Gentleman does not have to give way if he does not want to.

Marco Longhi: Meanwhile, Dudley and Sedgley police stations have closed. Some hope was given to Dudley people when a new police station was promised in Dudley. It was hailed by my predecessor—the noble Lord Austin—as a new multimillion-pound station to replace the one in Brierley Hill. Several years later, we are still waiting for it. In 2019, it was announced that it would open in 2021, yet no detailed plans have been submitted by the police and crime commissioner to the council planning department.

Dudley is a major metropolitan town—I believe it is the largest town in the country that is not a city—and it has been without a central police station since late 2017. We are paying the price for no presence as a result of inaction and incompetence. Perhaps the Minister might inquire of the police and crime commissioner when Dudley people might see shovels in the ground and the promised new station.

I have great respect for a local police inspector in Dudley by the name of Pete Sandhu and his team. They are trying their utmost to make do with offices borrowed from Dudley Council that are, quite frankly, not fit for purpose. Inspector Pete Sandhu, the local police teams and PCSOs in Dudley town, the surrounding villages and those across the west midlands not only deserve but need a station that is fit for purpose. Unfortunately, time and again, Labour police and crime commissioners have failed their constituents—including mine.

Steve McCabe: On a point of order, Sir Edward. Is it in order—or, indeed, the custom—for the Minister's Parliamentary Private Secretary to read someone else's speech during a debate?

Sir Edward Leigh (in the Chair): Would the hon. Gentleman like to reply to that?

Marco Longhi: I would. If the hon. Member for Birmingham, Selly Oak (Steve McCabe) checked, he would find that I am not, in fact, a PPS.

Sir Edward Leigh (in the Chair): There you are.

Steve McCabe: I apologise to the hon. Member for Dudley North (Marco Longhi). Can I ask who wrote his speech?

Sir Edward Leigh (in the Chair): Are we having a little debate now?

Marco Longhi: I wrote it.

Sir Edward Leigh (in the Chair): We have established that. I apologise—I did not call you earlier because I thought you were a PPS; you are sitting in the PPS's place. I know it is a bit of an insult to call anybody a PPS, so I think we all owe you an apology.

5.9 pm

Sarah Jones (Croydon Central) (Lab): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate my hon. Friend the Member for Birmingham, Erdington (Jack Dromey) on securing the debate and my hon. Friend the Member for Birmingham, Edgbaston (Preet Kaur Gill) on taking on the mantle. I also congratulate my hon. Friends the Members for

Birmingham, Perry Barr (Mr Mahmood), for Birmingham, Selly Oak (Steve McCabe), for Coventry North West (Taiwo Owatemi) and for Birmingham, Hall Green (Tahir Ali) on their powerful speeches. Every one of them cares about nothing more than the safety of their constituents, and that is why Labour Members are here en masse. Sadly, there is only one Government Member present—the hon. Member for Dudley North (Marco Longhi). I suggest that he talks to more of his constituents about how they experience crime in their constituency and ponders what they have to say.

This is a vital and timely debate. The Government have dropped the ball on crime: serious violence is up, prosecutions are down, and they have no plan to tackle their failures. The west midlands is an excellent part of the country, with brilliant people who have hopes, dreams and aspirations that are being hampered by this Government. In the excellent police and crime commissioner Simon Foster, whom I visited only a few weeks ago, they have a champion with the right priorities, but he is fighting against crime with one hand tied behind his back because of a Government whose complacency has allowed serious violence to thrive and neighbourhood policing to dwindle.

There are four areas where that complacency has driven up violence and other crimes, such as antisocial behaviour. First, of course, is the lack of policing. The 21,000 lost police officers is a well-worn statistic, but less well known are the 50% cuts to police community support officers, the eyes and ears of our community. The Government have dismantled neighbourhood policing since 2010. Do not take my word for it: twice as many people now as in 2010 say that they never see police on the streets.

Secondly, the UK is now Europe's largest heroin market and a target for international drug-trafficking gangs. That has increased violence on our streets and steered a trend towards youth violence, with increasingly young children carrying knives and drugs. Thirdly, violence against women and girls has reached epidemic levels, as defined by Her Majesty's inspector of constabulary and fire and rescue, Zoë Billingham, in her damning report earlier this year. Prosecution rates for crimes such as rape and sexual assault are on the floor. Fourthly, all the services that support young people, such as youth work, treatment for drug addiction and support for children with special educational needs, and that more broadly tackle inequality and poverty have been decimated after 11 years of drift.

The west midlands has not been exempt from the impact of those cuts. Despite the excellent work of Simon Foster, who has put rebuilding neighbourhood policing at the heart of his agenda, the force will be 1,000 officers short of where it was in 2010. By anyone's description, that is a large number of officers for one region. It cannot be right that, even with the so-called uplift to police numbers—as an aside, just 400 of the first tranche of 6,000 national recruits have been placed in frontline roles—the west midlands faces such a large shortfall.

The Government make a fanfare of their fêted levelling-up agenda, but make no mistake: there is no levelling up when it comes to the west midlands constabulary. If this Government do not put in place more funding, West Midlands police will face annual cuts of £60 million to deal with rising costs. The west

midlands police and crime commissioner recently made a cross-party call for fair funding for the force that he oversees, and is calling for the Government to plug the black hole and put funding in place for the 1,000 missing officers. I support those calls. Does the Minister?

I recently met Simon Foster and saw for myself the excellent work that he is doing through solid policing, and through innovation via the violence reduction unit. For example, a new scheme places youth workers along routes to schools; they act as trusted adults, pull children away from crime, and de-escalate potential violence. Violence reduction units do good preventive work, but there is no long-term funding model for them, and the Minister knows that. They rely on annual funding. I am especially disappointed that Andy Street seemed unaware of this fact on “Politics Live” last week. He claimed that a long-term funding model had been put in place, and also seemed unaware of his role in tackling violence through his responsibilities for youth unemployment, community cohesion and housing, which all have vital roles to play. Can the Minister confirm whether the VRU in the west midlands will receive a funding settlement of longer than one year?

Her Majesty’s inspectorate of constabulary and fire and rescue noted that West Midlands police

“is good at strategic planning, organisational management and providing value for money.”

However, it added that the force cannot

“meet the demand for its services in protecting vulnerable people with the resources it has.”

Ultimately, it is the people of the west midlands who lose out; it is they who bear the brunt of this lack of funding. That cannot be acceptable. If the Government are serious about levelling up, they must start with organisations such as West Midlands police. Can the Minister commit to filling the gaping hole in resources in the west midlands, so that it is not 1,000 officers down on 10 years ago?

Neighbourhood policing in every community will always be Labour’s top priority. Keeping people safe will always be Labour’s top priority. I urge the Government to make it theirs.

5.14 pm

The Minister for Crime and Policing (Kit Malthouse):

As always, Sir Edward, it is a joy to appear before you, and it was great to hear the speech from the hon. Member for Croydon Central (Sarah Jones)—I think it was 3a this time. I have heard it a number of times before. *[Interruption.]* I am sorry; they are all broadly the same.

I often find these debates a bit disheartening. They make me wonder how many years will have to pass before Labour Members stop constantly using the refrain “austerity”. It is almost 12 years ago that that necessary corrective financial action was taken, and I hope that in time, Opposition Members will mature beyond looking back over a decade for the impact that they are seeing today. Even if they do not, wouldn’t it be nice if any argument about austerity were presaged by an apology for crashing the economy—for the Labour Government that ran it hot, allowed the banks to take dreadful risks, ran down the country’s reserves and then almost bankrupted the country, ushering in a coalition Government who had to take difficult financial decisions? *[Interruption.]*

Sir Edward Leigh (in the Chair): Order. Silence.

Kit Malthouse: I have never shied away from those difficult financial decisions that have to be taken. Nevertheless, generations will pass, and maybe in 50 years the Labour party will stop talking about that period of austerity and talk about what is happening today. Today, I thought I was coming to a debate about the value of neighbourhood policing. However, it has become obvious that this is a pretty naked political manoeuvre in advance of some difficult financial decisions that the police and crime commissioner for the west midlands will have to make as he moves towards setting his council tax. My hon. Friend the Member for Dudley North (Marco Longhi) has highlighted how significantly council tax has increased over the past few years.

Most of the hon. Members present are experienced parliamentarians. As such, they all know that the funding formula is set in law, and when the police settlement is announced later this year, it will be divvied up between the forces as per the legislation. There is nothing we can do, discretionarily or otherwise, to change that; the funding formula has been in place for some time. We have acknowledged that it is elderly, as I have said at the Dispatch Box—the hon. Member for Croydon Central has heard me say it many times. We are working on a replacement, and we hope to have one in place soon. Nevertheless, this year, as hon. Members know perfectly well, the police settlement will be settled on the basis of that legislation, so the social media posts, tweets and videos that Members put out will be promoting to the public a misapprehension that something could change before later this week, when the police settlement will be announced.

Beyond that, I find these debates a bit disheartening because of the lack of curiosity exhibited by Members about the performance in the west midlands. For example, they never ask themselves why other police forces are doing better. Why is Liverpool doing better than the west midlands? Why is Humberside doing better than the west midlands? They point to the reduction in police numbers in the west midlands and the fact that the numbers at the end of the uplift may not be above where they were in 2010, but they do not ask themselves why there are forces, such as those in Kent and London, where those numbers will be higher than in 2010.

Several hon. Members *rose*—

Kit Malthouse: I will give way in a moment. Those Members are unwilling to acknowledge the reason, which is that decisions were made by the previous Labour police and crime commissioner that set the west midlands back. They have to take responsibility for those decisions; they cannot, I am afraid, just come to this Chamber and keep saying that everything that goes wrong in the west midlands is the Government’s fault, and that everything that goes right is the Labour party’s achievement. Nobody is buying that in Edgbaston, Selly Oak, or anywhere else in the west midlands. They recognise that difficult decisions had to be made, and I urge the Labour party to acknowledge those difficult decisions.

David Jamieson was not all good, and he was not all bad. He had difficult things to do, and he made a set of choices that produced a particular outcome and a particular

[*Kit Malthouse*]

baseline in the west midlands. I have no doubt that that was what he said in the elections that he won, and that the people of the west midlands took him at his word and believed him. They have re-elected a Labour police and crime commissioner, so presumably they are happy with that performance, but complaining that everything that goes wrong is down to the Government seems a little naive to me.

Sarah Jones: Knife crime has gone up in every single part of England and Wales.

Kit Malthouse: That is not true.

Sarah Jones: It is true. I can send the Minister the statistics. Crimes have gone up across the country. It is not accurate to blame one area or another for those universal increases and the universal drops in prosecution. Of course, there are good police forces and less good police forces, and everyone tries their best. The point we are trying to make is that we are 1,000 police officers down, which means neighbourhood policing will suffer. On the point made by the hon. Member for Dudley North (Marco Longhi) about the police station, I should have mentioned that the police and crime commissioner is waiting for the Conservative council to sell them the land to build the police station. Perhaps we could talk about that later.

Kit Malthouse: I understand the hon. Lady's point, but it is unfair and pulling the wool over the eyes of the people of the west midlands not to stand by the fact that a Labour police and crime commissioner—or any other police and crime commissioner elected, presumably—has an impact on the force. The decisions they make must have some implication for the way the force is run and its finances.

Several hon. Members *rose*—

Kit Malthouse: I have taken an intervention already; I will take another in a minute. It is extremely important for the confidence that people need to have in the west midlands that that is acknowledged. This was a different period financially for the country; people had to take difficult decisions. The west midlands made a certain matrix of decisions that resulted in the outcome today. A number of forces around the country made different decisions. As a result, they will have more police officers than they had in 2010. That is something with which hon. Members will have to wrestle; I am afraid that is the plain truth.

On neighbourhood policing, I am pleased to hear that there is a thrust in the west midlands to invest in neighbourhood policing, not least because the neighbouring Staffordshire force has been doing that for some years, to great effect. The police and crime commissioner and the former chief constable there took the decision to invest in neighbourhood policing and, interestingly, traffic policing, as the basic building blocks of an excellent delivery of service to their people. As a result, they saw significant reductions in neighbourhood crime. My hon. Friend the Member for Dudley North referred to the uplift number, which is 800-odd. I encourage exactly that kind of intervention. It is what lies behind our desire to expand the number of police officers in the country.

Difficult decisions had to be taken over the previous decade—you were part of the team that took those difficult decisions, Sir Edward, as a member of the party in power at the time—but the economics of the country now allow us to invest in policing in the face of changing crime.

Tahir Ali: Will the Minister explain why £175 million has been taken from west midlands policing since 2010, resulting in 2,200 fewer officers on the street? Giving back 800 officers does not replace the 2,200 lost. There is a deficit of 1,600. Can the Minister please explain?

Kit Malthouse: I am sorry if the hon. Gentleman missed it, but as I explained earlier, his predecessors blew the credit card and broke the bank in the country. Difficult decisions needed to be made, and the police and crime commissioner David Jamieson made a certain set of decisions about how he and the chief constable were going to prioritise spending.

The hon. Member for Croydon Central is probably tired of hearing this, but I was Deputy Mayor of London for policing between 2008 and 2012. We faced precisely the same budgetary challenges as the west midlands. It was extremely difficult; we had a £3.5 billion budget, and in two years I had to take something like 10% out of it, which is an enormous cut, but we chose to prioritise police officer numbers. We fought tooth and nail to maintain those police officer numbers above 31,000, and we were successful in doing so. As a result, our crime performance was better. That was also because of the tactics we pursued; it is not all about numbers.

Different decisions were made by police and crime commissioners during that period, and that has resulted in different outcomes for each of the forces. It would be foolish and, to be honest, financially illiterate, not to recognise that. We can see that in police forces' reserves position, in the disposition of the property portfolio, and in the balance between police staff and police officer numbers. Every year, police and crime commissioners, who preside over all those things, have to produce a result from that quite complicated combination.

Marco Longhi: Can the Minister help me out with a point made by the shadow Minister, the hon. Member for Croydon Central? Dudley Council is ready to sell the land right now if the police and crime commissioner decides to sign the contract. Also, planning permission is not contingent on property ownership. This is about local decision making. We could shorten the long time that it would take to get planning permission and get things going now.

Kit Malthouse: Sir Edward, I feel like a Foxtons representative here, negotiating a property deal across the Chamber. How dynamic we can be when we put our minds to it.

There is significant extra funding going into policing, and there has been over the last two years. We now have a three-year funding settlement that gives us an enormous uplift in resources. For the west midlands, that means £655.5 million next year, which is an increase of £35.1 million. That is a very large increase, and I hope the west midlands spends it well. We can all agree that neighbourhood policing is a significant priority, and that we would like more investment in it. It is welcome that the police and crime commissioner is doing that in the west midlands.

We agree that the funding formula is out of date and a little old fashioned. It has not been reviewed for some time, and we are working on a replacement. I have given an undertaking at the Dispatch Box that we expect to hold that review before the next election, assuming that Parliament runs its full term. Finally—I will give the hon. Member for Birmingham, Edgbaston (Preet Kaur Gill) time to wind up—there has been much debate about what position the 20,000 police officers will put us in. Hon. Members make all sorts of claims about where we will be. They forget that in the final year of the Theresa May premiership, there was a recruitment drive for 3,500 police officers; that can be added to the number as well. When we get to the end of the 20,000 uplift, we will, I think, have the highest number of police officers the country has ever had.

5.27 pm

Preet Kaur Gill: I am sorry that the Minister decided to go off track in his response. In any event, I am grateful to him. I thank all the hon. Members who took part in the debate, which made it clear that at the centre

of the issue are families and others across the west midlands who have felt left behind, and who deserve a fair police funding settlement. I hope the funding settlement will reflect that.

Mr Khalid Mahmood: The Minister did not clarify the point about the management of West Midlands police. Her Majesty's inspectorate of constabulary and fire and rescue services said:

“The force is good at strategic planning, organisational management and providing value for money.”

That includes the input of both the police and crime commissioner and the chief constable in the west midlands. I will not see West Midlands police run down in that manner.

Question put and agreed to.

Resolved,

That this House has considered funding for neighbourhood policing in the West Midlands.

5.28 pm

Sitting adjourned.

Written Statements

Tuesday 14 December 2021

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Postmasters with Overturned Convictions: Funds for Full and Final Settlement

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): This House is aware of the distressing impact that problems with the Post Office's Horizon IT system have had on the lives and livelihoods of many postmasters.

The Court of Appeal handed down a landmark judgment on 23 April 2021 which quashed the convictions of 39 postmasters whose prosecution had relied on Horizon evidence. Seventy-two convictions have now been quashed to date, and several others are in progress. There are potentially hundreds more postmasters whose convictions have relied on Horizon evidence and may seek to have their convictions quashed.

We want to see these postmasters with quashed convictions compensated fairly and swiftly. So far, the vast majority of postmasters who have had their convictions quashed have each received an interim compensation payment of up to £100,000 while they wait for the next steps in the proceedings.

I am pleased to confirm that today the Government are making funding available to facilitate Post Office to make final compensation payments to postmasters whose convictions have been overturned. We are working with Post Office to finalise the arrangements that will enable the final settlement negotiations to begin as soon as possible. By providing this funding, Government are helping Post Office deliver the fair compensation postmasters deserve.

With the Secretary of State's status as sole shareholder in the Post Office, my Department continues to engage actively with Post Office Limited on this and will maintain strong oversight of the compensation process.

[HCWS473]

COP26

COP Presidency Year Priorities

The COP26 President (Alok Sharma): COP26 concluded with agreement by all parties to the historic Glasgow climate pact. This pact, combined with increased ambition and action across mitigation, adaptation, and finance means that the goal of limiting global temperature rise to 1.5°C remains in sight. But it will only be delivered with concerted and immediate international efforts.

Today, I want to update the House on our priorities for the presidency year, to ensure we build on and secure the legacy of our COP presidency and the UK's international reputation as a climate leader.

Delivering the Glasgow climate pact

Throughout the UK's presidency year, we will work with Egypt as incoming presidency, the UNFCCC Secretariat, and to convene parties to deliver on the agreed outcomes in the Glasgow climate pact. In doing so we will continue to champion science, especially the IPCC and its major reports in 2022, and the urgency of action. The Paris agreement made promises and now Glasgow's legacy is focused on delivery.

Mitigation

In the context of the latest climate science, all countries have agreed to revisit and if necessary strengthen their 2030 targets for urgent action this decade. Progress was made in the run-up to Glasgow and in our presidency year, we will work with all parties to deliver on this commitment and go further and faster to close the gap to a 1.5°C pathway. This will include working with countries to explore further sectoral action and public and private opportunities for investing in their low-carbon, resilient transition. We will work with the UNFCCC and other international organisations, and seek to use the calendar of international events in 2022 to progress this work. We look forward to working closely with Egypt and the UAE, as incoming COP27 and COP28 presidents, and with Germany and Indonesia, respectively G7 and G20 presidencies, to ensure commitments and agreements made at COP26 are built upon and delivered.

Adaptation, loss and damage

At COP26 we made significant progress on adaptation and boosted efforts to deal with climate impacts. The Glasgow-Sharm el-Sheikh work programme on the Global Goal on Adaptation was launched, for which four mandated workshops will be held in 2022. Developed countries also agreed to at least double their collective provision of climate finance for adaptation to developing countries by 2025. This is a significant step forward which will help reduce vulnerability, strengthen resilience and increase the capacity of people and the planet to adapt to the impacts of climate change.

We will work with countries to come good on this commitment, increasing the availability, efficiency and accessibility of adaptation finance for climate-vulnerable countries and providing support and leadership to initiatives that are part of the UK's presidency mandate.

Loss and damage was a critical issue at COP26 and we have moved into a new phase focused on action. Under our presidency we will ensure progress continues to be made through the new Glasgow dialogue on arrangements for funding relevant activities, and making sure the Santiago network on loss and damage gets up and running.

Finance

Under the UK's presidency, 95% of the largest developed country climate finance providers made new commitments, with many doubling or even quadrupling their support for developing countries to take climate action. These pledges mean that we can provide confidence that the \$100 billion finance goal will be met by developed countries and multilateral development banks by 2023 at the latest, with \$500 billion being delivered over the period 2021-2025. We will continue to build momentum on mobilising the \$100 billion per year to support developing countries, including increased finance to help vulnerable countries cope with climate impacts. We will also oversee the start of the new ad hoc work programme on the new collective quantified goal.

We have improved financial flows to those most vulnerable by launching the access to finance taskforce with Fiji, including a commitment of £100 million of funding to support climate-vulnerable countries to deliver on their climate plans. Pilots will be launched in Bangladesh, Fiji, Jamaica, Rwanda and Uganda. Building on the South African just energy transition partnership model and the UK's leadership of the G7, we will explore new opportunities for transformational, country-led climate action through the clean and green initiative. In this context, we will also champion climate action as a core component of the work of international financial institutions, to support the delivery of Paris-aligned growth and development.

We will build on the progress made in Glasgow in aligning private finance flows with the Paris agreement globally; and in providing tailored support to specific countries and sectors. We will work with partners to leverage the trillions of private finance needed to finance the transition in all countries including the major emitters, and remain accountable and transparent throughout.

Driving sectoral change

COP26 must mark the start of a decade of accelerated climate action. At Glasgow we saw countries commit to accelerate the phase-out of coal power, halt and reverse forest loss and land degradation, speed up the switch to electric vehicles and commit to work together to reduce emissions in key sectors.

Progress in these and other sectors has an important part to play in unlocking further progress on medium and long-term targets. In the year ahead, we will work to turn sectoral commitments into clear delivery plans, including through implementing the Energy Transition Council and Zero Emissions Vehicles Transition Council 2022 action plans, so we can accelerate the pace of the global transition to zero-emission vehicles and meet our Paris agreement goal. On coal, we will work with partners to ensure that commitments from key G20 countries to end overseas coal financing are made good, that signatories to the Glasgow declaration on ending international fossil fuel support implement their commitments and that more countries have the support to enable them to commit to new coal power and to phasing out existing coal plants.

On forests and land use, we will work with endorsers of the Glasgow leaders' declaration on forests and land use to assess progress, raise ambition and accelerate global action on forests and land use, in order to meet our collective target of halting and reversing forest loss and land degradation by 2030. We will work with our partners to ensure the financial commitments made to protect key forested areas—such as the Congo basin and the Amazon—are fully implemented, and that indigenous peoples and local communities receive the support they were promised at COP26. We will continue the work to tackle the financial incentives driving deforestation, supporting the financial institutions and development banks in delivering their commitments to eliminate deforestation from their portfolios and align them with nature. We will also work with fellow Governments to implement the actions in the forest, agriculture and commodity trade roadmap, which was launched at COP26 by 28 countries responsible for 75% of global trade in forest risk commodities.

As in 2021, we will work with partners to ensure major events in the international calendar including at CBD COP 15, G7, UNGA and G20 support these objectives and will use the full range of instruments to encourage higher-ambition NDCs, further commitments on net zero, and on coal, cars, cash and trees.

Delivering an inclusive presidency year

The Glasgow climate pact emphasises the importance of collaboration across sectors and all parts of society to deliver effective climate action. All those who make and shape our economies and societies have a role to play in the implementation of the Paris agreement.

At COP26, we were pleased to agree the 10-year Glasgow work programme on action for climate empowerment, and the new three-year work programme on local communities and indigenous peoples, alongside other important steps. Through the UN-backed global campaign Race to Zero, we saw nearly 8,000 businesses and other non-state actors committed to halving global emissions by 2030 and achieving net zero emissions by 2050 at the latest—the largest ever such coalition.

During our presidency year, we remain committed to taking a whole-of-society approach. We will work in collaboration with civil society, young people, businesses and Governments to deliver on our commitments. We will continue to encourage countries to remove the barriers to participation and work with them to implement the necessary policies and projects.

Delivering this ambitious programme will only be possible with a whole-of-Government and all-of-UK approach. A strong team will remain in the Cabinet Office co-ordinating work across Government to support and deliver the UK's COP presidency. The FCDO's diplomatic network will remain essential to our international efforts, as will leadership from BEIS, Defra, DfT, DIT, HMT and others.

Existing parliamentary processes will also ensure the necessary scrutiny and support to deliver on the commitments made at COP26.

[HCWS479]

FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE

Hong Kong: Six-monthly Report

The Secretary of State for Foreign, Commonwealth and Development Affairs (Elizabeth Truss): The latest six-monthly report on the implementation of the Sino-British Joint Declaration on Hong Kong was published today, and is attached. It covers the period from 1 January to 30 June 2021. The report has been placed in the Libraries of both Houses. A copy is also available on the Foreign, Commonwealth and Development Office website:

<https://www.gov.uk/government/organisations/foreign-commonwealth-development-office>

I commend the report to the House.

Attachments can be viewed online at:
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2021-12-14/HCWS474/>

[HCWS474]

HEALTH AND SOCIAL CARE

Designated Settings Indemnity Scheme Extension

The Minister for Care and Mental Health (Gillian Keegan):

Further to the written statement on 29 June 2021, I am tabling this statement for the benefit of hon. and right hon. Members to bring to their attention the undertaking of a contingent liability. This relates to an extension of the designated settings indemnity support (DSIS), which offers targeted and time-limited state-backed indemnity arrangements to care homes registered, or intending to register, as “designated settings”, and which are unable to obtain sufficient insurance cover.

On 18 January 2021, the Minister for Covid Vaccine Deployment announced in a written ministerial statement, and accompanying departmental minute, provision of these temporary indemnity arrangements under the DSIS. The DSIS includes cover for clinical negligence, employer’s and public liability where a care provider seeking to become a designated setting is unable to secure sufficient commercial insurance, or where an existing provider has been operating without sufficient cover. Employer’s and public liability is covered under the new coronavirus temporary indemnity scheme; clinical negligence is covered by the clinical negligence scheme for trusts. The DSIS is supervised by DHSC and administered by NHS resolution, and to date, has proved to be an effective package of support to designated settings.

DSIS initially provided cover for designated settings until the end of March 2021 and was subsequently extended until 30 September 2021. Now, following a further review of DSIS, it has been extended until 31 March 2022, in order to maintain the current level of support for these vital settings. This extension will benefit current DSIS participants, as well any additional settings that may wish to apply for the support and who meet the criteria for inclusion. We will review the progress of the support ahead of this end-date.

I regret that in this circumstance, due to the need to ensure that there were no gaps in DSIS cover after the former 30 September end date, the normal 14 sitting days for consideration was not possible. A departmental minute will be laid in the House of Commons providing more detail on this contingent liability.

[HCWS476]

Food and Feed Safety (Miscellaneous Amendments and Transitional Provisions) Regulations 2021

The Minister for Health (Edward Argar): Following the end of the transition period, the Government continue to regard food and feed safety and standards as a top priority. This statutory instrument corrects and addresses deficiencies both in the retained EU law as well as in the domestic legislation that provided for its execution and enforcement in England.

The Food and Feed Safety (Miscellaneous Amendments and Transitional Provisions) Regulations 2021 will be made under powers in the Food Safety Act 1990 and the European Union (Withdrawal) Act 2018.

The purpose of this instrument is to:

amend article 53 of the retained general food law to correct a deficiency that has arisen as a result of the Northern Ireland protocol. The amendment will ensure that the emergency measures that may be applied where a serious risk to health is identified can be applied to all goods entering into GB;

amend the authorisation provisions for feed additives and GM food/feed, so that the decisions made by Ministers will be enacted through legislation making these consistent with other retained EU food and feed law; and

provide a time-limited period of adjustment, up until 30 September 2022, for businesses to meet new UK address labelling requirements for certain food products. This would allow businesses to use up old labelling stocks, without facing enforcement action for failure to label affected products with a UK address during this time.

As required under the “enhanced scrutiny procedure” set out in schedule 8 to the European Union (Withdrawal) Act 2018, the draft instrument and explanatory memorandum have been published online for a period of at least 28 days before the instrument is formally laid in Parliament. To read the full draft statutory instrument and explanatory memorandum, please visit:

<https://www.gov.uk/government/publications/regulations-on-food-and-feed-safety>

[HCWS481]

HOME DEPARTMENT

Airside Licensing Call for Evidence: Government Response

The Minister for Crime and Policing (Kit Malthouse):

The 2017 report of the House of Lords Select Committee that carried out a post-legislative scrutiny of the Licensing Act 2003 recommended that the Government should revoke the exemption from the Licensing Act that applies to most international airports in England and Wales.

Following the report the Government issued the Airside Alcohol Licensing at International Airports in England and Wales: Call for Evidence. Its aim was to understand the scale of the problem of drunk and disruptive passengers, the extent to which airports and airlines use the existing statutory powers and other measures to address the problem, the impact of the proposed application of the Act on all affected parties, and to assess the practicalities of administering a licensing regime airside.

Since the Government launched the Call for Evidence on introducing alcohol licensing airside at international airports in England and Wales, we have seen the aviation industry and airports heavily impacted by the global pandemic of covid-19. The pandemic has meant a significant delay to publishing this response, however these unique circumstances have not changed the decision that was reached.

The Call for Evidence has not provided new evidence which makes a compelling case for extending all of the provisions of the Licensing Act 2003 to airside premises. The premises which serve alcohol airside operate in a highly secure environment which function in a very different way to high streets and night-time economies across England and Wales.

There would be limited benefit in requiring those premises to obtain a premises licence. Many safeguards that can be introduced by a local licensing regime such as enhanced security, searches or CCTV are already in place within an airport. In any event, the provisions of the Act that prohibit the sale of alcohol to anyone under the age of 18 and the purchase of alcohol on behalf of somebody who is under the age of 18, apply to the sale of alcohol whether from licensed premises or not. The transient and short-term nature of the clientele means that considerations around noise, or impact on residential areas for example, are greatly reduced in this environment.

In addition, there are already penalties in place to address drunkenness in passengers. It is an offence under the Air Navigation Order to be drunk on an aircraft and airlines have the authority to prevent passengers they believe are intoxicated from boarding aircraft.

For these reasons, the Government does not intend to extend all of the provisions of the Licensing Act 2003 airside.

The Government Response will be available on www.gov.uk.

[HCWS475]

LEVELLING UP, HOUSING AND COMMUNITIES

Intergovernmental Relations: Third Quarterly Report

The Secretary of State for Levelling Up, Housing and Communities (Michael Gove): Earlier today, the UK Government published the third quarterly report of our engagement with the devolved Administrations on the www.gov.uk page for intergovernmental relations. The report has also been deposited in the Libraries of both Houses of Parliament.

The report details engagement between the UK Government, Scottish Government, Welsh Government and Northern Ireland Executive between 1 July and 30 September 2021. It covers a period of collaboration on a range of important areas, including preparations to ensure a safe and secure COP26, as well as partnerships between UK and devolved Administrations on net zero, covid-19 response and recovery, the resettlement of Afghan refugees and the roll-out of covid-19 booster vaccines across the UK.

The report is part of the UK Government's ongoing commitment to transparency of intergovernmental relations to Parliament and the public.

[HCWS477]

TRANSPORT

Travel Red List

The Secretary of State for Transport (Grant Shapps): The Government have conducted a review of the temporary and precautionary international travel measures introduced to slow the spread of the new covid-19 omicron variant.

From 4 am on Wednesday 15 December, all 11 remaining countries and territories will be removed from the red list. As such, passengers arriving from Angola, Botswana, Eswatini, Lesotho, Malawi, Mozambique, Namibia, Nigeria, South Africa, Zambia, and Zimbabwe, will not

have to stay in a managed quarantine hotel on arrival in England from this date. As omicron cases rise in the UK and in countries around the world, the travel red list is less effective in slowing the incursion of the variant from abroad and these temporary measures are no longer proportionate.

While all countries have been removed, the red list policy remains in place alongside the managed quarantine service policy, acting as a crucial line of defence against the importation of variants of concern.

The additional temporary testing measures for passengers taken in response to omicron also remain in place. The Government recognise the impact that these temporary health measures have on the travel and aviation industry, and they will be reviewed again in the first week of January.

[HCWS482]

WORK AND PENSIONS

Personal Independence Payment

The Minister of State, Department for Work and Pensions (Chloe Smith): Today the Department will publish the latest update on progress on making backdated payments to personal independence payment claimants who are affected by the MH and RJ decisions of the upper tribunal (UT). The release will be published at: <https://www.gov.uk/government/collections/pip-administrative-exercise-progress-on-cases-cleared>.

The MH decision changed how overwhelming psychological distress is considered when assessing someone's ability to plan and follow a journey. The RJ decision changed how we decide whether someone can carry out an activity safely and if they need supervision.

As at 1 November 2021, we have reviewed around 980,000 cases against the MH decision. This includes cases where claimants have previously been assessed as having "overwhelming psychological distress" or who have a "psychiatric disorder" as one of their main health conditions. We have also reviewed around 1,100,000 cases against the RJ decision. This includes cases where claimants have a "neurological disease" as one of their main health conditions. All reviews will have been carried out by a case manager within the department.

Around 8,200 arrears payments, totalling around £42 million, have been made. We gave a commitment that no one would see their PIP reduced as a result of this exercise.

In addition, we have written to the vast majority of other claimants in scope of the exercise we said we would in our update to the House [*Official Report*, 11 February 2020; Vol. 671, c. 26WS]. We are continuing to send out letters and carry out reviews for any claimant who asks us to.

This has been a complex and substantial exercise, involving over a million reviews against two UT decisions. Our approach demonstrates that we have prioritised claimants who are most likely to benefit, in order to make backdated payments as quickly as possible. We are now writing to claimants who we do not expect to benefit, so they can request a review if they think they have been affected by these decisions.

We have set out further background to this release in an updated frequently asked questions. I will deposit a copy of this document in the Library of the House.

We will release a final report at the end of 2022, when we know the outcomes of outstanding reviews.

[HCWS478]

State Pension Age Review

The Secretary of State for Work and Pensions (Dr Thérèse Coffey): My Department is launching the second Government review of state pension age, which must be published by May 2023, under section 27 of the Pensions Act 2014.

As the number of people over state pension age increases, due to a growing population and people on average living longer, we need to make sure that our decisions on how to manage the costs of state pension provide fairness to both taxpayers and pensioners and that it continues to provide the foundation for retirement planning and financial security.

In line with the legislative requirements to review whether the rules about pensionable age remain appropriate, this review will consider a wide range of evidence from every part of the United Kingdom. It will explore the implications of the latest life expectancy data, including evidence on healthy life expectancy disparities, to provide a balanced appraisal of the costs and options to make

sure our decisions on state pension age are robust and transparent. The review will also consider how we best support an ageing population and their opportunities to work.

In line with the statutory framework, I am also commissioning two independent reports to contribute to the evidence-base that will inform this review. I will be commissioning the Government Actuary to provide a report analysing the latest life expectancy projections. I am also commissioning Baroness Neville-Rolfe DBE CMG to provide a report which considers the metrics we use for analysis when setting state pension age. Baroness Neville-Rolfe DBE CMG has a recognised wealth of senior level experience from a career in business and the public sector, including serving as a company director, working in the UK and internationally as well as being a pension scheme trustee in a FTSE 100 company. I welcome an external consideration of this issue. I have also asked Baroness Neville-Rolfe DBE CMG to consider the views of other experts and stakeholders. I attach the terms of reference for Baroness Neville-Rolfe's report to this statement, which will also be made available today on the www.gov.uk website.

The attachment can be viewed online at:
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2021-12-14/HCWS480/>

[HCWS480]

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**not later than
Tuesday 21 December 2021**

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