

**Thursday
20 January 2022**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Thursday 20 January 2022

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

INTERNATIONAL TRADE

The Secretary of State was asked—

SME Trade with EU

1. **Sarah Green** (Chesham and Amersham) (LD): What support her Department is providing to SMEs that trade with the EU. [905100]

The Parliamentary Under-Secretary of State for International Trade (Mike Freer): The refreshed export strategy, launched in November, focuses on the barriers to trade faced by small and medium-sized enterprises, using targeted interventions that help businesses at every stage of their exporting journey. Our newly unified Export Support Service provides a single point of contact for businesses trading with Europe, as one of the central elements of the strategy.

Sarah Green: After finally getting to grips with last year's contradictory guidance on trading with the European Union, one family-run business in Chesham has immediately come up against problems with the new rules introduced this month. They tell me that "we would love to do it all absolutely correctly",

but that nobody will tell them what correctly is. Will the Minister support the thousands of UK businesses struggling to trade with Europe by clarifying the Government's new rules, and will he work with colleagues in the Department for Business, Energy and Industrial Strategy to reopen and expand the SME Brexit support fund?

Mike Freer: The ESS is there to help traders who are struggling with elements of trading with Europe and it will continue to do so. It is available online and by telephone, but if the hon. Lady would like me to meet her constituents, I would be more than happy to do so.

Gareth Thomas (Harrow West) (Lab/Co-op): Given the growing list of companies setting out the real and obvious difficulties they are facing in accessing markets in Europe, and given the many very practical suggestions that business groups have put forward to the Government in recent weeks, from negotiating a veterinary agreement and making progress on mutual recognition, to even just getting agreement on shared customs advice, when are Ministers going to try a bit harder to help businesses make Brexit work?

Mike Freer: As far as I know, we have suggested solutions and are waiting for the EU to respond.

Comprehensive and Progressive Agreement for Trans-Pacific Partnership

2. **Mr Steve Baker** (Wycombe) (Con): What progress her Department has made on securing UK membership of the comprehensive and progressive agreement for trans-Pacific partnership. [905101]

14. **Mary Robinson** (Cheadle) (Con): What progress her Department has made on securing UK membership of the comprehensive and progressive agreement for trans-Pacific partnership. [905119]

The Minister for Trade Policy (Penny Mordaunt): We have made good progress in negotiations and we hope to have concluded them by the end of this year.

Mr Baker: Is CPTPP not now one of the greatest opportunities we have to reshape the basis of international trade, to the benefit of not only the whole UK and the world, but great British businesses such as Oxford Instruments in Wycombe?

Penny Mordaunt: I thank my hon. Friend for the work he is doing to champion his local businesses. He is right: it is an £8.4 trillion market that we are opening up. However, this is about not only the economic benefits, but the benefits of those closer trading ties to enable people to work on problems that we are all facing around the world, in tech, the environment, healthcare and other sectors. That has got to be good for the progress of humanity as well.

Mary Robinson: Many people in Cheadle work in the tech sector, where jobs in digital, HealthTech and FinTech provide high-skilled, well-paid work. Given the high rate of northern unicorn start-ups, does my right hon. Friend agree that new trading partnerships can open up markets for future growth and for levelling up in the north?

Penny Mordaunt: My hon. Friend is absolutely right; the pay for people working in those sectors is about 50% higher than the UK average, so the more jobs we can create in those growth sectors, the better. I thank her for the work she is doing to champion her local businesses and expand those opportunities for her constituents.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): For every £490 of Brexit damage, CPTPP should recover about £8 of it, but that is at risk if the UK patent attorneys' membership of the European Patent Organisation is undermined or removed. At the moment, UK patent attorneys, who represent about a fifth of the patent attorneys in Europe, deal with a third of the patents of Europe. What assessment has been made by the Government of the damage that could be done to them through CPTPP and will that assessment be published so that they will know?

Penny Mordaunt: CPTPP is not doing damage and our accession to it is opening up markets. I work closely with all kinds of professional bodies, including those looking at patents, intellectual property and so forth. These are key sectors where we want to break down barriers to trade. As well as free trade agreements, we are looking, as the hon. Gentleman will know, at memorandums of understanding not only with countries

across the world, but with states in the United States, to enable those non-tariff barriers to trade to be removed. We want to work with the EU. I know that the hon. Gentleman has not come to terms with the fact that we have left the EU and that we are looking to expand our trading opportunities. Some 99.9% of the businesses in his constituency that export will benefit from CPTPP, and I look forward to the day when he welcomes that.

Kerry McCarthy (Bristol East) (Lab): The national food strategy published last year said that to allow lower environmental and welfare standards in future trade deals would represent

“an extraordinary failure of joined-up thinking”,

yet that seems to be exactly the Government’s approach. As we await the Government’s White Paper in response to the national food strategy, what discussions is the Minister having with colleagues in other Departments to make sure that in that White Paper we firmly pin down that we will not accept lower standards?

Penny Mordaunt: As I have alluded to, as well as the economic benefits that we hope trade agreements will bring, they are about highlighting the fantastic food safety, quality and welfare standards of our local produce and are an opportunity to champion that. For example, on my recent visit to the United States I met the agriculture commissioners of every state and talked about the practices and values that sit behind what we do here in the UK. The United States is interested in that and wants to reform some of its practices. I know that the hon. Lady is passionate about this agenda and hope she will support us in ours.

Free Trade Agreement: India

3. **Bob Blackman** (Harrow East) (Con): What progress she has made on a free trade agreement with India.
[905102]

Mr Speaker: We have a slight problem. Will the Secretary of State answer the question? I will then go to the Opposition spokesperson.

The Secretary of State for International Trade (Anne-Marie Trevelyan): I visited India last week to launch negotiations with my counterpart, Minister Goyal, for an ambitious free trade deal. India is one of the world’s biggest and fastest-growing economies and is home to more than a billion consumers, with a growing middle class eager to buy the goods and services that our country excels in. Securing a world-class FTA with India will deliver benefits for people across all four nations of the UK.

Nia Griffith (Llanelli) (Lab): We know that India does not cede access to its markets easily and that one of its top demands in any trade deal will be generous visa concessions for Indian citizens to come to the UK. Recent press reports indicate that although the Secretary of State would consider such terms, the Home Secretary would oppose them. Will the Secretary of State clarify the Government’s negotiating position and what their red lines will be?

Anne-Marie Trevelyan: From services and digital to investment and intellectual property, we are aiming for a broad and ambitious deal with India that delivers for both businesses and consumers alike. The first round of

negotiations started this week and we hope the second round of talks will be in March, at which point we will have the opportunity to shape and see the scope of the FTA that both countries want to work towards. We will confirm that at an appropriate time as the negotiations progress. We very much hope to reach a mutually beneficial agreement by the end of this year.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Scotch whisky exports to India, the world’s largest whisky market, have declined dramatically since 2019. A year on from Brexit, the Government can no longer deflect to the EU for their failure to deal with the eye-watering 150% tariffs that apply to Scotch whisky sales to India. Will the Secretary of State confirm today that her Government will finally make the removal of those tariffs a priority?

Anne-Marie Trevelyan: As the hon. Gentleman says, British products such as Scotch whisky and cars currently face substantial barriers to trade in the form of tariffs of well over 100% on their import into India. The reduction of tariff barriers would be a golden opportunity for UK exporters and, indeed, slash tens of millions of pounds off costs. We will put forward our position in a number of areas, including in respect of Scotch whisky, in the first round of negotiations in the next two weeks. We will make clear the issues that are important to us so that we can achieve a successful, mutually beneficial FTA for all sides.

Drew Hendry: The whisky industry is used to dealing with weights and measures, but it has been waiting for too long for measures from this Government. Will the Secretary of State confirm what target has been set for tariff reduction for Scotch whisky? Is it half, more than half or—what the industry needs—the complete removal of that 150% tariff? What is her measure of success?

Anne-Marie Trevelyan: The hon. Gentleman would be surprised if I were to disclose the details of my negotiations mandate at this point, but I think I have already been clear—I will say it again—that it is important that the trade deal is mutually beneficial, and the reduction of barriers to trade such as tariffs will be an important point of the UK’s negotiating mandate.

Mr Philip Hollobone (Kettering) (Con): A free trade agreement with India would be a wonderful thing, but these agreements take a lot of negotiation and a lot of negotiators. When we were in the EU, we lost all our trade negotiators and we have had to build up the Department from scratch. How many free trade negotiators does my right hon. Friend have in her Department? Are there enough or do we need more?

Anne-Marie Trevelyan: We have a fantastic team of now extremely experienced negotiators. The team who are now focused on the India FTA not only bring with them a wealth of experience from Whitehall, but are experts drawn from a number of fields. We will be cracking on with these discussions, which will be virtual for the first two weeks, because of the restrictions in India, after which we hope to be able negotiate face to face. The teams—for instance those who worked on the Australia free trade deal—work 24/7, or whatever is required through virtual discussions. We will continue to do that, and we have a fantastic team leading the way.

Free Trade Agreement: US

4. **Alex Cunningham** (Stockton North) (Lab): What progress her Department has made on securing a free trade agreement with the United States. [905104]

The Minister for Trade Policy (Penny Mordaunt): We have had five productive rounds of negotiations to date and have agreed a significant proportion of the legal text across multiple chapters.

Alex Cunningham: The 2018 Tory manifesto on which the Minister stood said that a trade agreement with the US would be completed by the end of 2022, but the agreement is shrouded in secrecy. As the Secretary of State said, she toured the US last month, playing up what she described as a “massive opportunity”. Can the Minister advise us at what stage the negotiations are now, and confirm that the promise to the electorate will be fulfilled and a deal put before this House by the end of the year?

Penny Mordaunt: I have just outlined where we are to date in terms of how much has been written and agreed to. I am sorry that the hon. Gentleman did not congratulate my right hon. Friend on having started discussions on section 232 and the announcement that was made yesterday by the Administration. He will know that we are concurrently negotiating memorandums of understanding with states. These things can only be done at state level; I am talking about regulated and regulator discussions, mutual recognition of qualifications and so forth, which will reduce massively the cost of doing business with the United States. We are making good progress on that twin-track approach. If he thinks that we should move a little faster, perhaps he might like to say that to the US Administration.

Trade with Australia

5. **Virginia Crosbie** (Ynys Môn) (Con): What steps her Department is taking to increase trade with Australia. [905105]

7. **David Duguid** (Banff and Buchan) (Con): What steps her Department is taking to increase trade with Australia. [905107]

The Secretary of State for International Trade (Anne-Marie Trevelyan): The UK signed its first “from scratch” free trade agreement with Australia on 16 December 2021. The deal is expected to increase trade with Australia by 53%. Both countries have committed to removing tariffs on a vast array of popular products, which can now be more easily traded, including eliminating tariffs on 100% of UK exports. This deal is tailored to British strengths, providing benefits for our world-class services industry, unprecedented new opportunities for UK professionals abroad, and for trading digitally.

Virginia Crosbie: The Australian high commissioner is hosting a gala dinner on Ynys Môn on 18 February to help raise much-needed funds for the Anglesey Agricultural Society. How is the Minister working to help my island farmers and businesses increase trade with Australia?

Anne-Marie Trevelyan: First, I would like to wish the Anglesey Agricultural Society good luck with the Anglesey show, which I understand is in August. I look forward to an invitation and an excuse to pay a visit.

The UK-Australia trade deal could boost Wales's economy by around £60 million. Welsh farmers will benefit from the opportunities to sell their produce in Australia, and Welsh manufacturers could benefit from new procurement opportunities and enhanced business mobility provisions. Many small businesses will also enjoy greater access to Australia.

David Duguid: Will my right hon. Friend provide a specific description of the protections and safeguards that are in place for farmers, particularly in Scotland, and what recent engagement her Department has had with National Farmers Union Scotland and other Scottish food production trade bodies?

Anne-Marie Trevelyan: The UK has secured a range of measures to safeguard our farmers, including tariff-rate quotas for a number of sensitive agricultural products, product-specific safeguards for beef and sheep meat, and a general bilateral safeguard mechanism providing a temporary safety net if an industry faces serious injury from increased imports as a direct consequence of the agreement. The NFU, Salmon Scotland and the Scotch Whisky Association are trade advisory group members which were consulted throughout negotiations and regular meetings, and we will continue to engage with the NFU and other Scottish agricultural bodies to understand the impact on the industry.

Andrew Gwynne (Denton and Reddish) (Lab): Following on from that, the Government's own impact assessment shows a £94 million hit to farming, forestry and fishing sectors, and a £225 million hit to the semi-processed food industry. The Government have also negotiated first-year tariff-free allowances of a 6,000% increase on Australian-imported beef to the UK. Can the Secretary of State outline what conversations that she has had with the NFU, specifically about the impact of that deal on British agriculture?

Anne-Marie Trevelyan: We have continual and regular discussions with the NFU and other agriculture bodies. As I have just said, they have been integrally involved in the discussions all the way through, and I know that the ministerial team will continue to meet them. I believe that my Minister responsible for exports will be having a meeting with them next week.

Dave Doogan (Angus) (SNP): Unseemly haste in securing as many free trade deals as quickly as possible and at massive expense in pursuit of a press release and a picture with some TimTams is not the optimal trade policy that people deserve. Scotland's farming and fishing sectors are paying the price for this public relations jamboree masquerading as trade policy. The UK Government's own figures show domestic agriculture, forestry and fishing will suffer a £94 million hit just from the Australia deal. Scottish producers saw established routes to EU markets needlessly frustrated by this UK Government's Brexit dogma. Will the Minister therefore apologise to Scotland's economy?

Anne-Marie Trevelyan: I am disappointed that moving to having new free trade agreements with some of the great economies of the world is considered unseemly

haste. We are working at pace and alongside all our UK businesses with a clear and mandated consultation process to ensure that we are pitching for the areas of business in which our businesses want to see growth. The EU market continues to be there under our fantastic markets. Part of the work that the Export Support Service is doing is to ensure that those who already export can do so more easily and indeed that, for those who have not yet considered exporting to the EU, the opportunities and the support services are there to assist them.

Jim Shannon (Strangford) (DUP): In 2019-20, trade in goods and services between Australia and the UK was valued at £20.1 billion. Currently, the trade in meat products between the two countries is very small. Specifically, I want to ask this: what steps has the Minister taken to ensure that there is more focus on the trade of meat produce from the UK to Australia, to the advantage of people and farmers in Northern Ireland?

Anne-Marie Trevelyan: One of the new tools in our armoury will be the trade and agriculture commissioners—experts who will be there to help UK businesses that want to take their products into new markets, including Australia. I have no doubt at all that, just as we enjoy Australian wine, we will have the opportunity to see Northern Ireland meat on the plates of the Australians.

Dr Neil Hudson (Penrith and The Border) (Con): Free trade agreements should be fair to both partners. The Australian FTA—dare I say it, like the Ashes cricket series—is a bit one-sided in favour of Australia. Will my right hon. Friend reassure the farmers in Cumbria and across the UK that the safeguard mechanisms in the agreement will have teeth? For instance, if the Australian meat market were to pivot away from Asia towards Europe, would the tariff rate quota mechanism be effective in turning down the supply of meat so that our fantastic British farmers are not undermined?

Anne-Marie Trevelyan: Yes, I am confident that the safeguards we have brought in, which I am happy to set out again, will support the most sensitive parts of the UK farming community. They include a general bilateral safeguard mechanism that provides a safety net for all those products, staged liberalisation, tariff rate quotas and specific safeguards for beef and sheep meat, which will be there to support fantastic British produce. Again, I encourage everyone to sing loudly about how fantastic our British produce is. It is eaten from plates across the UK and around the world. We will continue to see that finest produce enjoyed by all.

Mr Speaker: I thank the Secretary of State for not mentioning the cricket.

US Steel Tariffs

6. **Sir Mark Hendrick** (Preston) (Lab/Co-op): What recent discussions she has had with her US counterpart on the tariffs on UK steel exports to the US. [905106]

The Secretary of State for International Trade (Anne-Marie Trevelyan): I was pleased to meet virtually with the US Secretary of Commerce, Gina Raimondo, yesterday to discuss the application of US section 232 tariffs. As set out in our joint statement, which was published last

night, the US has agreed to commence negotiations with the UK. I welcome that positive development, and I will push for a deal that is right for the UK. I will continue to work closely with industry throughout the negotiations. The UK accounts for less than 1% of US steel and aluminium imports in volume terms, so UK imports do not affect the viability or the national security of the US steel or aluminium industries.

Sir Mark Hendrick: The International Trade Secretary will recall the Hallowe'en agreement from last year, when the US gave tariff-free access to the EU for steel and aluminium exports from the beginning of this year. That means that the EU will now have a 25% price advantage over UK steel and aluminium exports to the US. In fact, any UK steel, even if worked on in the EU, will still attract tariffs in the US. Is that what the Prime Minister meant when said he said Brexit was about taking back control?

Anne-Marie Trevelyan: As I said, it is a Government priority to secure a good deal and ensure that we find the right way forward to get out of the section 232 tariffs, which we are doing at pace. The US Secretary of State for Commerce and I will work to ensure that that imbalance is removed as quickly as possible.

Nick Thomas-Symonds (Torfaen) (Lab): At the start of last month, I wrote to the Secretary of State about those steel tariffs, which have been in place since 2018 and have already done great damage. In 2017, exports of steel and aluminium to the United States were more than 350,000 tonnes. In 2020, that had fallen to 200,000 tonnes. The situation is urgent, because as my hon. Friend the Member for Preston (Sir Mark Hendrick) set out, the EU gained a competitive advantage on new year's day, with the US having lifted tariffs for EU member states but not the UK. I welcome the opening of those negotiations, but will the Secretary of State confirm that in advance of those talks the Prime Minister raised the issue personally with President Biden?

Anne-Marie Trevelyan: I assure the House that I have been extremely robust in moving the issue along since coming into post. I am pleased that we were able to launch these negotiations yesterday. It is important that we sort out and remove those unnecessary and burdensome tariffs on the UK. The UK steel and aluminium industries are not a threat to the US ones. We were working closely at every level to ensure that we find a solution as quickly as possible.

Nick Thomas-Symonds: The lifting of the tariffs is vital for jobs and livelihoods across the country, yet the Secretary of State could not confirm that the Prime Minister has raised the issue with President Biden. The truth is that the Prime Minister has been more interested in saving his own job than in saving jobs in the steel sector. The longer the tariffs remain in place, the more damage the Government allow to happen to our steel sector, a foundational industry that is vital for our economy. If the Secretary of State cannot even confirm that the Prime Minister has picked up the phone to the US President about that, are people not right to conclude that the Prime Minister is focused on saving himself and does not care about steelworkers' jobs?

Anne-Marie Trevelyan: I hope that the right hon. Member will assist us in the negotiations by speaking to their counterparts and indeed all those across the US who want the tariffs removed. I reiterate that at every level of the UK Government we have raised the issue with the US, and we are therefore at the point where we are now starting negotiations, which will move at pace. I look forward to his assisting us to ensure a successful outcome.

International Trade Opportunities

8. **Cherilyn Mackrory** (Truro and Falmouth) (Con): What progress her Department has made on maximising opportunities for international trade in 2022. [905108]

The Parliamentary Under-Secretary of State for International Trade (Mr Ranil Jayawardena): The Department continues to work hard to boost prosperity in every corner of our country, helping businesses export, securing investment, negotiating free trade agreements, bulldozing trade barriers and championing free trade. Just last week, as my right hon. Friend the Secretary of State for International Trade said, we launched negotiations with India, an economy of 1.4 billion people worth £2 trillion. Our consultation on an FTA with the Gulf Co-operation Council closed last week, and I look forward to launching those negotiations soon. We continue to break through market access barriers. In 2020-21 alone, we resolved more than 200 barriers across 74 countries.

Cherilyn Mackrory: I thank the Minister for his answer. Will my hon. Friend expand on how businesses in Truro and Falmouth, as well as in wider Cornwall, can take advantage of free trade deals that the Government hope to secure in 2022, so that my constituents can reap the rewards and benefits that they will bring?

Mr Jayawardena: My hon. Friend is a great champion of businesses in Truro and Falmouth. The south-west is already benefiting from the Department's work and will continue to do so. A deal with India would benefit the more than 600 west country businesses that exported more than £20 million of goods to India in 2020, and I am sure many more will do so in the future. Food and drink producers—even those that use imported ingredients—now qualify for nil tariffs in a deal with Australia, which is good news for fans of Cornish pasties down under.

Imports from Xinjiang, China

9. **Afzal Khan** (Manchester, Gorton) (Lab): If she will take steps with Cabinet colleagues to ban the import of Chinese cotton and solar panels from Xinjiang. [905109]

The Minister for Trade Policy (Penny Mordaunt): We continue to keep our policy response under close review and are working with international partners to hold China to account for any violation of human rights.

Afzal Khan: China is the largest cotton producer in the world, with 84% of cotton coming from the Xinjiang region. The region also produces 45% of the world's supply of the key component in solar panels, polysilicon, which means that the supply chains are tainted with forced Uyghur labour. In a response given in the other place, the Government outlined that they would

“continue to pursue a positive economic relationship with China and...increase trade with China.”—[*Official Report, House of Lords*, 21 October 2021; Vol. 815, c. 252.]

In light of the genocide against the Uyghur Muslims, does the Minister think that is an acceptable approach, and will the Minister now follow in the footsteps of the US and ban imports from China's Xinjiang region?

Penny Mordaunt: First, I thank the hon. Gentleman for raising the issue. The more we can talk about it, keep it on our agenda and raise the profile of such matters consistently, the more helpful it is. We are looking at what other nations are doing and we keep our policies under review. He is right: we need a mix of targeted responses against states and also companies that have those practices. We have a good track record on combating modern slavery and being a global leader in this field, but we also need the transparency and tools for consumers and customers of those businesses to find other suppliers if they have concerns. We will keep the matter under review, and I can tell the hon. Gentleman that we take those matters very seriously.

EU Veterinary Agreement

10. **Stephen Farry** (North Down) (Alliance): What assessment she has made of the implications of the Australia and New Zealand free trade agreements for concluding a veterinary agreement with the EU. [905112]

The Secretary of State for International Trade (Anne-Marie Trevelyan): Nothing in the UK-Australia or UK-New Zealand agreements prevents the UK from reaching a veterinary agreement with the EU. Our agreements allow the UK to co-operate with both Australia and New Zealand and with the EU to avoid unnecessary sanitary and phytosanitary barriers to trade in agrifood, without constraining the UK's right to regulate in those areas. We are open to discussions with the EU on additional steps to further reduce trade frictions.

Stephen Farry: The European Union will remain the UK's largest export market for the foreseeable future, so the priority must be to remove all remaining non-tariff barriers, especially to help our UK agrifood exporters, and also to address some of the tensions around the Northern Ireland protocol. Does the Minister recognise that other free trade agreements risk restricting the nature of any EU veterinary agreement to one that is more limited and based around equivalence, rather than a more comprehensive one based on alignment? That will restrict our ability to trade with the EU to the maximum potential in the future.

Anne-Marie Trevelyan: We are clear that we want goods to be able to travel from Great Britain to Northern Ireland without unnecessary barriers, and the Government continue to be in intense discussions with the EU with the aim of delivering those significant changes to the protocol, so that there should be a green channel for goods in and out of Northern Ireland and no further checks or documentation for goods moving between GB and Northern Ireland. This is an important part of that wider process, and our trade agreements with the rest of the world will continue to champion Northern Ireland as part of the United Kingdom.

Export Protection: Leaving the EU

12. **Dr Rupa Huq** (Ealing Central and Acton) (Lab): What steps she is taking to ensure that protections for exports to third countries negotiated while the UK was a member of the EU are maintained following the UK's departure from the EU. [905116]

The Parliamentary Under-Secretary of State for International Trade (Mr Ranil Jayawardena): Since leaving the EU, the United Kingdom has secured trade agreements with 70 non-EU countries, in addition to the deal with the EU. Many of those deals were negotiated to secure continuity of trade, and they cover 99% of the trade under trade agreements we were subject to when we were also subject to the diktats of the EU, which I am sure is not what the Labour party is advocating today.

Dr Huq: I listened to what Mr Speaker said—I mean the Minister—[*Interruption.*] Of course we always listen to everything Mr Speaker says. The Minister's description does not tally with the experience of my constituent, Danny Hodgson, whose clothes retail business Rivet & Hide made the *Financial Times* exactly a year ago because of the crippling new additional duties he faces in importing from the EU. This time it is even worse, because he is finding that all the goods coming in from Japan are attracting a 12% levy. That is slapped on erroneously and routinely seven out of 10 times, I think, and it is a bureaucratic, red tape, bookkeeping nightmare for him. Will the Government look into the case? They are meant to be the party of small and medium-sized enterprises and low tax, and they have trashed their reputation for all that. Can the Government urgently help my constituent please?

Mr Jayawardena: I am delighted that the hon. Lady recognises that this party is the party of business. That is great news and I welcome her remarks. She references a business that trades with Japan, but I note that she did not vote for the deal with Japan nor the deals with Canada, Singapore or even the EU. Of course we will happily look at any business that she wishes to raise with me in writing, but I point out that this party is the party of business. We are the party that is securing the trade deals that will benefit businesses across our country.

Manufacturing: Government Support

13. **Paul Howell** (Sedgefield) (Con): What recent steps her Department has taken to support manufacturing businesses to (a) increase exports, (b) participate in the global market and (c) compete internationally. [905117]

The Parliamentary Under-Secretary of State for International Trade (Mike Freer): In 2021, the DIT launched a new exports campaign: "Made in the UK, Sold to the World". The campaign, in line with our refreshed export strategy, celebrates the quality of the UK manufacturing sector and its potential to export worldwide. We are reaching out to businesses across all UK regions and nations to create opportunities for our manufacturers.

Paul Howell: I thank the Minister for his answer. I recently had the pleasure of visiting Gestamp on the industrial estate in Newton Aycliffe in my constituency. It supplies thousands of subframes every day to motor

manufacturers worldwide, but it has outlined to me concerns that have been raised with it by European companies about the rules of origin and potential tariffs on goods supplied from the UK. Will the Minister reassure Gestamp that it is absolutely safe for European businesses to trade with British companies and that our trade deal with the EU will not result in future tariffs? I encourage him to find time in his diary to visit that fantastic business.

Mike Freer: My hon. Friend fights hard for his constituency. I am pleased to reiterate that the trade and co-operation agreement ensures that businesses in every part of the UK can continue to sell to their customers in the EU. We successfully negotiated a zero tariff, zero quota trade deal, which means that goods traded between our markets can qualify for zero tariff trade as long as they meet the rules of origin requirements set out in the TCA. We have secured modern and appropriate product-specific rules of origin that are tailored to the needs of UK business, including innovative rules for the automotive sector. I am happy to join him in visiting the company.

Barriers to Global Trade

15. **Mark Eastwood** (Dewsbury) (Con): What steps her Department has taken to reduce barriers to global trade for British businesses. [905121]

The Parliamentary Under-Secretary of State for International Trade (Mr Ranil Jayawardena): In addition to negotiating FTAs, as I have said, we are cutting through red tape and opening markets for British business around the world. Last year, we resolved over 200 barriers across 74 countries, which was an increase of 20% on the previous year—[*Interruption.*] I am delighted that the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) is getting so excited about that success. We have secured British poultry market access in Japan, estimated by industry to be worth up to £13 million a year, and we have lifted the decades-long ban on British lamb exports to the United States, estimated by industry to be worth £37 million over the next five years.

Mark Eastwood: Since being appointed the trade envoy to Pakistan, I have encountered a number of issues that hinder potential trade opportunities such as exporting meat and poultry to help our farmers and importing high quality granite and marble that is important to the UK burial industry, and difficulties for businesses gaining access to UK Export Finance. Will the Minister outline what he is doing to overcome those and other barriers so that trade can be open not just to Pakistan but across the globe?

Mr Jayawardena: I thank my hon. Friend for his great work as trade envoy to Pakistan. We are very aware of the challenges to exports in the farming sector posed by costly market access barriers around the world, which is why we are working closely with our counterparts in the Department for Environment, Food and Rural Affairs and engaging trading partners to remove them where possible, as I have outlined, so that Great British meat and produce can be enjoyed all around the world.

My hon. Friend mentioned UKEF, which has a £1.5 billion risk appetite to support exports in Pakistan with a specialist team on hand to discuss options available

to British businesses of all sizes. He will also know that we will soon launch our developing countries trading scheme, which will look to further simplify trading arrangements with developing countries, including Pakistan.

Deidre Brock (Edinburgh North and Leith) (SNP): In the interests of peace and harmony, I shall refrain from dwelling on the Ashes cricket series.

Small businesses are simply less likely to be able to afford the consultants, lawyers, trade experts and advisers necessary to navigate the complexities of the hard Brexit customs checks that this Government insisted on. Despite that, the Government have now closed the SME Brexit support fund and not replaced it, although a Channel 4 investigation found that 26% of SMEs that trade with the EU are now considering moving some of their European operations outside the UK, while 16% said they had already done so. A Lords report published in December said it is absolutely vital that it is reopened with wider eligibility criteria, and the Federation of Small Businesses has also been calling for that for months. Will the Minister listen to the small business experts?

Mr Jayawardena: First, I am sure the hon. Member would want to direct all businesses to our export support service, which will help British businesses get the answers to the practical questions they may have about exporting to Europe, accessing cross-Government information and support all in one place. She will be pleased to know that the statistics actually show that monthly exports to the EU are now £13.6 billion, which is 12% higher than average exports in 2020. That shows that significant progress is being made in our exports from businesses of all sizes up and down our country.

UK Trade Levels

16. **Marion Fellows** (Motherwell and Wishaw) (SNP): What recent assessment she has made of trends in the level of UK trade with the (a) EU and (b) rest of the world. [905122]

The Secretary of State for International Trade (Anne-Marie Trevelyan): Official statistics up to end of November last year show that UK trade in goods with the EU has seen three consecutive monthly increases, with November showing an increase of nearly 3%. Goods trade with the EU is now above average levels for 2020, although still below 2019 levels. UK trade in goods with non-EU countries is at record monthly levels, with recent increases due to the high fuel prices we are seeing across the globe. UK trade in services with EU and non-EU countries continues to show small increases as covid restrictions on the movement of people ease, but trade remains below pre-covid levels.

Marion Fellows: Ireland has seen goods imports from Great Britain drop by more than a fifth since Brexit. Ireland has also, in that time, increased its goods exports to GB by more than 20%, and imports from Northern Ireland to the Republic jumped by more than 64%. Is it not the case that, by becoming independent, Scots will open the gate to 27 other markets and that Scotland can access that bridge to economic prosperity, as trade levels in the Republic and Northern Ireland are proving to us now?

Anne-Marie Trevelyan: On this side of the House, we continue to know that the Union is the strongest way that Scottish businesses can continue to export. Some 75% of exports are to the rest of the United Kingdom, and we want to make sure that, as well as trading with all of us, they have the opportunities our free trade agreements will make and find that selling their fantastic goods and services across the world becomes easier. However, we continue to say that the best way for Scottish businesses to do that is to stay within the UK.

Stephen Crabb (Preseli Pembrokeshire) (Con): Last week at Expo in Dubai, I was struck by the number of trade reps and investors from across the Gulf who told us just how much easier they have found doing business visits to London in recent months compared with other cities internationally. Does my right hon. Friend agree with me that such remarks underline just how important it was for us as a Government, from a trade and investment perspective, to get right those big decisions about the vaccine roll-out and relaxing the covid restrictions to give us a head start as the international trading community recovers from covid?

Anne-Marie Trevelyan: My right hon. Friend is absolutely right. The Prime Minister has taken some incredibly tough decisions, and in doing so has made sure that our economy has stayed open and our population has remained safe. We have been world leading not only in vaccine production, but in distribution, so ensuring that the trade and enterprise so vital to our constituents and across the world supports healthy economies and, indeed, makes sure that everybody is in as good health as possible. It is lovely to hear those messages. What I hear as I travel around the world is that the UK is open for business, and we are seeing the benefits of that across the piece.

Peter Grant (Glenrothes) (SNP): Purchasing managers index information shows that in December 2020 the United Kingdom was the only economy in the entire western world to see a fall in exports. Who is responsible for that?

Anne-Marie Trevelyan: To go back to my earlier point, as we see markets open up and opportunities for amazing UK businesses to discover not only the markets some are in already but new markets, the export support service and the team at the DIT stand ready to support all those who want to expand and share the UK's amazing goods and services with the rest of the world. "Made in the UK, Sold to the World" is our campaign motto, and that is what we want to support everybody to share and get out there.

Topical Questions

T1. [905125] **Sir Mark Hendrick** (Preston) (Lab/Co-op): If she will make a statement on her departmental responsibilities.

The Secretary of State for International Trade (Anne-Marie Trevelyan): The Department's five-star year 2022 has begun at pace with the launch of our India free trade agreement negotiations, the signing of the sovereign investment partnership with Oman, discussions with Brazil towards an economic trade partnership, the launch of our new and improved trade show programme, and the virtual African investment summit taking place

today. As I mentioned earlier, yesterday I met with US Secretary of Commerce Gina Raimondo to start negotiations with the US on the section 232 tariffs. These have cost the steel industry over £60 million per year; I am firmly pressing for their express removal and am confident we can now make fast progress towards this to ensure that trade works in the interests of all UK businesses and workers.

Sir Mark Hendrick: Further to my earlier question with regard to US steel tariffs and section 232, what are the chances of our getting those tariffs lifted, given that the Prime Minister is playing fast and loose with security policy on Northern Ireland, particularly through doing his best to trash the Northern Ireland protocol?

Anne-Marie Trevelyan: We will be pushing for a deal that is right for the UK steel industry and I am confident that the long-standing alliance between the UK and the US, built on a rich history of shared values and free and fair trade, will ensure that the negotiating outcomes are what we need for UK industry. The UK and the US work together across the piece in so many difficult areas at the moment and I hope that those in all parts of the House will continue to give support as we take on some of those challenging security issues.

T2. [905126] **Shaun Bailey** (West Bromwich West) (Con): With over £2.6 billion-worth of exports, I am sure my right hon. Friend agrees that the Black Country is, and will remain, the beating industrial heart of the west midlands. As she goes out with ministerial colleagues to bat for the Black Country on the industrial stage, what is she doing to ensure that supply chain issues in particular are at the forefront of our trade negotiations, and that businesses such as KJV Furniture in Oldbury are able to import and export smoothly; and will she ensure that once again other areas of the world can see the fantastic wares that are made in the Black Country?

The Parliamentary Under-Secretary of State for International Trade (Mike Freer): My hon. Friend raises an important point. A key challenge facing the UK and other major exporters is shipping container costs, and there is ongoing engagement across Government, including the Department for Business, Energy and Industrial Strategy, the Competition and Markets Authority and the Department for Transport, to ensure that we understand the background causes of price rises and their impacts, such as by contacting the shipping lines and engaging with international partners where necessary to address the key issue of supply lines that my hon. Friend raised.

Gareth Thomas (Harrow West) (Lab/Co-op): Given the Government's underwhelming performance on trade to date, even the small gains from joining the comprehensive and progressive agreement for trans-Pacific partnership would be welcome, but one issue that the previous Secretary of State always ducked was China's interest. Given President Xi's reaffirmation on Monday of China's desire to join the CPTPP, can the Secretary of State clarify whether Britain would have the right to veto China's accession?

Mike Freer: The hon. Gentleman raises an important point. These issues are very complex, but what I will say is that we are first in the queue to join CPTPP, and after that all things are up for review.

T5. [905129] **Cherilyn Mackrory** (Truro and Falmouth) (Con): The last couple of years have been extremely difficult for the shell fishermen in Cornwall, include those on the River Fal, which has one of the most historic and sustainable fisheries in the world. That said, fishing communities across the UK will benefit from the £75 million boost to the sector; can my right hon. Friend the Secretary of State assure me that the Department will work with the Cornish fishermen benefiting from this investment and help them further capitalise on it by ensuring that they are able to play their part in the Government's "Race to a Trillion" strategy?

Mike Freer: My hon. Friend raises an important point, particularly for her constituency, and I can give the assurance that the Government will continue to work closely with Seafish and the Shellfish Association of Great Britain to encourage their members to look at new markets and drive awareness of UK seafood in international markets. We have a network of trade advisers in the UK and overseas who can support the sector to trade successfully, and I am happy to put any of her businesses in contact with them.

Ruth Cadbury (Brentford and Isleworth) (Lab): In December, the Government snuck through a change to the UK's arms export rules, and charities such as Oxfam have warned that these changes will lessen transparency over arms exports and could see UK arms being used against civilians such as those in Yemen. What steps is the Minister taking to ensure that UK arms exports are not used to commit breaches of international humanitarian law?

The Minister for Trade Policy (Penny Mordaunt): The Government have not "snuck through" such changes. We are very open and transparent about the policies that sit behind our very good arms export controls, which are also scrutinised by this House. The Department is due to meet a number of stakeholders; I can check whether Oxfam is part of that. We meet regularly to discuss these issues. We have one of the best arms export regimes in the world; it is flexible and changes as situations change. The hon. Lady will know that we recently made some new changes because of what is happening in parts of the world. She should be confident in what we are doing on that.

T6. [905130] **Antony Higginbotham** (Burnley) (Con): The Government will be aware of the global shortage of semiconductor chips. The impact of that is being felt far more by SMEs than the largest companies, which can make large purchases years in advance. What steps are the Government taking to support those SMEs to import semiconductors so that they can keep operating? If I write to the Department, will they look at a specific constituency case of mine?

Mike Freer: My hon. Friend raises what is a vital point in a global economy. The Government are carrying out a review of the UK's international and domestic approach to semiconductor supply chains. The Department for Digital, Culture, Media and Sport is leading that review, supported by the Department for International Trade. We also support growth in the UK semiconductor sector by driving investment—for example, by promoting the world-leading compound semiconductor cluster in south Wales, as part of our

high potential opportunities programme. If my hon. Friend would care to write to the Department, we will of course take up the constituency issue.

T3. [905127] **Stephen Kinnock** (Aberavon) (Lab): The European Union secured a comprehensive exemption from the section 232 steel tariffs way back on 30 October 2021. Here we are, almost three months later, and talks with the UK Government are only just starting. To ensure that the talks proceed smoothly and rapidly, we need to understand the cause of the delay. Does the Secretary of State agree that the probable cause is the Government's shambolic handling of the Northern Ireland protocol? If she does not think that is the cause, perhaps she will enlighten the House about what she thinks the cause of the delay has been.

Anne-Marie Trevelyan: As I have outlined today, I am pleased that yesterday we were able to formally launch our negotiations with the US to find a solution to the section 232 tariffs, which have been unreasonably imposed on the UK for a number of years. The EU quantum of steel was of importance to the US, which wanted to start those negotiations because the impacts on both sides were great. We are very pleased that the UK is now able to progress on what will be a very important impact, and release some of the pressures on our excellent steel industry.

T9. [905133] **Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): As some of my colleagues have already pointed out, it would be wrong to say that there is not some nervousness in rural Scotland about what the deal with Australia will mean. Some of that is caused by the anti-trade scaremongering on the SNP Benches, but will the Minister expand on the opportunities for Scotland as a result of our deal with Australia?

Mike Freer: The UK-Australia free trade agreement could boost Scotland's economy by about £120 million. The deal will help boost Scottish exports by removing tariffs of up to 5% on Scotch whisky and through additional commitments to release goods from customs quickly. Scotland's services firms will also benefit from access to billions of pounds' worth of Australian Government contracts. Staff will be able to travel for work with easier access to temporary entry visas.

T4. [905128] **Sarah Green** (Chesham and Amersham) (LD): Can the Secretary of State confirm whether she is still undertaking discussions with UK trade partners on inserting clauses on investor-state dispute settlement systems into future trade deals? There is evidence that they are opaque and could open the UK to law suits from multinational corporations. Will she confirm whether she is still pursuing them?

Anne-Marie Trevelyan: Every free trade agreement is negotiated in relation to the other country and we will continue to work with those as we build these, to look at how we best bring together free trade agreements that will be beneficial to UK businesses and consumers.

Martin Vickers (Cleethorpes) (Con): Last Friday, along with a number of local businesses, I took part in a meeting of the parliamentary export programme for my constituency businesses. What additional initiatives do

Ministers have to encourage small and medium-sized enterprises, in particular, to look at and engage in the export market?

Mike Freer: I am grateful for my hon. Friend's support of the parliamentary export scheme. It is about to be refreshed and relaunched so that we can provide additional support to any of our parliamentary colleagues who wish to engage with companies in their constituency about exports. I ask him to hold fire while we relaunch it, and he will be one of the first I contact.

T7. [905131] **Mr Alistair Carmichael** (Orkney and Shetland) (LD): May I bring the Secretary of State's attention to the analysis published recently by the Scotch whisky industry, showing that even a phased reduction of the 150% tariffs on its products sold into industry could bring back a £1 billion increase in exports and something in the region of 1,300 UK jobs? As she continues with the dialogue with India about a trade deal, will she give us some commitment that the reduction and elimination of that tariff would be one of her biggest priorities in an early harvest agreement? [R]

Anne-Marie Trevelyan: As I said, the negotiations with our Indian counterparts have just begun. We will not discuss the details of the negotiations while they are going on, but I have been very clear with the Indians and through our consultation process that we will want to see movement on issues such as high tariffs on some of our iconic UK products.

Bob Blackman (Harrow East) (Con): My apologies for not being here earlier, Mr Speaker. Clearly, the start of the talks with our friends in India is extremely welcome news, particularly for Scotch whisky exporters, who could gain tremendously. Will my right hon. Friend update the House on the projected timetable, and will she publish some objectives in relation to what we are attempting to achieve with our friends in India?

Anne-Marie Trevelyan: Following our discussions last week, Minister Goyal and I were very clear that we want our negotiating teams to crack on and get a clear picture of the areas that we want to bring together in our free trade agreement with India. We have set our negotiators an initial target to see whether we can bring this to a conclusion at the end of this year or in early 2023.

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): British wine traders have expressed concern that the Chancellor's reforms to alcohol duty might lead to higher prices and less choice in wine. What discussions has the Secretary of State had with her Cabinet colleagues about the impact of these reforms on industry's ability to trade effectively?

Anne-Marie Trevelyan: The Chancellor brought in duty reforms that are focused on health: the higher the amount of alcohol, the higher the tariff. Interestingly, as I have been travelling the world, I have mentioned the policy to other countries, and they see it as a really intelligent way to ensure that they balance the opportunities from the healthy management of alcohol drinking and the opportunities that fantastic producers—such as all of ours in the UK—have to reach a wider audience while ensuring that people always drink carefully and wisely.

Scott Benton (Blackpool South) (Con): Our co-operation with Saudi Arabia on defence and security helps to maintain hundreds of jobs at BAE Warton on the Fylde coast. What steps are the Government taking to further develop that relationship and the opportunities for trade with Saudi Arabia?

The Parliamentary Under-Secretary of State for International Trade (Mr Ranil Jayawardena): We have just finished a consultation with British businesses, citizens and civil society on their aspirations for a free trade agreement with the Gulf Co-operation Council, of which Saudi Arabia is an important part. My hon. Friend knows that that will provide the opportunity to reduce tariffs and streamline market access barriers. He will also be aware, from the excellent report by BAE Systems, that there are well over 500—maybe even 600—jobs in Blackpool because of the presence of BAE Systems in that part of our country, which shows the importance of our strategic exports.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): This Government, as we know, have blundered many times, and now a lobster or a leg of chicken cannot be sold to any country in the world without five, eight or 10 bits of paperwork. I am trying to prevent another blunder.

The Chartered Institute of Patent Attorneys supports the accession to CPTPP, but cautions that

“we believe that if the UK were to sign up the CPTPP IP chapter as currently drafted, this could have unintended consequences” for our reputation as an international patent leader, for innovative small and medium-sized enterprises, for UK GDP and for the UK patent profession. It asks that “the UK...should take a very firm position and insist on carve outs for the UK from these provisions of CPTPP.”

Will the Department take up that ask and insist that it happens?

Mike Freer: The hon. Gentleman raises a good point. It is in my diary to meet him in the next few weeks; I suggest that he brings that paper with him and we can have a more fruitful discussion.

Afzal Khan (Manchester, Gorton) (Lab): Can the Minister outline how much cotton and how many products to construct solar panels have been imported into the UK from Xinjiang in the past year?

Penny Mordaunt: I can certainly write to the hon. Gentleman with the information that our Department and others may hold on the matter. May I reassure him again that it is welcome that he has raised it today and that we are taking it very seriously?

Paul Howell (Sedgefield) (Con): Earlier, I mentioned a company in my patch called Gestamp. The motor trade is a worldwide business; Gestamp supplies to Jaguar Land Rover, Nissan, Volvo and all their factories

throughout the world. What is being done to help its research and development efforts to make sure that it remains a world leader?

Penny Mordaunt: I think that a letter is winging its way towards my hon. Friend about various issues that he has raised with us, which will outline what we are doing to ensure that we are competitive and creating the right environment to get inward investment. He will know that we have a huge focus and push on science and technology, spearheaded in part by the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Mid Norfolk (George Freeman), as Science Minister. The points that my hon. Friend the Member for Sedgefield (Paul Howell) has raised with my Department are being listened to and are well made.

Peter Grant (Glenrothes) (SNP): Yesterday, the permanent secretary of the Department for International Trade told the Public Accounts Committee that 85% of post-Brexit trade deals have simply replicated the deals that we already had with the European Union. Does it really represent such a resounding success at knocking down trade barriers if 85% of the barriers that the Government are knocking down are barriers that they put up in the first place?

Penny Mordaunt: A lot of work needed to be done in all areas of Government, including trade, to roll over legislation to our statute book and move trade agreements to a new statutory footing. The opportunity has come for what we can do next. It is not just about the big economic benefits that we usually discuss in our meetings and sessions, but about what we can do to help developing nations. Many of the economic partnership agreements that have taken a long time to make, for example with countries in Africa, will not only provide economic benefits to the UK but lift millions of people out of poverty.

Marion Fellows (Motherwell and Wishaw) (SNP): Talks on steel and aluminium tariffs have started, but Washington has still to confirm the apparent virtual plan. The British economy, instead of becoming global post Brexit, is not. My constituents at the Dalzell works in Motherwell want to see progress on the punitive tariffs so that they can sell to the Americans. The relationship between President Biden and the current Prime Minister is not particularly rosy, but can the Secretary of State confirm that whoever is Prime Minister in the upcoming time, she will ask them to intervene and get this sorted?

Anne-Marie Trevelyan: I am thrilled that we were able to launch the negotiations formally yesterday. I will make sure that I keep in touch with all across the UK steel industry as we move forward. The US Secretary of Commerce and I have been clear, through our teams, that we want to resolve the matter at pace, and that is what we will be doing.

British Council Staff: Afghanistan

10.34 am

Fabian Hamilton (Leeds North East) (Lab) (*Urgent Question*): To ask the Secretary of State for Foreign, Commonwealth and Development Affairs if she will make a statement on British Council staff in Afghanistan.

The Minister for Asia (Amanda Milling): During August 2021, through a shared effort right across Government and our armed forces, we delivered the largest, most complex evacuation in living memory. Between 15 and 19 August, the UK evacuated over 15,000 people from Afghanistan. That included over 8,000 British nationals, and close to 5,000 Afghans who loyally served the UK—including British Council employees—along with their dependants. The UK also evacuated around 500 special cases of particularly vulnerable Afghans, including some British Council contractors, journalists, human rights defenders, campaigners for women's rights, judges and many others. All former British Council employees have arrived in the UK with their family members. In August, the Government agreed to resettle more than 50 of the most vulnerable British Council contractors, many of whom have already arrived in the UK with their families.

Travel in and out of Afghanistan remains difficult. The Foreign, Commonwealth and Development Office is providing assistance and supporting families who are eligible for resettlement in the UK. The Government have also agreed to consider British Council contractors for resettlement based on risk. On 6 January, the Minister for Afghan Resettlement announced the opening of the Afghan citizens resettlement scheme. In its first year, the Government will honour our commitment to offer ACRS places to the most at-risk British Council contractors, as well as GardaWorld contractors and Chevening alumni. The Foreign, Commonwealth and Development Office will be in touch with those eligible to support them through the next steps of the process.

The British Council performed an important role in Afghanistan; it worked to support the UK mission in Afghanistan and to promote our values. The Government will do the right thing by British Council employees and contractors, including by resettling those contractors who are most at risk.

Fabian Hamilton: Thank you for granting this urgent question, Mr Speaker. The fact is that months after the Taliban took control of Afghanistan, there are still many British Council staff and contractors stranded in that country and facing threats of violence every single day from the regime. Reports suggest that the vast majority of those staff are teachers who worked with the British Council teaching vital skills, such as English language skills, to many Afghans, including many women and girls, who are now largely barred from attending school owing to the Taliban's warped ideology.

We owe those brave people so much for supporting the UK's work in Afghanistan over the last two decades. Many of them are still trapped in the country, fearing for their life; the UK Government have badly let them down. Yesterday at Prime Minister's Question Time, the Prime Minister said that

"the British Council...is a wonderful institution that we all love."—
[*Official Report*, 19 January 2022; Vol. 707, c. 321.]

If he valued it so much, would he not have ensured that every single one of these brave British Council teachers, staff and contractors was urgently evacuated to safety?

I ask the Minister: how many current and ex-British Council staff are stranded in Afghanistan? Are the Government considering using the Afghan citizens resettlement scheme to get them out? Does she accept that the Government's catastrophic cuts to British Council funding have made this difficult situation far worse? What message does this inaction send to other British Council employees working in challenging environments all around the world? Is it that people whose association with the UK may put them in danger have seemingly been abandoned by the British Government?

The British Council is vital to the UK's influence around the world. The Prime Minister's now hollow pledge to "move heaven and earth" to get those who supported the UK out of Afghanistan has resulted in the abandoning of British Council staff to the whims of the Taliban. Not only is that morally wrong, but it will severely damage both that institution and the United Kingdom's reputation on the international stage.

Amanda Milling: As I set out in my opening remarks, the British Council has performed an important role in Afghanistan working to support the UK mission and promote our values. It is therefore right that we are supporting those in need. In August the Government agreed to resettle more than 50 British Council contractors, and many of them have already arrived in the UK with their families.

As I also set out, it is difficult to travel both within and out of Afghanistan at the moment, but we are committed to working in step with the international community to do all we can to enable those who are eligible to relocate to the UK. It is worth noting that resettlement is just one element of the UK Government's response to the situation in Afghanistan. In addition to our diplomacy and international aid in the region, we are working alongside like-minded states as part of the international community. The Government will resettle those British Council contractors who are most at risk.

Bob Blackman (Harrow East) (Con): My right hon. Friend clearly sets out the wonderful work done by our defence forces to relieve people who wanted to leave Afghanistan. All those who worked for the British Council in Afghanistan did tremendous work. Will they be evacuated and assisted by her Department to make sure they are free and can live their lives in liberty?

Amanda Milling: I share my hon. Friend's view on what the armed forces did in incredibly difficult circumstances. It was tremendous.

All British Council employees have arrived in the UK with their families, and the Government agreed that we would resettle more than 50 of the most vulnerable British Council contractors. Many of those contractors have already arrived in the UK. It is important to note that we are trying to support those most in need and most at risk.

Ms Anum Qaisar (Airdrie and Shotts) (SNP): I congratulate the hon. Member for Leeds North East (Fabian Hamilton) on securing this vital urgent question.

Around 100 ex-British Council staff are still in Afghanistan, having so far been denied the right to come to the UK. These teachers taught English, and

[*Ms Anum Qaisar*]

they were the face of the UK in Afghanistan. Now they feel stranded and abandoned by the country for which they worked. It goes back to what I previously said in this Chamber: this is no longer a global Britain but an insular Britain that is running away from its responsibilities.

British Council staff had thought they were eligible under the Afghan relocations and assistance policy, but that scheme's eligibility criteria were narrowed on 14 December. These British Council teachers had been waiting months and months for a reply. Staff had been told that those most at risk could apply for the new Afghan citizens resettlement scheme, which was promised last summer but opened only days ago. On top of the fear of reprisals that British Council staff already face, these teachers have unnecessarily had to deal with a dysfunctional Conservative Government, the backwards and forwards, the to-ing and fro-ing and the narrowing of eligibility criteria. The irony is not lost on me that this is officially named Operation Warm Welcome.

After a long wait, the UK Government recently said that British Council staff most at risk can apply to the Afghan citizens resettlement scheme. Can the Minister provide a cast-iron guarantee today that applications from British Council staff will be considered as a matter of priority? Early reporting gave the impression that the Afghan citizens resettlement scheme will accommodate 25,000 people, but recent announcements no longer mention five years. Can she clarify whether that is because she has changed policy to make it narrower? Do these numbers cover only principal applicants, or do they cover their families?

Amanda Milling: As I set out in previous answers, the Government agreed in August to resettle more than 50 British Council contractors, many of whom have already arrived in the United Kingdom. We are looking to resettle those British Council contractors who are most at risk, and earlier in the month my ministerial colleague, the Minister for Afghan Resettlement, set out what the scheme will be doing. We are committed to supporting those at most risk.

Peter Gibson (Darlington) (Con): I thank my right hon. Friend for her response to the urgent question. Can she confirm that since Operation Pitting we have continued to welcome at-risk Afghans, including women, girls and other minorities such as members of the LGBTQ community, some of whom have been generously offered homes in Darlington by Darlington Borough Council?

Amanda Milling: We are committed to supporting those who are most at risk, including women and girls and members of the LGBTQ community. Some tremendous work is already being done to resettle Afghans in the United Kingdom, and I am pleased to hear that my hon. Friend's constituency and its borough council are welcoming those most at risk.

Hilary Benn (Leeds Central) (Lab): We all know that Afghans who work for the British Council are in fear of their lives. I have been told that in one case the Taliban went to a house and hit a seven-year-old girl to try to get her to reveal where her father was. She did not give

him away, and he is currently in his ninth hiding place. It is no wonder that these staff are in fear of their lives.

What action are the Government taking to support those people today? What money is being provided to enable them to buy food as they hide, and what is the plan—the practical plan—to help them to get out of the country?

Amanda Milling: We as a Government are committed to working with the international community to do all that we can to help those who are eligible to be resettled in the United Kingdom. Resettlement itself is of course one part of that, but it is in addition to our diplomatic efforts and the provision of international aid in the region as we work alongside like-minded states as part of the international community. We are co-ordinating closely with international partners, and have doubled our aid to Afghanistan for this financial year to £286 million, which will be used to provide the vital humanitarian assistance that will save lives this winter.

Scott Benton (Blackpool South) (Con): Through Operation Pitting we delivered the largest and most complex evacuation in living memory. That was a truly amazing effort. Will my right hon. Friend join me in praising the heroic efforts of our brilliant armed forces, and can she confirm that we will continue to do everything we can to resettle the British Council workers who are most at risk?

Amanda Milling: My hon. Friend is right to praise the heroic efforts of our armed forces in Operation Pitting, and to draw attention to the scale of the challenges that we faced during that period. As he has said, this was the most complex evacuation in living memory. All the British Council employees who served the UK so loyally have been evacuated and have arrived here with their families, and the British Council contractors who are most at risk will be able to apply for resettlement.

Layla Moran (Oxford West and Abingdon) (LD): In her answer to the urgent question, the Minister mentioned the £286 million of aid that we are giving to Afghanistan. The amount has been doubled after being halved the previous year, which is fine, but in her response to another urgent question last week, the Minister confirmed that only half that money—£145 million—had actually been disbursed.

We are reaching the end of the financial year. This aid will be life-saving. What is happening is the biggest humanitarian crisis in the world: there are children, pregnant mothers and other people who are about to die if the aid does not reach them. How can we get it to them in time, and if it is not spent, will it be ring-fenced by the Treasury so that it is not propping up next year's budget?

Amanda Milling: International aid is really important in supporting those most at risk, and we are working closely with our international partners to ensure that we are getting that aid to those most in need. As I set out earlier, we have doubled our aid for Afghanistan for this financial year to £286 million, which will be essential to providing humanitarian assistance for those most in need.

Afzal Khan (Manchester, Gorton) (Lab): A recent report by Human Rights Watch detailed how Taliban rule has had a devastating impact on Afghan women and girls, and the catastrophic cuts to funding for the British Council have made this difficult situation worse. What steps are the Government taking to deliver protection and services for the women and girls facing gender-based violence in Afghanistan?

Amanda Milling: The ACRS will prioritise those who have stood up for our values, such as a democracy and women's rights in Afghanistan, as well as the most vulnerable groups, including ethnic and religious minorities. We are providing that support for women and girls. The Government have already evacuated thousands of women and girls—for instance, female judges, women's rights activists and a girls' football team. Women and girls have been immediately prioritised for resettlement through the resettlement scheme.

Stephen Kinnock (Aberavon) (Lab): I declare an interest, in that I worked for the British Council for 12 years. It is a brilliant organisation that does a huge amount to promote the United Kingdom around the world, and it is deeply disappointing that the UK Government are taking such short-sighted action in cutting the funding to the British Council, leading to the closure of dozens of overseas offices. On the point of the urgent question today, given the huge sacrifices that British Council staff and contractors have made, what discussions has the Minister had with her colleagues in the Ministry of Defence and the Home Office around expanding the eligibility criteria for the ARAP scheme to include British Council staff and contractors?

Amanda Milling: The hon. Gentleman is absolutely right to praise the work of the British Council. It has been instrumental in the work in Afghanistan to support the UK mission there. Ministers across Departments such as Defence and the Home Office are in constant contact, but as I have set out, employees have already been able to resettle to the United Kingdom. The contractors will be eligible based on their risk.

Margaret Greenwood (Wirral West) (Lab): I, too, declare an interest in that I have also previously worked for the British Council. More than 20 million people are facing the prospect of starvation in Afghanistan and the situation could not be more urgent. In relation to the Minister's earlier responses, could she tell the House how much of the £286 million of aid promised in this financial year has been disbursed so far?

Amanda Milling: As I have said, international aid to the region is absolutely essential and we are working with our international partners to ensure that we get that assistance to those on the ground. We are co-ordinating with our partners. We have doubled the aid for this financial year to £286 million, which will be used to ensure that we get that humanitarian assistance to those on the ground.

Sir Mark Hendrick (Preston) (Lab/Co-op): In addition to British Council staff, many of us have thousands of constituents—in my case, up to 150—who have relatives and friends who have worked for the British in Afghanistan and who are in terrible need of resettlement to this country. The ARAP scheme and the ACRS have done

very little to bring many, if any, of my constituents' relatives and friends away from the horror going on in Afghanistan. When will the Government really gear up these schemes to ensure that people can be rescued from the horror that is Afghanistan at the moment?

Amanda Milling: The ACRS announced earlier this month will provide those most at risk from recent events in Afghanistan with a route to safety. The scheme will prioritise those who have assisted the UK efforts in Afghanistan and those who have stood up for values such as democracy, women's rights, freedom of speech and the rule of law, as well as vulnerable people, including women and girls who are at risk and members of minority groups who are at risk.

Andrew Gwynne (Denton and Reddish) (Lab): My right hon. Friend the Member for Leeds Central (Hilary Benn) was absolutely right that it is critical to support those British Council staff and contractors who are in hiding. What steps are the British Government taking to enable some form of cash flow in Afghanistan so that international banks can bypass the Taliban, support those in fear of their lives and assist the delivery of aid to starving Afghan people without the fear that such financial institutions could face sanctions from our partner Governments?

Amanda Milling: We have doubled our aid for this financial year and we are working with our international partners to ensure that we reach those who are most at risk but, as I have said, the conditions in Afghanistan are currently very difficult, in respect of both travelling within and leaving Afghanistan.

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): Former guards for the UK embassy in Kabul are still awaiting evacuation, despite the Government's promise months ago to evacuate them. All French embassy guards have been evacuated and Canada has even evacuated cleaners, while Germany and Australia still have evacuations under way. Will the Minister provide an urgent update on FCDO plans in this respect?

Amanda Milling: As I have said in previous answers, those British Council employees who sought resettlement have arrived in the UK, together with their dependants, and the resettlement of British Council contractors will be based on risk.

Jim Shannon (Strangford) (DUP): I thank the Minister for her response to the question. The impacts of the ongoing political situation in Afghanistan are truly devastating. This week, the 100 Afghans who were employed to spread British values and teach English in Helmand province—the same province where many of our brave UK and British troops were murdered and killed—are in hiding because they are terrified of the reprisals they may face. Will the Minister ensure that, through the Afghan citizens resettlement scheme, those people will be given priority to return to the UK, because many are not sure that they will be able to survive the current situation? As the shadow Minister, the hon. Member for Leeds North East (Fabian Hamilton), said—and I agree with him—we must move heaven and earth to get them here.

Amanda Milling: We are committed to working in step with the international community to continue to do all we can to enable those who are eligible to relocate to the UK to do so. The scheme offers current and former locally employed staff who are under threat priority to relocate to the United Kingdom.

Mr Alistair Carmichael (Orkney and Shetland) (LD): On a point of order, Mr Speaker. I am grateful to you for taking a point of order at this stage. The hon. Member for Hazel Grove (Mr Wragg), to whom I gave notice of my intention to raise this point of order, has spoken today in the Public Administration and Constitutional Affairs Committee about the intimidation of and threatened removal of funding from projects in the constituencies of Members who have come out against the Prime Minister and called for him to resign. This is behaviour of a sort I have never heard. We all understand the need for Whips to maintain discipline, but this owes more to the tactics of the mafia than anything found in “*Erskine May*”.

What can you do, Mr Speaker, to protect Members who wish to express their opinions and have differences sincerely and strongly held without seeing their constituents disadvantaged in such ways and without their being intimidated into remaining silent when they really want to speak up?

Mr Speaker: Members may wish to write to me in private. I understand what the right hon. Gentleman said. There are allegations about the conduct of Whips and special advisers working for Ministers. Serious allegations have been made and, at this stage, without having had chance to study what has been said in detail, I can only offer general guidance; I have been in the Chair since this revelation came out, as I understand it, at 10 o’clock. Members and those who work for them are not above the criminal law. The investigation of alleged criminal conduct is a matter for the police and decisions about prosecution are for the Crown Prosecution Service. It would be wrong of me to interfere with such matters.

While the whipping system is long established, it is of course a contempt to obstruct Members in the discharge of their duty, or to attempt to intimidate a Member in their parliamentary conduct by threats. There is a clear process for raising privileged matters and referring them for investigation to determine whether the conduct in question is a contempt. In the first instance, Members raising such concerns should write to me. I hope these general observations will assist the House in going forward.

Business of the House

11.1 am

Thangam Debbonaire (Bristol West) (Lab): Will the Leader of the House give us the forthcoming business?

The Leader of the House of Commons (Mr Jacob Rees-Mogg): The business for the week commencing 24 January will include:

MONDAY 24 JANUARY—Opposition day (9th allotted day - 2nd part). There will be a debate on a motion in the name of the Scottish National Party, subject to be announced, followed by remaining stages of the Leasehold Reform (Ground Rent) Bill [*Lords*].

TUESDAY 25 JANUARY—Remaining stages of the Judicial Review and Courts Bill followed by a motion to approve a money resolution relating to the Down Syndrome Bill.

WEDNESDAY 26 JANUARY—Second Reading of the Product Security and Telecommunications Infrastructure Bill.

THURSDAY 27 JANUARY—General debate on Holocaust Memorial Day 2022. The subject for this debate was determined by the Backbench Business Committee.

FRIDAY 28 JANUARY—Private Member’s Bills.

The provisional business for the week commencing 31 January will include:

MONDAY 31 JANUARY—Motion to approve a ways and means resolution relating to the Advanced Research and Invention Agency Bill, followed by consideration of Lords amendments to the Advanced Research and Invention Agency Bill, followed by remaining stages of the Dormant Assets Bill [*Lords*].

TUESDAY 1 FEBRUARY—Opposition day (11th allotted day). Debate on a motion in the name of the official Opposition. Subject to be announced.

Thangam Debbonaire: I thank the Leader of the House for the forthcoming business. First, I welcome the newest member of the parliamentary Labour party, my hon. Friend the Member for Bury South (Christian Wakeford). As the Leader of the Opposition said, my hon. Friend has rightly concluded that

“the Prime Minister and the Conservative party have shown themselves incapable of offering the leadership and Government this country deserves, whereas the Labour party stands ready to provide an alternative Government that the country can be proud of.”—[*Official Report*, 19 January 2022; Vol. 707, c. 321.]

The Leader of the House has demonstrated on several occasions his socialist tendencies, so I remind him that he is also more than welcome, any time he wishes, to come over to this side and join my hon. Friend.

At first, the Prime Minister said no rules were broken, then he said that he did not know about any parties, then he said he did not know whether he was there or not, then he remembered that he was there but did not know that it was a party. This week, the Prime Minister is testing out a new defence: that nobody warned him that the party was against the rules. So could the Leader of the House explain how the Prime Minister, who was literally the one setting and reading out the rules every night, did not understand the rules? It is a very odd defence.

The Office for National Statistics released figures yesterday showing inflation soaring to 5.4%, which is its highest rate in 30 years. Working families are already feeling the crunch, and the triple whammy of an imminent

rise in the energy price cap, real wages falling and Tory tax rises make this crisis even worse. Labour would give people security, with fully-funded measures now to keep energy bills low, which would save households about £200 a year, with an extra £400 for families and pensioners who need it most. The Government could have supported that, but they did not. May we have a statement on why they are so out of touch with the reality faced by people across this country that instead of taking action to tackle the cost-of-living crisis, the Chancellor is just looking the other way, trapping us in a high-tax, low-growth economy?

I have asked the Leader of the House numerous times to locate which of the many sofas he perhaps possesses is hiding the Online Safety Bill, so I ask him that again. Last year, the Prime Minister said that it would have completed all stages by Christmas, then he said it would just be Second Reading—Members may be noticing a pattern here—and then there was just a vague commitment that it would happen at some point during the Session. The pre-legislative scrutiny Committee has reported, we have had a Backbench Business debate and still there is nothing. Meanwhile, social media and tech giants roam unregulated and many, including children and vulnerable people, are unsafe online. Please could the Leader of the House confirm when the timetable for this important Bill will be brought forward?

In another example of the Government's trying to avoid scrutiny, Ministers have taken to trying to slip huge chunks of legislation into Bills through Lords amendments, in a desperate bid to circumvent elected representatives in this place having the chance to debate them, as they did this week in the Police, Crime, Sentencing and Courts Bill. Will the Leader of the House explain why the Government are forced to sneak in these additional amendments in the other place, hoping that we in the Commons do not notice? It did not work, because the Labour peers voted down those last-minute Government amendments to that Bill. I have to say that, in a foreshadowing of what is happening in this place, it was striking how many Conservative peers also did not support the Government. Labour peers were the ones who voted for alternative plans that provided for strong action against dangerous protests; stronger action against protests on motorways that put lives at risk; an urgent review of drink spiking offences; giving councils powers to prevent anti-vax intimidation outside schools; and making misogyny a hate crime. Tackling violence against women and girls in that way and tackling anti-vax intimidation in that way is something that the Government could have voted for, but they failed to do so. It is the Home Office that is failing to keep us safe. Recorded violent crime has risen and prosecutions have fallen. Tackling crime and violence against women should have been the focus of that Bill, so will he tell us when it will be brought back to this place, so that democratically elected representatives on this side of the House can continue to argue for a better approach?

Finally, let me say that our country deserves so much better than this Government, who have completely lost grip. They are out of touch and out of control, they seem to be out of ideas and they are soon to be out of office.

Mr Rees-Mogg: I am grateful, as always, to the hon. Lady, particularly for her offer that I should join them on the other side of the House. My welcome would be

even warmer than that given to the hon. Member for Bury South (Christian Wakeford), who has not received the warmest welcome from the young socialists, who are not so keen, or from the Corbynistas, who are not in raptures at somebody who used language about the socialists on online chat groups that is not of the type I would use ever. I fear I would make our friends the stenographers of *Hansard* blush if I were to repeat such language in this House. Mr Speaker, I think you would swoon if the words he used to refer to his now socialist friends were poured forth. One has to say, "With friends like that"—I will leave others to conclude the rest of the sentence.

We then come on to what the hon. Lady and other socialists have been saying about the Prime Minister. He has rightly apologised to the House for mistakes that have been made. He has apologised to the country for mistakes that have been made, and Sue Gray is carrying out an investigation, but the socialists never want due process to take place. They always want to make the decision before they have the facts. They do not want to do it properly. This Government are doing it properly, and while we were doing it properly, we set up, under this Prime Minister's leadership, the furlough programme that saved 14 million jobs and that kept the economy going, which means that the economy is now back above its pre-pandemic levels and that youth unemployment is at a record low.

Every statistic on the economy is going in the right direction in terms of economic growth and employment. Getting back to pre-pandemic levels is a real achievement and something of which the Prime Minister can be proud. The Prime Minister got the vaccine roll-out right. Just think what howls we would have now—what they would be saying every week—if, in the end, the vaccine had not worked. It was that bold decision to buy billions of pounds-worth of vaccines early on that has meant that we are the first country to reopen. Have the socialists ever wanted us to reopen? No, of course not, because when the socialists take charge of our lives, they never want to give it up. They objected to our opening in the summer. They wanted a lockdown in the winter. They have grudgingly come round to the fact that we are now able to reopen earlier than other comparable countries. This is the success of the Prime Minister.

That does not mean that every problem is removed. Everyone accepts that inflation is a problem, but, of course, monetary policy is the independent responsibility of the Bank of England—an independent responsibility given to it by one Mr Gordon Brown, who I seem to remember was a socialist Chancellor of the Exchequer who therefore delegated the primary responsibility for inflation to the Bank of England.

On Bills, the Government are looking carefully at the recommendations of the Joint Committee on the draft Online Safety Bill, which were extremely helpful. I expect that that Bill will be brought forward at the appropriate time—when it is ready. We like to do things at the proper pace. As a general rule, we like to put carts behind horses rather than in front of them. That is better than having carts and horses misaligned.

Then we get to the socialists' desire for superglue. Mr Speaker, did you know that they want sales of superglue to go up. They are the advertisers for superglue, or Araldite. They want people gluing themselves to

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motorways to block up our major arteries, because they got their socialist peers in their fine ermine-trimmed robes to vote to obstruct the highways. That is what you get from socialism, Mr Speaker: control; interference; bossiness; and failure. With Conservatives, you get a growing economy.

Mr Speaker: Some might have said that Gordon Brown was a Labour Chancellor with socialist principles.

Damien Moore (Southport) (Con): I am sure that my right hon. Friend would agree with me that we need a range of options to ensure that energy prices in the UK remain affordable. To that end, I recently met Eqtec, a company operating in my constituency in partnership with Southport Hybrid Energy Park, that will turn waste into power without the emission of toxic fumes and that aims to provide enough clean energy for 20% of the homes in Southport. Does he agree that a debate to discuss clean energy innovation companies such as Eqtec would be worthy of this House and worthy of the time of my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy?

Mr Rees-Mogg: I am grateful to my hon. Friend for bringing this to the attention of the House. Companies such as Eqtec are exactly what we need to keep us on course for net zero by 2050 while maintaining a healthy, varied and affordable energy supply. Embracing a wide variety of energy sources is vital for keeping the lights on and our houses warm. As the recent difficulties have shown, we need to embrace a widespread energy supply, from nuclear power to power provided by companies such as the one that my hon. Friend mentions, and, of course, natural gas as a transition fuel on the journey to net zero in 2050.

Her Majesty's Government are committed to decarbonising our electricity system by 2035, backed by investment in renewables, such as tidal stream energy and nuclear. I am sure that, above all, our voters care for cheap, plentiful energy in their homes, and we want to ensure that that is compatible with net zero. As for the debate, it is either one for Westminster Hall, or, perhaps, under your generous auspices, Mr Speaker, for an Adjournment debate.

Pete Wishart (Perth and North Perthshire) (SNP): Can we have a debate about big dogs and the operations to save them? Apparently, one big dog is feeling a bit more secure this morning, with a trip to the vet to put him out of his misery possibly having been averted for a few days or more—for the time being, anyway. Who knew that defection, intimidation and blackmail would have such a recuperative effect on his colleagues?

We in the SNP are absolutely gutted about the prospect of taking on the current Prime Minister in Scotland. We completely refute the assertion that he is the best recruiting sergeant we have ever had for independence. It is not just us, however. Members of one party in Scotland are so looking forward to the current Prime Minister fighting in Scotland—they are the lightweights and nobodies among the Scottish Conservatives. One can only imagine their enthusiasm to get out to the stump to encourage the Conservatives in Scotland to vote for a Prime Minister who do they not want and who they want gone. It will be absolutely hilarious.

We are all expecting the Prime Minister to honour his pledge to come to the House with a statement following the release of Sue Gray's report. Does the Leader of the House not think, however, that the House deserves a full debate on a one-line motion, "That this House has full confidence in the Prime Minister"—an amendable motion? I am sure that that suggestion will have the support of the Government and the Whips in particular, because that would be an obvious opportunity for them to see all the recalcitrant Members and decide which will be denied funding and which will have all the leaks to the press about them.

Lastly, we need a debate about parties so that we can congratulate No. 10 staff on their sheer energy and hedonism. Those parties are the things of legend. I spent 20 years in rock and roll and even at the height of my excess, I could not even start to compete with those at No. 10. To those at No. 10 who are about to party, I say, "We salute you."

Mr Rees-Mogg: One looks forward to the hon. Gentleman's parties, which I am sure would be enormous fun. When he is there with his rock and roll band, I think the furious persona that is presented to us at business questions every week slides away, and suddenly the true Mr Wishart appears as the kindly, benevolent and jovial fellow that he is. I must say that the mask he wears so well in this House—in both senses—sometimes covers that up, but I am sure that, privately, his parties would be a joy to behold.

The hon. Gentleman asks me for a debate. Well, ask and it shall be given. As I have said, the Scottish National party has an Opposition day debate on Monday and he will be free to put down any orderly motion for that day. If the motion is the one that he wants, that will be the motion that we will debate. If he wishes to succeed in uniting the Conservative party even more on Monday, I look forward to the motion that he will put down.

As regards big dogs, they are absolutely splendid. I got a dog for my daughter a couple of years ago. I was quite keen on having an Irish wolfhound, because they are fine and impressive animals, but we ended up with a cocker spaniel, which is an absolute delight. I am sure that we could debate in this House on many occasions the varied virtues of all sorts of hounds—the bloodhounds that people admire and like so much. *[Interruption.]* Or Dalmatians, Yorkshire terriers or any of the range of dogs that could be considered and that bring joy to so many of our constituents. Perhaps the hon. Gentleman is most concerned that pet theft be made illegal, with which I am confident the Government will deal in due course.

Tim Loughton (East Worthing and Shoreham) (Con): I declare my entry in the register as the chair of a safeguarding board. The Leader of the House and all hon. Members will remember the tragic cases of Arthur Labinjo-Hughes and Star Hobson, the six-year-old and 16-month-old children who were killed at the hands of their parents and carers before Christmas. We had a statement from the Secretary of State for Education on 6 December. Can we have Government time for a debate on the safeguarding of children, which we have not had in this House for some time, to coincide with the report from the national review that the Secretary of State ordered? We will shortly have the serious case

review of the Star case and many constituents will be concerned to know what further measures we can take to protect such vulnerable children.

Mr Rees-Mogg: I am genuinely grateful to my hon. Friend for raising the issue of those tragic cases that have upset the nation at large and that require great work to be done to protect children in future. The cruelty, abuse and pain that those children suffered is unimaginable. It is important that policies are brought forward and adopted to protect children. Obviously, during lockdown, the supervision of children who were thought to be at risk was not what it ought to be and what it usually is when the country is fully at work. That is something that needs to be looked at. We need to be aware of what went wrong, so that we can ensure that those sorts of things do not go wrong in the future.

I cannot promise a specific debate in Government time on this matter, but I encourage my hon. Friend to keep on on the subject and to seek the guidance of the Backbench Business Committee, because it is a subject that many in this House would like to discuss.

Mr Speaker: Talking of which, I call the Chair of the Backbench Business Committee, Ian Mearns.

Ian Mearns (Gateshead) (Lab): As always, I am grateful, Mr Speaker. I thank the Leader of the House for announcing the business, in particular the fact that we have next Thursday to commemorate Holocaust Memorial Day, which is a vitally important day in the parliamentary calendar. I take the opportunity to remind Members across the House that, if they wish to apply for debates to commemorate particular anniversaries or notable calendar events, they should please look ahead in the diary and get their applications into the Backbench Business Committee as early as possible, so that it can help to secure the time and meet their wishes.

We all want to see the economy getting fully back to normal and to see the end of restrictions but, following yesterday's announcement of the proposed relaxation of covid restrictions, I have been contacted by several constituents with concerns. So could we have a statement or advice for our constituents who are medically vulnerable, or have medically vulnerable family members, especially younger children with profound disabilities or chronic health issues, who are still extremely vulnerable to the covid pandemic but have not yet had access to vaccination? Those families need the Government to reassure them that they will not be forced into a form of self-imposed lockdown to protect their vulnerable family members.

Mr Rees-Mogg: The hon. Gentleman raises an important point about the delivery of vaccinations. The vaccination and booster programme has been a considerable success. It is striking that 90% of people in intensive care have not received the booster vaccination, so the importance of having one is great. I will certainly take up any specific cases he has in relation to individual constituents with the Department of Health and Social Care if he is not getting satisfactory answers. He raises an important issue, which is one of general concern, but getting back to normal is what we need to do. We need this country to get back to normal, we need people getting back into work and we need to learn to live with covid after the difficulties that we have had over the last two years and

after the remarkable behaviour of this nation in getting through so difficult a circumstance and being the first country to be on the way to getting back to normality.

James Daly (Bury North) (Con): The Labour party's tax on business, otherwise known as the Greater Manchester clean air zone, is a disaster for my constituents. It is impacting taxi drivers, small businesses and many others over an area of 493 square miles. I ask my right hon. Friend to make time for a debate so that this House can tell the Mayor of Greater Manchester and all the Labour politicians, including the Labour leader of Bury Council, that that plan is not acceptable, that the voice of Parliament must be heard and that my constituents must not be penalised in that manner.

Mr Rees-Mogg: I entirely agree with my hon. Friend, who serves his constituents so nobly. Labour's plan is essentially a tax on jobs, a tax on working people and an attack on the motorist. The Labour party hates the motorist because the socialist does not like the independence that motoring brings to people. Again and again, Labour wants to attack the motorist. Labour's plan, Mr Burnham's plan, the socialist plan, the left-wing plan for a tax on working people in Greater Manchester is something that my hon. Friend is right to campaign against.

Marsha De Cordova (Battersea) (Lab): South Western Railway serves three stations in Battersea. Due to the pandemic, a reduced service has been in operation. Recently, however, it has introduced further cuts, including going from three trains an hour to just one and 200 fewer services every day. The changes will cause massive disruption to my constituents who rely on those services, including for their daily commute. It is worth pointing out that, in 2020, South Western Railway increased rail fares by 2.9%, which was the second highest among all rail operators. Can we have a debate in Government time on its service delivery, service cuts and reductions?

Mr Rees-Mogg: The hon. Lady's point is serious and important. It is to be hoped that, as people come back into work, the railway companies will realise that more services are needed. The return to normality ought to see more people coming into central London, so one would expect—she referred to the three trains an hour going down to one—that the demand will be restored. As it is a very specific debate, I suggest the hon. Lady speaks to Mr Speaker for an Adjournment debate, but I know it is a concern that many of her constituents will share.

Dr Matthew Offord (Hendon) (Con): There have been media reports that 80% of residents in the United Kingdom are very concerned about a climate catastrophe. Can we have a statement from a Minister in the Department for Business, Energy and Industrial Strategy to give the results of the inquiry into net zero governance?

Mr Rees-Mogg: The Government share the public's concern, which is why the UK was the first major economy to legislate for net zero emissions through the Climate Change Act 2008. Her Majesty's Government have continued to deliver on that commitment through the Prime Minister's 10-point plan for a green industrial revolution, making our energy system more diverse and secure, while creating hundreds of thousands of new jobs. It is also important that any new technology

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ensures that energy is affordable. Between 1990 and 2019, our economy grew by 78%, while emissions decreased by 44%. That is the fastest reduction in the G7. The fundamental point is that we need our economy to grow and we need to be richer, and that will allow us to afford to be greener at the same time.

Nick Smith (Blaenau Gwent) (Lab): In October, I was pleased to support my hon. Friend the Member for Swansea East (Carolyn Harris) when she brought forward her private Member's Bill on the menopause. In response, the Government said they would look at combining the two hormone replacement therapy treatments into one prescription to make it more affordable. Can we please have a Government statement on when this important women's health measure will be implemented?

Mr Rees-Mogg: Whenever the name of the hon. Member for Swansea East is mentioned in relation to a campaign, I always have a sneaking suspicion that it will be successful. I will take up what the hon. Gentleman has asked for. I know it is something that the Government are planning to do; it is merely a matter of timing. I hope we can find out a precise time for him and his hon. Friend.

Shaun Bailey (West Bromwich West) (Con): This week, the Secretary of State for the Department for Levelling Up, Housing and Communities announced that he was minded to send commissioners into Labour-led Sandwell Council. We know about the corruption and malfeasance at the heart of the Labour administration in Sandwell, but can my right hon. Friend confirm that we will have the opportunity to have a debate in Government time on Sandwell Council at long last? Will he also confirm, responding on behalf of the Government, that should these commissioners find anything—whether that be instances of real financial corruption by previous leaders, councillors or even the former chief executive—these matters will be referred to the police and the Crown Prosecution Service?

Mr Rees-Mogg: We may need to set aside days of debate to discover all the failings and corruptions in socialist councils. They seem to come up at business questions again and again. It is important that Members hold local authorities to account, and this is not the first time that my hon. Friend has raised suspicious dealings at Sandwell in this House at business questions. The Government have been able to send commissioners to improve the performance of serially failing local authorities—that is a vital tool—and it is right that they are held to account. Of course, if crimes have been committed, the police should be called and involved.

Wera Hobhouse (Bath) (LD): It is always fun to discuss dogs with the Leader of the House. I remember that his daughter's family pet is called Daisy. From cuddly dogs to warm homes, it has been reported in the press that the energy company obligation, or ECO, may be cut by the Treasury in response to the gas crisis. ECO tackles fuel poverty and reduces CO₂ emissions through energy efficiency and heating upgrades. Scrapping or not uplifting ECO will make it more difficult for those who are already struggling to pay their bills. Can we have a statement from the Treasury on what measures it

is taking to ensure that energy efficiency is achieved, but in particular that struggling households can pay their bills and not be worried sick?

Mr Rees-Mogg: I can tell the hon. Lady that Daisy came from her constituency, travelling the long way from Bath to North East Somerset.

On her serious question, the Government are obviously very conscious of the pressure on families through rising energy bills, so the energy price cap is being maintained. There is a £500 million household support fund, so that local authorities can help those on the lowest incomes with their food and utility costs, and a £140 rebate on the energy bills of 2.2 million low-income householders this winter through the warm home discount. There are seasonal cold weather payments of an extra £25 a week for up to 4 million people during colder periods, and up to £300 in winter fuel payments for recipients of the state pension. A great deal is being done to help people with their energy costs, and that is the right thing to do.

Joy Morrissey (Beaconsfield) (Con): May I offer my thanks to the leader of the Labour party, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), for uniting Conservative Back Benchers more effectively than anyone else could and for reminding us of our democratic mandate? May I ask the Leader of the House whether we can have a debate on that issue?

Mr Speaker: Don't count your chickens before they hatch.

Mr Rees-Mogg: My hon. Friend raises a very important point about the democratic mandate and what mandate we have, because most of us know that we are elected because of the party that we support. All the studies have shown that the personal vote that Members of Parliament have is remarkably small. People are aware that however much independents may be brilliant individuals, they very rarely get elected to this House; it is the party ticket that gets people elected. I know that Bills have been introduced to this House, supported by hon. Members from across the House—particularly ones, I believe, from Bury—on having a by-election if people were to decide to change party. I think that is worth discussing and debating because the mandate goes with the party, but also, if I may say so, with the individual. Members of the Conservative party know that we were elected because of the leadership of our right hon. Friend the Prime Minister. He has the mandate; he has the commission from the Queen; he had the support of the British people in 2019. It is our responsibility to ensure that the Government he leads is a success.

Catherine West (Hornsey and Wood Green) (Lab): The House will be aware from the Adjournment debate last Friday on the insecurity of the private rental sector that 4.4 million families are now in the privately rented sector and that half of all people in that sector who complain to their local authority about repairs not being done were given an eviction notice to quit within six months of that complaint. When will the Government introduce the urgent legislation that is desperately needed to tackle the issue and help the 4.4 million families who now call the privately rented sector their home, and probably will for many more years to come?

Mr Rees-Mogg: I am going to quibble with the hon. Lady, because many of the 4.4 million people living in private rented homes are extremely happy with them. Private rented home residency is a very important part of the housing market. That is not an excuse for bad landlords, but it is wrong to assume that all private renting is bad, because a great deal of it is beneficial. It provides mobility and allows people to use their capital in different ways, so we should support and burnish the private rental sector, but we should also do whatever we can to ensure that landlords behave properly.

Bob Blackman (Harrow East) (Con): Bus lanes are intended to provide a smooth path for buses to travel, particularly during peak hours. Personally, I have never understood why in London, we have so many all-hours, seven days a week, 24 hours a day bus lanes when no buses travel during the early hours of the morning. Recently, there was a case in a neighbouring constituency where we have the smallest bus lane in London—it is 39 feet long. However, over the past year, 7,800 motorists have been fined for going in that bus lane, which operates seven days a week, 24 hours a day, and Harrow Council has got £442,363 in fines. Not only is it a small bus lane but it is adjacent to a lane that is required only during peak hours. May we have a debate in Government time on bus lanes and their signage, which seems to be a way of milking the motorist rather than allowing people to travel properly?

Mr Rees-Mogg: I am in entire agreement with my hon. Friend. It is noticeable that, under the covid provisions, an awful lot of bus lanes seem to have gone from being for set times to 24 hours a day, even when they are not being used for a large chunk of the day. What he says about 7,800 fines for 39 feet of bus lane raising more than £442,000 is a swindle. Once again, the poor, hard-pressed motorist is being abused by councils that dislike motoring. The Conservative party is the party of the motorist. Yes, bus lanes serve a role during peak hours, but opening them for 24 hours just to turn them into a milch cow seems quite wrong.

Owen Thompson (Midlothian) (SNP): My constituent Garry McDermott has been trying to resolve issues with his war pension for a decade, having sent crucial documents to the Ministry of Defence 50 times, but they repeatedly go missing. I understand there are 1,500 pages missing from his evidence bundle. Garry is just one of thousands of veterans facing similar issues, which are driving many into poverty and increasing the risk of suicide. I know all hon. Members have huge respect for veterans, so does the Leader of the House share my anger that the current system for claiming war pensions and armed forces compensation payments is far too complex and non-transparent and is driving veterans to give up altogether? May we have a debate in Government time to consider fully the need for an independent inquiry into the failings of the current process?

Mr Rees-Mogg: It is not always right to draw conclusions about a whole system from one case. The hon. Gentleman raises the case of Garry McDermott, who has sent in his papers 50 times over 10 years, with 1,500 pages going missing. I will certainly take up the case with the Ministry of Defence if he sends me more information, as it is important that systems work well not just in

theory but in practice for individual constituents. I view it as very much the role of the Leader of the House to try to facilitate redress of grievance, where that is possible.

Peter Gibson (Darlington) (Con): In 1825, Locomotion No. 1 pulled the first passenger train over Skerne bridge in Darlington, marking the birth of the modern railway. Ever since, Darlington has had a unique connection to the railways that made Britain great. Does my right hon. Friend agree that we should celebrate the ingenuity of our Victorian ancestors by establishing the headquarters of Great British Railways in Darlington? Due to the extent of interest from hon. Members on both sides of the House in their constituencies hosting it, may we please have a debate in Government time?

Mr Rees-Mogg: Talking about early railway journeys always makes me nervous because we all remember that Huskisson, who was President of the Board of Trade at the time, unfortunately stepped the wrong way on the track and was run down by an early railway experiment.

However, my hon. Friend is right to ask me of all people to celebrate our Victorian forebears. I share a birthday with Her Majesty Queen Victoria, 24 May, which used to be a public holiday as Empire Day. Talking of birthdays, I have not yet wished the Chief Whip a happy birthday. Mr Speaker, did you know it is the anniversary of that distinguished gentleman's birth?

Mr Speaker: I did, and I have already congratulated him.

Mr Rees-Mogg: We wish the Chief Whip many happy returns.

The spirit of Barry, Brunel and Bazalgette should be the guiding inspiration behind the Prime Minister's levelling-up agenda. The Government are embarking on the biggest investment in our railway infrastructure, with £96 billion of taxpayers' money being spent through the integrated rail plan. There will be £105 million spent on Darlington station thanks, at least in part, to the excellent campaigning work of my hon. Friend the Member for Darlington (Peter Gibson).

The Great British Railways transition team is running a competition to identify where the national headquarters will be. Unfortunately I am not allowed to have favourites, otherwise I might suggest it goes to Midsomer Norton, which is mentioned in Flanders and Swann's song "On the Slow Train." As I am not allowed to be partial, may I wish Darlington and my hon. Friend every success?

John Cryer (Leyton and Wanstead) (Lab): The Leader of the House will be aware that on Tuesday afternoon there was an urgent question on football governance, but it was very narrowly drawn in that it really just addressed one club, Derby County, important though that is. May we have a general debate on football governance, because that is a matter of deep concern across the House and from all points of the country, with particular reference to the shambles that is the finances of football, which is not entirely but partly driven by the rampant untrammelled greed of the owners of premier league clubs?

Mr Rees-Mogg: I know that this is a matter of concern across the House, and there was indeed the urgent question earlier this week. I think that many Members have strong views about the management of football in

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this country, and I am sure there is demand for a debate. I notice that the Chairman of the Backbench Business Committee is still here, and I think it would meet with widespread support.

Scott Benton (Blackpool South) (Con): Voters in constituencies such as Blackpool South, and indeed Bury South, voted Conservative in large part because of the Prime Minister and his positive vision of levelling up and getting Brexit done. They voted Conservative and for this Prime Minister, not for a socialist representative. MPs should not be able freely to play a game of musical chairs around the Chamber of the House. Does the Leader of the House agree that Members should respect the democratic mandate afforded to them by voters, and will he make time for further debate on the recall of MPs legislation?

Mr Rees-Mogg: My hon. Friend raises a very important point. Is it respectful to voters, when the campaign has been carried out on one basis, to change the terms of engagement without the other side of the contract having any say in the matter? I have always thought that we as Members of Parliament should not be afraid of recall as an issue. I think that our constituents are sensible and wise, and they would never use recall frivolously, but would use it sensibly for cases where they felt something had gone very wrong. Of course, Members also have the opportunity to decide these things for themselves, and I recall the behaviour of Douglas Carswell, the former hon. Friend of many of us.

Nia Griffith (Llanelli) (Lab): It is now over three years since the Prime Minister promised to ban the abhorrent practice of gay conversion therapy, so when will the Government act decisively and bring forward legislation to ban the practice and ensure that the legislation, like that recently passed in France and Canada, makes it crystal clear that there are no loopholes for so-called consent?

Mr Rees-Mogg: A consultation has been taking place recently, so the hon. Lady can be reassured that the issue is at the forefront of the Government's mind and, indeed, of the Government's plans. Legislation is always subject to time and other events within the programme.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): The Leader of the House mentioned the rising inflation rate earlier and also referred to the rising costs of fuel for people. Can we have an urgent debate in Government time on fuel poverty, because the measures he discussed earlier are not enough to support people going through that crisis? As MoneySavingExpert's Martin Lewis has pointed out, that affects families across all the nations of the UK, but it is especially hard hitting for families in constituencies such as Inverness, Nairn, Badenoch and Strathspey, where we have a colder climate and higher costs because of off-grid considerations. Does the Leader of the House understand how critical and pressing the issue is for families dealing with the current crisis in their costs of living?

Mr Rees-Mogg: I think everyone across the House understands how pressing the issue is. The rise in fuel prices on world markets has been extraordinarily rapid

and sharp, and that is having an effect on family budgets. I reiterate what I said about the support that is available, with the £140 rebate for 2.2 million low-income households this winter. Other supports are available, and organisations such as local councils and citizens advice bureaux can also provide support to people.

I would also point to the other side of the balance sheet, with the rising incomes available to people through the increase in the national living wage to £9.50 from April, which is an extra £1,000 a year for a full-time worker, while 2 million families will get an extra £1,000 a year through our cut to the universal credit taper and the increase to work allowances. The Government are working this on both sides of the equation: both by helping people increase their incomes and by giving some support with the costs.

Janet Daby (Lewisham East) (Lab): With fuel prices rising, where newer tower buildings are installed with district heating, also known as network heating, leaseholders have no control over their heating provider. Is it not time that the Government reviewed the scheme and regulated providers? Will the Leader of the House ask a Minister in the Department for Business, Energy and Industrial Strategy to make a statement on the matter in the Chamber?

Mr Rees-Mogg: The hon. Lady is right to raise the matter. It is noticeable how serious the concern about heating bills is, because it has been raised today by Members across the House. The Government are providing the help that I have mentioned and are doing things to help leaseholders in other areas, but I will pass on the hon. Lady's concerns to the Secretary of State for Levelling Up, Housing and Communities.

Rachael Maskell (York Central) (Lab/Co-op): My city of York has developed an interest in how titles are assigned and in how they can be removed from people whose title takes the name of a geographical location. In 1917, Parliament enacted the Titles Deprivation Act to remove a title for the act of treason. Will the Leader of the House make time to debate new legislation that empowers local people to determine the circumstances in which titles are awarded and removed, and reflect on the geographical location from which titles are taken? York has a global reputation not just for its rich cultural heritage, but for the social values it espouses.

Mr Rees-Mogg: The Titles Deprivation Act 1917 is an extremely interesting Act of Parliament. An unusual process was adopted: rather than simply attainting the dukes who were on the wrong side of the first world war, it was decided to use classification. That was a successful means of legislating, although I understand that the successors to the dukes who were deprived could petition to have their titles restored if they so wished. As regards the award of territorial designations, that is a matter for the sovereign.

Marion Fellows (Motherwell and Wishaw) (SNP): In 2017, the then Department for Communities and Local Government advised that it was actively looking at ways to take forward the issue of redundancy modification orders. To date, however, no updates have been provided—indeed, the Department no longer exists. Will the Leader of the House please assist me by contacting the relevant Department and urging it to meet me to provide an

update? The long wait for an answer is having a detrimental effect on my constituent and on many others across the United Kingdom.

Mr Rees-Mogg: As I have said before, I think it a matter of routine that Ministers should make themselves available to Members of this House when those Members have important constituency issues to raise. If the hon. Lady has had any difficulty in organising such a meeting, I encourage her to come to my office; I will do my best to help.

Andrew Gwynne (Denton and Reddish) (Lab): May I ask the Leader of the House when we will have an opportunity to scrutinise the allocation of levelling-up funding? Stockport Council put forward a superb bid for the refurbishment of the Edwardian Reddish baths, fire station and library buildings into a new employment start-up space, learning centre and community hub. It ticked all the boxes: civic pride, employment generation, skills, community. No funding was given. If the Prime Minister is reallocating funds from his disloyal MPs, can we have them?

Mr Rees-Mogg: There is £4.8 billion in the levelling-up fund to help to regenerate town centres and high streets, upgrade local transport and spend money on cultural and heritage assets, and there is £2.4 billion in 101 town deals, investing taxpayers' money in local economies. It is important to help our towns and cities in restoring local pride across the country. There are always more applications than ability to fund. That is a good thing—a good competitive spirit—and it shows that towns and cities are full of pride for their efforts, successes and histories, but there is not unlimited taxpayer money.

Ms Anum Qaisar (Airdrie and Shotts) (SNP): Albert Bartlett is one of the largest potato suppliers in the UK; its headquarters is based in my constituency of Airdrie and Shotts. I recently met Ronnie Bartlett to discuss the impact of Government policies on the agricultural industry and the challenges that the sector is facing in hiring both skilled and unskilled labour.

Our particular concern is the requirements in the provision of sponsorship for visas, with Albert Bartlett potentially being ineligible for the temporary worker visa scheme if it works with third-party producers. To make it possible for Members of this House to discuss how we can help companies such as Albert Bartlett to get the workers that they require and ensure that fresh and frozen produce remains on supermarket shelves, will the Leader of the House grant Government time for a debate on the impact on businesses of the Government's immigration policies?

Mr Rees-Mogg: I would be delighted to have a debate on the virtues of potatoes, which, it has to be said, are my favourite food source—roast potatoes, chips, boiled potatoes: one can eat all sorts of delicious potatoes. So I wish Bartletts well as a major potato supplier. The hon. Lady probably did not realise how dependent my culinary contentment is upon her constituency business.

As regards the allocation of visas, there is a scheme for shortage areas to have special ability to apply for visas, but, having left the European Union, we want to try and ensure that our fellow citizens are able to get the jobs available. It is right that that is the priority.

Dame Diana Johnson (Kingston upon Hull North) (Lab): There is more than a whiff of “jobs for the boys” if the report in the *Yorkshire Post* is right—that the former Tory MP, now noble Lord Patrick McLoughlin is to be the new chair of Transport for the North. Given that Transport for the North's responsibilities have been stripped back and that it has been ignored by the Government when setting out the clear level of funding that the north needs for transport, rather than what was announced in the integrated rail plan, may we please have a debate on whether the Government intend Transport for the North to be only a neutered talking shop?

Mr Rees-Mogg: We would have to set aside far too much time if we were to debate the many virtues of my noble Friend Lord McLoughlin, who is a former Transport Secretary. I do not know whether the rumours are true—I have not seen the report—but to come to this House and complain about the giving of a job in transport to a former Transport Secretary, one of the best informed people in the country about transport, is, in a word, eccentric.

Peter Grant (Glenrothes) (SNP): Earlier this week I received notification that the Carleton post office in my constituency, which had previously been described as temporarily closed, is now permanently closed. Residents in Woodside join a long, long list of communities in my constituency who have had this vital service withdrawn from them. The biggest single reason is that the business model that the Post Office insists on simply does not make sense to retailers of any size. Can the Secretary of State, who owns the Post Office, be brought before this Chamber to give a statement about what he is going to do to address this crisis, before there are no more post offices left to shut?

Mr Rees-Mogg: The Government are committed to a UK-wide network of post offices, which is why we have set the national access criteria. Those require that nationally, 90% of the UK population should be within one mile of the nearest post office branch, and that nationally, 99% of the UK population should be within three miles of the nearest post office branch.

While post office branch numbers can fluctuate between areas and regions, the Post Office works hard with communities to ensure that service is maintained. That can include solutions such as mobile or other types of outreach services when necessary. There is a policy to deal with this, and the Government take the issue of access to post offices very seriously.

Liz Twist (Blaydon) (Lab): Bus services are absolutely crucial for my constituents in Blaydon as a means of getting to work and to important appointments, yet bus services face a real cliff-edge crisis with the ending of covid funding. We still do not have news of the bus service improvement plan funding, which, incidentally, appears to have been cut from the original £3 billion to £1.4 billion. May we have a debate in Government time about the importance of bus services and how we can support them to continue to serve our communities?

Mr Rees-Mogg: I will say two things. First, the Government have a plan to spend £5 billion of taxpayers' money on buses and cycling over the course of this Parliament. As people begin to go back to work—from

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today we can go back to work in our offices—it would be natural to expect the demand for bus services to increase, so that temporary closures ought to be reversible.

Sir Mark Hendrick (Preston) (Lab/Co-op): May we have a debate in Government time on ambulance waiting times, which are becoming critical in Lancashire? People are waiting for hours outside the Royal Preston Hospital, where covid cases have risen rapidly. The Government announced the relaxation of measures yesterday, but infections and deaths are rising, and we also have a Nightingale ward set up at the hospital, which is causing major congestion and problems outside. Will the Leader of the House look into that?

Mr Rees-Mogg: As I have said to other Members, I am always open to taking up specific cases with Ministers and Departments on behalf of individual Members in relation to their constituents. On the general point on ambulances, NHS England has given ambulance trusts an extra £55 million to boost staff numbers this winter, and the NHS has been supported this winter, including with £478 million as part of the enhanced hospital discharge programme, which frees up beds and therefore makes patient admissions at the front end easier. So considerable amounts of taxpayers' money are being committed to helping the ambulance service, but, as I said, if there is a specific issue with a specific hospital on which the hon. Gentleman has not been able to get a satisfactory answer from the Department of Health and Social Care, my office will be more than happy to help.

Margaret Greenwood (Wirral West) (Lab): Woodchurch leisure centre and the libraries in Greasby, Irby, Hoylake, Pensby and Woodchurch are really important to the quality of life and wellbeing of thousands of people in my constituency, including many living in areas of deprivation, yet all are under threat of closure as a result of savings that Wirral Council is required to make after more than a decade of brutal funding cuts by Conservative-led central Government. I note the Leader of the House's response to my hon. Friend the Member for Denton and Reddish (Andrew Gwynne) earlier this morning, but will he remind his colleague the Secretary of State for Levelling Up, Housing and Communities that when he came to office he said he wanted to

“raise living standards especially where they are lower”

and

“improve public services especially where they are weaker”,

and will the Leader of the House, as a matter of urgency, let us have a debate in Government time on the impact of central Government cuts on the provision of libraries and leisure centres?

Mr Rees-Mogg: We will have a debate, if we do have one, on £4.8 billion—the largest ever increase in core funding in a decade—being given to councils, in addition to £3.6 billion being given to local authorities to help with social care reform, £45 billion committed to help local authorities support their communities and local businesses during the pandemic, and £12 billion of direct support to councils since the start of the pandemic.

Local councils have a democratic mandate and are there to make choices. When the local council makes choices that Members do not like, that is not the Government's fault; it is a decision of the local council.

Daniel Zeichner (Cambridge) (Lab): High energy prices have many consequences, but one perhaps not always foreseen is the effect on the producers of carbon dioxide, and in the run-up to Christmas there was a real crisis. The Government put in place some short-term measures but they are coming to an end in a few weeks; may we have a statement from a Minister on what the Government are doing, because it appears they may be playing chicken with our national security?

Mr Rees-Mogg: The issue with carbon dioxide came to the fore in the autumn and the Government acted quickly to ensure that the carbon dioxide supplies continued. Obviously it is a matter of some commercial sensitivity because of dealing with a private company that, reasonably enough, seeks to make a profit out of its activities. I promise to highlight the hon. Gentleman's concerns to the Secretary of State for Business, Energy and Industrial Strategy, but I assure him that Her Majesty's Government have not forgotten about this.

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): I am proud to say that the bank hub pilot in Cambuslang has been a resounding success, and the Post Office with its retail bank partners is looking to expand that across the UK, with five more hubs in the pipeline. Cambuslang community council is acting in a mentoring capacity to allow the proposed sites to share their expertise, so will the Leader of the House schedule a debate in Government time on the invaluable benefits that bank hubs can bring to improving access to cash and encouraging footfall in local high streets?

Mr Rees-Mogg: I think that is a record. I think it is the first time that I have ever been asked by an Opposition Member for a debate to celebrate something that the Government have done, and which seems to be going well and be pleasing the hon. Lady, so I am very grateful for that. I wonder whether a bank hub might be the solution for the hon. Member for Glenrothes (Peter Grant) in place of Carleton post office. Even though the hon. Lady's question was so politely and kindly phrased, I cannot promise a debate in Government time, but an Adjournment debate would provide a good opportunity to bring the subject to the wider attention of Members.

Jim Shannon (Strangford) (DUP): Last week, Her Majesty's Government opened the Afghan citizens resettlement scheme with a referral pathway for particularly vulnerable groups, such as women and girls at risk, human rights advocates and, in particular, members of persecuted religious minorities, many of whom are in hiding. However, the first year of the pathway will offer places only to British Council members, GardaWorld contractors and Chevening alumni. Given the vulnerability of the minority groups I mentioned and the high level of interest from many of my constituents, my constituents and I seek from the Leader of the House direction from the relevant ministerial Department on how those in hiding—Christians living in fear of death—can actually access the scheme? They just need to know how to do it.

Mr Rees-Mogg: The hon. Gentleman always raises important questions about freedom of religion or belief and trying to protect those who are persecuted. The Government have supported about 3,000 people leaving Afghanistan since the end of Operation Pitting and have a scheme that will relocate an additional 5,000 vulnerable Afghans in its first year, potentially rising to 20,000 over the longer term. He asked specifically how people access this ability when they have to be in hiding. That is obviously a difficulty. It is not simple to answer how to overcome that, but the eligibility is there, and finding routes as to how people claim it will be part of how the Government organise the scheme. I will try to get him a more detailed answer from the Department.

Points of Order

12.1 pm

Geraint Davies (Swansea West) (Lab/Co-op): On a point of order, Madam Deputy Speaker. The Prime Minister persistently tells the country, through the House, that 420,000 more people are at work than pre-pandemic, but the Office for National Statistics shows that 506,000 fewer people are at work—the Prime Minister excludes the self-employed. Will you and Mr Speaker ensure that the Prime Minister uses accurate figures, to ensure that there is trust in the Government and that we realise that there are half a million fewer people at work, rather than 420,000 more?

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Member for his point of order. I am sure he will realise that the content of answers to parliamentary questions is not a matter for the Chair, but he has obviously put on the record his concerns, which I am sure will have been noted by those on the Front Benches.

Andrew Gwynne (Denton and Reddish) (Lab): On a point of order, Madam Deputy Speaker. The Leader of the House, in answering the hon. Member for Bury North (James Daly) on the Greater Manchester clean air zone, may have inadvertently misled the House; he is certainly unaware of the facts. It is a ministerial direction, the Environment Act 1995 (Greater Manchester) Air Quality Direction 2019, that imposes a category C clean air zone on Greater Manchester. Further, section 8 states:

“The authorities must not vary, revoke or suspend...without the prior written consent of the Secretary of State.”

Last week, I asked the Leader of the House to urge his colleagues to do just that and revoke the direction. His response was that the Mayor should just get on with it. How can we correct the inconsistency in the Leader of the House's answers to myself and to the hon. Member for Bury North and get on the record that this is a Government instruction?

Madam Deputy Speaker: I thank the hon. Gentleman for his point of order. He seems to have managed two bites at the cherry, including in business questions. Again, I have to say that that is not a point of order for the Chair, but the Member has put his concerns on the record, and I am sure the Leader of the House and those on the Government Front Bench will have heard what he had to say.

Backbench Business

Uyghur Tribunal Judgment

[*Relevant document: e-petition 300146, "Impose sanctions on China over its treatment of Uyghur Muslims".*]

12.4 pm

Ms Nusrat Ghani (Wealden) (Con): I beg to move,

That this House notes that the December 2021 Uyghur Tribunal's judgment in London found beyond reasonable doubt that the People's Republic of China was responsible for genocide, crimes against humanity and torture in the Uyghur region; and calls on the Government to urgently assess whether it considers there to be a serious risk of genocide in the Uyghur region and to present its findings to the House within two months of this motion being passed, use all means reasonably available to ensure the cessation of ongoing genocide, including conducting due diligence to ensure it is not assisting, aiding, abetting or otherwise allowing the continuation of genocide and fulfil its other obligations under the UN Convention on the Prevention and Punishment of Genocide, accept the recommendations of the Fifth Report of the Business, Energy and Industrial Strategy Committee, Uyghur forced labour in Xinjiang and UK value chains, Session 2019-21, HC 1272, including black-listing UK firms selling slave-made products in the UK and putting in place import controls to protect UK consumers, and place sanctions on the perpetrators of this genocide, including Chen Quanguo.

I put on record my thanks to the Inter-Parliamentary Alliance on China and the World Uyghur Congress, and to Rahima Mahmut and Dolkun Isa in particular. I also thank Sir Geoffrey Nice QC, who chaired the Uyghur Tribunal. He worked at the International Criminal Tribunal for the Former Yugoslavia between 1998 and 2006 and led the prosecution in the trial of Slobodan Milošević, the former President of Serbia, for genocide. I cannot stress enough that there is no person more qualified than Sir Geoffrey to assess the facts and determine whether there has been genocide, the crime of all crimes.

There is a lot of speculation in this place about people abdicating their legal and moral duties, and that is what this debate is about. The Government have a legal and moral duty to respond to the Uyghur Tribunal's verdict and the evidence that was put before it. They must stop shirking that duty by using expensive Government lawyers to weasel their way out of acting—a course of action that is truly reprehensible.

As we know, the Uyghur Tribunal verdict last month, which was based on the facts, was crystal clear: genocide is taking place in the Xinjiang region of north-west China. What more do the Government need to see and hear? Surely the Minister cannot argue with the evidence presented to the tribunal, or its conclusion that human rights abuses, torture and genocide are taking place—a conclusion that it made while it was sanctioned by the Chinese Communist party. There is no plausible reason for the Government to ignore the conclusions of the tribunal. To do so is to quibble on a point of dubious legality, to ignore evidence and to ignore the moral and legal duty to act. When will the Government do the right thing, and—this is a question to which we desperately seek an answer—where is the organising force of this Government?

I am not interested in hearing the Minister discuss whether or not the Uyghur Tribunal is a competent court. That is irrelevant to this debate. I am focusing on

the International Court of Justice's *Bosnia and Herzegovina v. Serbia and Montenegro* 2007 ruling, which completely blows that argument out the water. Let me remind the Minister of the legal situation that the Government are in. The ICJ ruled that

"a State's obligation to prevent, and the corresponding duty to act, arise at the instant that the State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed."

That is the crux of the issue, and of this debate. Those are the rules that the Government are operating under—unless the Minister intends to suggest today at the Dispatch Box that we are now making up our own rules on the hoof.

This House, too, has examined some of the most horrific evidence put to the Uyghur Tribunal. With one voice, Parliament agreed that genocide was taking place in Xinjiang against the Uyghur people and other minorities. That was a significant development. We joined our allies in America in taking that view, and were soon followed by Parliaments in countries across the world, including the Netherlands, Lithuania, Canada and the Czech Republic.

Today's debate is about three things. First, now that the evidence has been presented to the Uyghur Tribunal, the Government must assess whether, under their ICJ obligations, they consider there to be a serious risk of genocide. Today's motion will force the Government to present that analysis to the House within two months.

Secondly, if the Government will not or cannot do anything about the genocide, the mass rapes, the torture and the abuses taking place in Xinjiang, they should at least protect the British people. The British public—including my constituents and, no doubt, the Minister's constituents—do not want to be assisting, aiding or abetting the Uyghur genocide. Only the Government can protect the British consumer by introducing import controls, blacklisting British firms profiting from slave labour, and toughening up the current toothless anti-slavery rules.

Finally, the Government should act in line with our closest international allies and use Magnitsky sanctions against Chen Quanguo, the architect of the misery in Xinjiang.

Geraint Davies (Swansea West) (Lab/Co-op): I am listening carefully to the hon. Lady's excellent speech. Does she agree that there is also a case for labelling products that may have been produced in the context of the genocide, in that they were subject to Uyghur exploitation, so that consumers themselves can decide whether they want to buy ethically produced products?

Ms Ghani: I do agree with the hon. Gentleman. Our constituents want to know the heritage of the products that they are consuming, quite apart from the environmental impact. There is nothing to prevent the Government from ensuring that these products are labelled "stained with slave labour from Xinjiang".

The tribunal spent a year, in London, amassing the most comprehensive body of evidence in existence on the Uyghur crisis. It took testimonies from academics, legislators and witnesses, and that is how it was able to make a legal determination. There was evidence of, for example, a massive drop in Uyghur birth rates in Xinjiang, which represents just one of the five markers of genocide.

In one Uyghur region, birth rates are down by 84%. That accords neatly with the marker: the destruction of a people by stopping them having children, in just one generation. The tribunal labelled it “the biological genocide”.

Nowhere else in the world are so many women being violated in one place at the same time. Although the Uyghur region accounts for just 1.8% of China’s population, 80% of all birth control device insertions in China were performed in that region. Is the Minister really going to challenge the evidence with which the tribunal was presented? It heard that:

“Pregnant women, in detention centres and outside, were forced to have abortions even at the very last stages of pregnancy. In the course of attempted abortions babies were sometimes born alive but then killed.”

Those are the facts that were presented to the tribunal.

Witnesses’ testimonies were so horrific that I cannot list them all, but the Board of Deputies of British Jews compared this to the holocaust. Its president, Marie van der Zyl, wrote:

“Nobody could...fail to notice the similarities between what is alleged to be happening in the People’s Republic of China today and what happened in Nazi Germany 75 years ago”.

Having considered this evidence, the tribunal said that it was

“satisfied beyond reasonable doubt that the PRC, by the imposition of measures to prevent births intended to destroy a significant part of the Uyghurs in Xinjiang as such, has committed genocide.”

I urge the Minister not to maintain the Government’s position of “Hear no evil, speak no evil, see no evil”. That is straight out of the CCP’s playbook. We have moved on, and the Government must now act. I am going to give the Minister some time in which to consider rewriting her speech, because the Government have now been told of the ICJ’s 2007 ruling, and we do not want to hear a rehearsal of their previous arguments.

Let me try to help the Minister by pre-empting some of the points that she may make. In the past, the Government have deferred to their holding statement that this is a matter for competent courts. That is irrelevant to today’s debate. The House now knows that the ICJ’s *Bosnia and Herzegovina v. Serbia and Montenegro* 2007 ruling has blown that argument out of the water. Let me say it again: countries have a

“duty to act...at the instant that the State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed.”

That duty has long been triggered. When the Minister recently praised the tribunal for

“building international awareness and understanding of the human rights violations occurring in Xinjiang”,

that triggered the duty to act. Not only that, but when she

“urged the Chinese Government to engage with the evidence provided by the Uyghur Tribunal”

during a recent meeting with the Chinese ambassador, that triggered the duty to act. So does she agree with the ICJ ruling and agree that it is the duty of Governments, not courts, to continually assess whether there is a risk of genocide? Is she today going to change Government policy?

Janet Daby (Lewisham East) (Lab): Does the hon. Lady agree that the Government have no justification to deny that this is genocide?

Ms Ghani: The Government can fall back on the line, “It requires the United Nations to determine genocide”, but the discussion today is that once the Government are made aware that there is an intent of genocide, that unlocks legal obligations to assess that risk for the Government and for the British public.

As I just mentioned, the Government must carry out risk assessments and undertake due diligence to make sure that they and the British public are not at risk; it is a responsibility of Government, not the courts, following the 2007 legal determination. Before we are told, “It is impossible. It is impractical.”, let me point out that that is just wrong and that other Governments are acting. Our allies in America last month introduced a landmark piece of legislation, the Uyghur Forced Labour Prevention Act, which will stop imports arriving in America from Xinjiang, putting the burden of proof on companies to show that they are not selling goods stained red with Uyghur slave labour. Our public, the British public, do not want to be duped into putting money into the pocket of firms—British firms—selling slave labour products on our shelves. This gets even more absurd, because if we are set on seeking a free trade agreement with America, the Government must strongly consider how enthusiastic our allies in Washington will be about the prospect of the UK being the gateway for whitewashed Uyghur slave labour goods imported from Xinjiang through the UK and ending up in the United States. The Government’s position is now making us a laughing stock. There is no point talking tough but not taking any action.

Let me give the House some examples of that. Last year, the Government promised a bundle of measures

“to help ensure that British organisations are not complicit in, nor profiting from, human rights violations in Xinjiang.”

There has been zero progress. The Government promised

“a Minister led campaign of business engagement to reinforce the need for UK businesses to take action to address the risk.”

There has been zero progress. The Government promised

“the introduction of financial penalties for organisations who fail to meet their statutory obligations to publish annual modern slavery statements, under the Modern Slavery Act.”

There has been zero progress. We cannot even go to Xinjiang to do basic due diligence, so how can we prove that no slavery is taking place? We just have to act—the law is on our side.

Let me leave the House with the story of Tursunay Ziyawudun, a Uyghur camp survivor I had the honour of meeting last year. Many have argued that this is the most technically advanced genocide that has ever taken place, so survivors are really rare. Tursunay was tortured and later gang-raped on many occasions, and had an electric device inserted into her vagina. The biggest damage is that Tursunay feels ashamed, but it is us who should be ashamed that we have taken no action to stop her people being destroyed by genocide. We have taken no action to protect the British public and prevent those British companies from making profit on the back of this genocide. I urge the Minister—I know that Tursunay would be pleading with the Minister here and that the House, with its unanimous support for backing the

[Ms Ghani]

previous amendment, implores the Government—to live up to their moral and legal obligation and carry out the urgent assessment of genocide in Xinjiang, and to do so for the Uyghur people and to protect the British public.

Madam Deputy Speaker (Dame Rosie Winterton): Before I call the next speaker, let me say that we have two important debates this afternoon. We have a good amount of time, but not an excessive amount of time, so I ask colleagues to bear that in mind and not to give over-lengthy speeches.

12.19 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): I am honoured to follow the hon. Member for Wealden (Ms Ghani) and her powerful opening of this very important debate.

China has committed genocide against the Uyghur people in Xinjiang. That was the definitive conclusion of the Uyghur Tribunal in London. It is a definition that Governments around the world, including our own, have been nervous to arrive at. The right hon. Member for Selby and Ainsty (Nigel Adams), when he was a Minister at the Foreign Office, wrote to me about human rights in China. He outlined that the Government recognised internment camps with more than 1 million Uyghurs, acknowledged reports of forced labour, and noted human rights violations, and so what did he propose? More research. Well, the research is in and the findings of the tribunal are loud and clear. I ask the Minister, does she unequivocally accept the tribunal's findings of genocide? Does she consider Uyghurs to be at serious risk of genocide, or will the Government hide behind the international ramifications of this definition? A cowardly country would use that linguistic excuse. Shame on us if we choose that path. The Chinese Government's actions must be stated for what they are: an apparatus of control and a systematic and calculated programme of ethnic cleansing against the Uyghur people. We can no longer say that we did not know. We need to ask ourselves: what does it mean to be complicit?

As a member of the Treasury Committee, I am particularly interested in the role played by financial institutions. Let us take HSBC, for example, a bank headquartered and registered in the UK. Last week, it came to light that it had purchased shares in Xinjiang Tianli, a plastic manufacturer owned by the Xinjiang Production and Construction Corps. It is a Chinese-backed, state paramilitary organisation that has been subject to US Government sanctions for its role in perpetrating atrocities in the Uyghur region, and yet the UK has no legislation to prohibit HSBC and other UK firms from investing in organisations perpetrating human rights abuses in the Uyghur region. I urge the Government to draw up a blacklist of entities identified as perpetrating atrocities in the Uyghur region and to bar UK firms from investing in them. We simply cannot allow our financial institutions to bankroll these atrocities.

Although the responsibility to act must come from the top, I say to anybody watching this debate: "Do you have an HSBC account? Think about where your money is invested. What about your pension?" Last year, more than 100 MPs joined me in writing directly to the chairman and trustees of our pension fund, calling on

them to divest from Chinese companies accused of complicity in gross human rights violations. We were relieved to receive confirmation that the fund is no longer invested in the Blackrock iShares emerging markets index fund, but similar concerns were shared by our staff and their scheme with Legal and General. They have taken it on themselves to secure a meeting with the institution next week to discuss how their contributions are being invested. I know that there is particular concern about investments in iFlytek, a company blacklisted in the USA for its involvement in the mass incarceration of more than 1 million Uyghur Muslims.

It is the responsibility of all of us to ask the same difficult questions. Meanwhile, I am waiting for answers from Amazon following accusations of its relationship with Chinese genomics giant, BGI Group. Last March, Amazon disclosed that it was using a modification of BGI's covid-19 testing kit that would initially be used for its employee testing programme. Its partnership with the BGI Group comes despite a report published by the National Security Commission on Artificial Intelligence in the United States that concluded that the BGI Group may be serving as a,

"global collection mechanism for Chinese government genetic databases."

Amazon can hardly say that it did not know that because Andy Jassy, its chief executive, was serving on the commission at the time.

Whether through multinational financial institutions such as HSBC, global organisations such as Amazon, or lucrative pension fund investments, we have a shared responsibility to ensure that we are not complicit in genocide. Above all, that requires the Government to treat the findings of the Uyghur Tribunal with the severity that they deserve and require.

I thank other hon. Members for their courage in speaking out, in particular the hon. Member for Wealden (Ms Ghani) for her unwavering voice. I say to the Minister, if we look on, history will condemn our unforgivable cowardice and ask why those in power did not act, because this time, no one can say that they did not know.

12.25 pm

Tim Loughton (East Worthing and Shoreham) (Con): I am delighted to be able to speak in this debate—yet another on China's abuse of human rights. They are virtually a weekly event in this place, which is good. It is also good that many hon. Members from all parties—a growing number—are here in support of this cause, although I am surprised not to see the hon. Members for Brent North (Barry Gardiner) and for Leeds East (Richard Burgon), who take such an interest in Chinese matters, as we recently learned.

Yesterday in the Lords, Lord Alton of Liverpool, a fellow sanctioned Member—perhaps I ought to declare an interest as a sanctioned Member of the House—made allegations that China has subverted our legislative programme by persuading Members of their lordships' House to table amendments to an Act of Parliament. That was a serious allegation into which I hope the House authorities will now look, and it again underlines the danger that the Chinese state, the Chinese Communist party and its various tentacles pose even in the heart of democracy. We heard about that earlier in the week in the welcome urgent question granted by Mr Speaker

and his welcome comments about ensuring the security of hon. Members in this place to protect them from the Chinese Government.

In the Minister's response, I ask that she addresses the fact that we are still waiting for an answer to why the Government have given £80,000 of UK taxpayers' money to an academic to produce a report on the China hawks—that is us—to lay bare some of the criticising parties who have given oxygen to all the horrendous things committed by China. That is being funded by UK taxpayers, which is outrageous and an insult to the freedom of speech which we cherish in this place and for which we have been sanctioned by the Chinese Government.

The incredible work of the Uyghur Tribunal is to be applauded, disseminated, publicised and spoken about at every opportunity. I repeat the praise by my hon. Friend the Member for Wealden (Ms Ghani) and congratulate her again on leading on the issue in the House. Sir Geoffrey Nice did a fantastic job and gave a moving and landmark judgment on 9 December.

The tribunal was carried out to the highest standard of proof with very qualified experts and witnesses from numerous fields giving valuable evidence. One might say that Sir Geoffrey Nice's conclusions were quite timid or conservative compared with what they could have been, so in no way can the judgment be seen as sensationalist or unrealistic—quite the reverse. It was a finding of fact.

This House was right to move the motion, led by my hon. Friend the Member for Wealden and passed on 22 April, that recognised the Chinese genocide against the Uyghurs. This House was right to pass unanimously my motion in favour of a diplomatic boycott, which I think we now have, although it is not entirely clear that it is a full diplomatic boycott, on 13 July. I welcome much of the Government's action, as far as it goes, although those two motions were led by Back Benchers, not by the Government in Government time.

I congratulate the Government on some of their words of condemnation of what has been done by the Chinese Government, and I congratulate them on the sanctions that have been introduced, but there have not been nearly enough. The name of Chen Quanguo has been mentioned as the architect of repression in Tibet, which is now being repeated in Xinjiang. I welcome the business restrictions that have been brought in for those companies trading in Xinjiang to ensure that they are compliant with section 54 of the Modern Slavery Act 2015. I also welcome the measures recently introduced on the financing of infrastructure projects so that we do not have to rely on the deep pockets of China's sovereign funds. In the UN, the UK has led on the condemnation of China human rights abuses. We have called for unfettered access to Xinjiang and other parts of China for the UN High Commissioner for Human Rights, which of course has been denied. Those measures do not go far enough.

The Chinese Government are in denial. What did the Chinese spokesman say about the “so-called” Uyghur Tribunal? They claimed it was funded by the “terrorist and separatist” organisation, the World Uyghur Congress, and nothing but a

“political tool used by a few anti-China and separatist elements to deceive and mislead the public...The ‘Tribunal’ and its so-called

‘conclusions’ are mere clumsy shows staged by anti-China elements for their self-entertainment. Anyone with conscience and reason will not be deceived or fooled”.

I do not call the revelations that we heard in the Uyghur Tribunal—from women who had been raped, tortured and abused, and people who had been imprisoned and had their lives completely ruined—self-entertainment. The response of the Chinese Government, who are constantly in denial, is absolutely disgraceful, which is why it is so important that we continue to call them out in this place and beyond, and that we act with other fair-minded democracies and free nations around the world and their Governments to continue calling it out. There have to be implications resulting from this. It is not enough just to call it out.

Let us look at what the tribunal came up with. It is worth mentioning a few of its findings, as my hon. Friend the Member for Wealden has already done.

“Hundreds of thousands of Uyghurs...have been detained by PRC authorities without any, or any remotely sufficient reason, and subjected to acts of unconscionable cruelty, depravity and inhumanity.”

It found that many had been “tortured for no reason”, “detained in cages” and

“shackled by heavy metal weights”.

It also found:

“Detained women—and men—have been raped and subjected to extreme sexual violence...Detainees were subjected to solitary confinement in cells...At ‘classes’ in detention centres, detainees were forced to learn and sing songs in praise of the CCP...Detainees were forced to take medicines by mouth or by injection that affected reproductive functioning of women and possibly of men”.

Pregnant women were forced to have abortions, as my hon. Friend mentioned. The report also found evidence of “intense monitoring” and “surveillance” of Uyghur people:

“Neighbours, members of families and other members of the community were incentivised or coerced in various ways to spy on each other.”

Many people have been disappeared. It is not just famous tennis players who get disappeared. They are the ones we know about, but so many others are just disappeared. The report also found:

“Children as young as a few months were separated from their families and placed in orphanages or state-run boarding schools.”

Such cruelty to family life. It goes on:

“A systematic programme of birth control measures had been established forcing women to endure removal against their will of wombs and to undergo effective sterilization by means of IUDs which were only removeable by surgical means...Uyghur women have been coerced into marrying Han men with refusal running them the risk of imprisonment for themselves or their families.

“Family friends”—mostly Han men—have been imposed on Uyghur households for weeks at a time to monitor and report on the households’ thoughts and behaviours”—

of those Uyghur families, while:

“A large-scale enforced transfer of labour programme...emblems of Muslim faith were removed...acts of faith were punished...The use of the Uyghur language has been punished”

and restricted, while

“assets have been arbitrarily appropriated by”

the authorities, and there have been “relocation of occupiers”, or large-scale displacements, and intimidation of Uyghur families living outside China.

[Tim Loughton]

I was glad that the Home Secretary, in her response this week, agreed with the allegations about the intimidation of the diaspora of Chinese people and Uyghurs living around the world. The Foreign Office has also admitted to the harassment that has been going on in the UK, to intimidate people into silence. That, absolutely, needs to be reported to the police.

Those are all things that the tribunal found. President Xi Jinping is at the top of those who have the responsibility, the culpability, for what is going on. He bears the primary responsibility. Those things are the direct result of policies, language and speeches promoted by President Xi and others. Furthermore, those policies could not have happened in a country with such rigid hierarchies as the People's Republic of China without implicit and explicit authority from the very top. Let us lay the blame where it belongs. We do not take issue with the Chinese people; we take issue with the Chinese Communist party Government, which is responsible for all the pain that they are causing and have caused to so many.

The tribunal decided:

"Torture of Uyghurs attributable to the"

Chinese Communist Government

"is established beyond reasonable doubt...Crimes against humanity attributable to the"

Chinese Communist Government

"is established beyond reasonable doubt",

and,

"on the basis of evidence heard in public, the Tribunal is satisfied beyond reasonable doubt that the"

Chinese Communist Government

"by the imposition of measures to prevent births intended to destroy a significant part of the Uyghurs in Xinjiang as such, has committed genocide."

There is no getting away from it—there is no denying it, as the Chinese Government would have us do.

It is therefore important that we take the step today to acknowledge the truth that the Uyghur tribunal has uncovered and that we redouble our pressure on our Government and other Governments to ensure that there are implications for those findings. Virtually every day—I have a clutch of press cuttings from the past few weeks—there are stories about the malign influence of the Chinese Government throughout the world: opposition who are disappeared, or people who just spoke out against sexual abuse; instances of Chinese agents spying on students in our universities; Beijing-backed students harassing pro-democracy activists on our university campuses; threats to Taiwan internationally; or building fake US battleships for war games and target practice.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): My hon. Friend is making a powerful case, as many, such as my hon. Friend the Member for Wealden (Ms Ghani), have. Does he not think that, if the Government do not lead on that, they open the door to universities, businesses and others to fall away from doing anything and not taking a lead? For example, he mentioned universities. The key point there is that, when we speak to them, they all claim that they did not really think that it was up to them to do it; it was up to

the leadership of the Government. The Government will set the terms, and we will start to clean the system once that happens.

Tim Loughton: My right hon. Friend is absolutely right. Leadership from the Government is essential. All of us—certainly the three musketeers on the Conservative Benches who are sanctioned—have asked repeatedly for a proper audit of the tentacles of the Chinese Communist party, which extend into our boardrooms, our university campuses, our schools, our businesses and Parliament, as we saw with the exposé earlier this week. The Government must take a lead in the country and for other like-minded nations, which need to be able to act together. Through the Inter-Parliamentary Alliance on China, which my right hon. Friend admirably co-chairs, bringing parliamentarians together who are now prepared to speak out and act in unison across the world will have and is having an impact.

We must redouble those efforts after all the revelations that we have heard about the malign influence of the Chinese Communist Government across the world, culminating in the recent speech by Richard Moore, the head of MI6, about the China threat that we all face.

What is to be done? Today, we need to get the Government to face up to, acknowledge and agree to our international obligations under the law of genocide. To repeat the point that my hon. Friend the Member for Wealden made, the United Kingdom is a party to the genocide convention. All state parties to the genocide convention are under an obligation to refrain from taking an active part in the crime of genocide and, additionally, to prevent the commission of genocide by others, using all means reasonably available and within their power. That includes situations in which one state alone would be unable to prevent genocide but in which its actions in combination with the efforts of other states may do so.

The obligation to take concrete steps to prevent genocide is triggered

"at the instant that the State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed"

or is already being committed. The UK is on notice and has the requisite awareness of the serious risk that genocide is being committed or will be committed against the Uyghurs in the Xinjiang region of China and is therefore under an obligation to act to prevent that genocide. It could not be clearer.

Mr Alistair Carmichael (Orkney and Shetland) (LD): The hon. Gentleman comes to the nub of the matter. This is an appropriate moment to remind ourselves why the genocide convention is framed in such a way: because throughout history, when genocide has happened, we have always played catch-up and said that we did not know. We live in a very different world now, in which we do know; that is why we have the obligation, which has now been triggered, to act. We can call it out in the House, but only the Government can act.

Tim Loughton: The right hon. Gentleman is absolutely right and has been a doughty champion of the cause. We cannot stand by and wait for further atrocities to happen. We are under a duty to trigger the processes that recognise that genocide has been and is still being committed, and to take appropriate actions to counter

it. That is absolutely clear. I cannot envisage anything the Government could say in response today that would get them out of that obligation, now that the evidence has so clearly, so starkly and so skilfully been put forward by Sir Geoffrey Nice.

That is our first requirement, but there are other things that the Government can do. Following the lead taken in the United States with the recent Uyghur Forced Labor Prevention Act, which my hon. Friend the Member for Wealden mentioned, we have a Bill on the Order Paper: the Tibet and Xinjiang (Reciprocal Access) Bill, which has specific sanctions that we can bring to bear against Chinese Government officials to reinforce the point that we are absolutely serious. We need further high-ranking officials, starting with Chen Quanguo, to be sanctioned to show that we are absolutely clear about who is responsible for the ongoing haranguing and victimisation of the Uyghur people.

This must happen. I have no doubt that at the end of the debate we shall all will it to happen, with no votes demurring, but the Government must take the lead. They must do what they are required to do under international law and under the moral duty that we have all recognised today and stand up for those people who are still being victimised by the horrendous torture meted out by the Chinese Communist party Government.

12.44 pm

Layla Moran (Oxford West and Abingdon) (LD): I congratulate the hon. Member for Wealden (Ms Ghani) on securing the debate on an issue close to the heart of everyone in this Chamber. I thank Sir Geoffrey Nice and the World Uyghur Congress for their incredibly important work day in, day out for months.

As foreign affairs spokesperson for the Liberal Democrats, I put it on the record that all Liberal Democrats everywhere stand shoulder to shoulder with the Uyghur people, who are being persecuted as we speak.

My right hon. Friend the Member for Orkney and Shetland (Mr Carmichael) secured the first debate on this subject in Westminster Hall in January 2019. Here we are, this many years later, and the Government have still done nothing. That is shameful, and it is painful for those victims, who watch debates such as this, which every time give them that bit of hope. They reward those of us who speak out with very humbling certificates of appreciation. I was looking at mine, which I have proudly on my desk. It was given to me by the World Uyghur Congress and on it is a quote from Nobel laureate and holocaust survivor Elie Wiesel:

“what hurts the victim most is not the cruelty of the oppressor but the silence of the bystander.”

In this Government, I am afraid, a bystander is all they have.

When hon. Members have spoken out against the appalling treatment of the Uyghurs and voted to declare a genocide last year, we were challenged by sceptics. I have no doubt that we will all go back to our offices and open our inboxes to find another debunking email, likely from the Chinese themselves, saying how everything we are saying is untrue. I am afraid to say that with the tribunal comes irrefutable proof that has been carefully put together. The tribunal provides the clearest evidence, beyond any reasonable doubt, and what harrowing evidence it is of abhorrent violence, children taken from

their families, systematic sexual violence against women and girls, forced sterilisation and abortion, forced cultural assimilation and desecration. One witness said:

“I have no words to describe the inhuman cruelty of the violence.”

After recounting the torture she endured, she said:

“I can’t cry and I can’t die, I must see them pay for this. I am already a walking corpse, my soul and heart are dead.”

What is even more concerning is that British consumers, right now, are unknowingly complicit in this violence. It has been noted in previous speeches today and in reports led by the hon. Member for Wealden and the Business, Energy and Industrial Strategy Committee that we need to clean up our supply chains in this country. I am appalled that the Government still have not implemented the recommendation not just of the BEIS Committee but of the Foreign Affairs Committee to ban the import of cotton products known to have been produced in Xinjiang. This helps businesses, by the way. After much consumer pressure, Nike, Adidas and H&M declared that they were on the same side of the Uyghur people and that they would clean up their supply chains. The result was that the Chinese Government pressed people in China to stop buying those brands, whose reward for taking a brave stance was to lose profits in China. It should not have to be that way. We can legislate in this place so that companies do not have to make those choices.

Incidentally, it is not just about cotton; it is also about the supply of data, which is an issue I have previously raised in this House. One such company is ByteDance, the parent company of TikTok—I dare people to floss at their earliest convenience, and I mean the dance rather than looking after their teeth. It is deeply concerning that our children, who are the main consumers of TikTok, are inadvertently helping a company owned by ByteDance. It is concerning because ByteDance signed a co-operation agreement with the Chinese Communist party’s Ministry of Public Security. According to Human Rights Watch, ByteDance plays

“a significant role in facilitating and entrenching the Chinese government’s censorship, surveillance, and propaganda regime inside China.”

Another company, Huawei, has been implicated in using surveillance technology in the detention camps, so we need to fix the supply chains not just of goods, but of data.

Jim Shannon (Strangford) (DUP): On that very valid point—I congratulate the hon. Lady on what she is saying—over the past few weeks, Intel and Tesla have hit the headlines because of trading with Xinjiang. The US introduced a Bill at the end of December banning companies from using goods from Xinjiang province in their supply chains. Does she agree—I think everyone in the House today does—that we should do that in this House and encourage all our European neighbours to do the same thing?

Layla Moran: I thank the hon. Member very much for his intervention. I agree absolutely—that is literally what I was about to say—and the fact that he said it reinforces the point that there is appetite in this House to legislate for this, and we should do so at the earliest possible opportunity. The US has already done that and, moreover, it has done the very basic thing of saying that a genocide is occurring. The US Government have said, cross-party, that that is happening, yet our

[Layla Moran]

Government still have not—notwithstanding the fact that it is our legal, not just our moral, obligation to do that now.

Let us reflect on why the Government are perhaps being so reticent. The fact is that, since 2011, our trade with China has doubled, going from £46 billion to £93 billion. It is also worth noting that trade grew at its fastest rate when the now Foreign Secretary was Trade Secretary. In her role as Trade Secretary, she refused to take amendments to the Trade Bill—now the Trade Act 2021—on human rights and genocide.

I have been delighted to read that, since then, there has been a bit of a damascene conversion and I understand that the Foreign Secretary has agreed privately that a genocide is occurring. If that is what they think privately, think what it would mean if they came out and said it publicly and worked with Cabinet colleagues, so that across all Departments, we can remove this blight from our statute book. It should not be left to individual consumers and individual companies to make those choices. We know that a genocide is occurring. We know that acting is the right thing to do. I urge the Minister to do what other Ministers before her have perhaps been scared to do: speak the truth, declare that a genocide is happening to the Uyghur people, and do not be that silent bystander.

12.53 pm

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): I congratulate my hon. Friend the Member for Wealden (Ms Ghani) on securing this debate. She spoke brilliantly about what the issues were and laid them out in some detail. I will touch on a few of those but many others will deal with them in more detail.

I say from the outset that the whole issue and the plight of the Uyghurs should trouble us not just because people are now being persecuted, executed, put into forced labour and sterilised. Those alone are enough to make us in this House, of all Houses around the world, stand up and say, “Enough.” But this is also about the wider concept: the more that China—the Chinese Government—gets away with doing this and the more that Governments turn their heads when confronted with the problems of calling it out, the more the Chinese Government extend their reach and form of despotic government around the world. We have seen what their purpose is: to countermand the idea of democracy, human rights and the rule of law. They have made that very clear. At every stage, they think that what we do, what we believe in, is weakness and therefore they sell their concept to and impose it on others.

What is happening to the Uyghurs is a huge wake-up call to those of us in the free world who believe substantially in the concept of democracy, human rights and the rule of law, because it is being eroded even as we hold this debate. We cannot assume, as we legitimately did early after the end of the cold war, that we had somehow won this battle and that it was therefore likely that every other country would have to embrace these principles. They do not. We have to fight for them.

The point about the debate—this is why I congratulate my hon. Friend the Member for Wealden so much on having managed to secure it—is that we need to be able to say to our Government, my Government, that they

need to be at the forefront and leading on tackling this challenge, not dragged along behind. To be fair to the Government on the Uyghur problem and China in general, they are not alone. Countries across Europe also simply will not admit that there is a problem; Germany has been dragging its feet on this for ages. However, that does not excuse us, because other countries, such as Australia, Canada and the United States, have now all decided that the issue is clear.

If we cannot decide on this, what can we decide? As my hon. Friend pointed out, the tribunal made it very clear. It was a properly constituted tribunal. The Government say it has to be a proper court. It is not a court of law, but the tribunal was constituted correctly and as would be done at the UN. The phrase it used, which is critical, is that it found “beyond reasonable doubt” that the Chinese Government are perpetrating genocide, crimes against humanity and torture against the Uyghurs. It is surely only reasonable that we urge the Government to do the next thing. Instead of arguing about whether the tribunal is a proper court, if the Government themselves suspect at any stage that such things are happening, it is essentially inherent on them, given the 1948 issue, to pursue this and to urgently assess whether they consider the Uyghurs to be at serious risk of genocide. I am happy to take an intervention from my hon. Friend the Minister on this, because we may need to satisfy ourselves that it is within the power of the Government to do that. It is. The Government can do anything that this House wishes them to, and this is also internationally legal.

Will the Minister respond on why the Government simply do not want to do this? We had debates here and tried to amend the Bill three or four times, and we came pretty close, I have to say. However, the reality is that I am not even asking the Government to declare this a genocide. I simply ask them to make this urgent assessment and to follow the evidence of what they find, following the tribunal and all the other areas of information. I ask the Government to start that process, that is all. I am not asking them to reach a conclusion at this particular point. I just want them to start the process. That seems very small.

Ms Ghani: One issue we are trying to raise is that the Government are refusing to undertake their legal obligations. On what grounds have they decided that all the evidence presented to the Uyghur Tribunal does not stand up in court?

Sir Iain Duncan Smith: I thank my hon. Friend for that intervention. The truth is that the Government have not said anything, so we do not know whether they think the tribunal makes sense or what it says is a reality. We do not know that they disagree with it. It would be great if the Minister would get up and tell us whether they think the tribunal is reasonable, has reached reasonable grounds and has come up with good evidence, and whether they actually believe that a genocide may well be being perpetrated. That is all I ask—whether it may well be being perpetrated. If so, we may then start the ball rolling.

The hon. Member for Oxford West and Abingdon (Layla Moran) mentioned that trade with China had doubled. In all this, we now discover that the country is so out of control that it does not report that it has a desperate virus breaking out to the World Health

Organisation in time for it to get control measures in place. That has now led to millions of people dying all over the world. That is what happens when we refuse to bring such a country to book.

That is the problem that we have right now. China is committing genocide and hounding the Taiwanese. It has broken an international treaty over Hong Kong. It is persecuting and incarcerating ordinary, peaceful democracy campaigners in Hong Kong, persecuting Christians, Falun Gong and others, and smashing churches. It has killed Indian soldiers on its border and militarily occupied the South China seas. How much more are we prepared to stand by and watch, and all for the sake of cheaper goods? Do we say nothing? Shame on us! Shame on us that that plastic thing that we bought last week was 10p cheaper than it might have been had it been made somewhere else. Is that a reason to turn our backs on the suffering and persecution of the people who deserve us to stand up for them?

All I ask is for my Government to take a lead. We have a list of people who should be sanctioned—I am also co-chair of the all-party group on Magnitsky sanctions—and they are: Chen Quanguo, the architect not just of the Uyghur suppression, but of Tibet; Peng Jiarui, the deputy party secretary and commander of the Xinjiang Production and Construction Corps; Sun Jinlong, former political commissioner of the Xinjiang Production and Construction Corps; and Huo Liujun, former leader of the Xinjiang public security bureau. We have called for all of them to be sanctioned. They are being sanctioned by the United States. It is not as though, by suddenly standing up, we would be alone; those people have already been sanctioned.

Ms Ghani: A number of colleagues in this House have been sanctioned. The Uyghur Tribunal was sanctioned. Individuals who gave evidence to the Business, Energy and Industrial Strategy Committee were intimidated and sanctioned. When will the Government stand up and sanction those who are undertaking the genocide and when will they have the confidence to back not only the House and the Select Committees, but sanctioned colleagues?

Sir Iain Duncan Smith: The truth is that, ironically, nothing stops the Chinese Government from sanctioning absolutely everybody who speaks up against them. We here have been sanctioned. In fact, I noticed the other day that the Chinese embassy devoted a whole page to telling the world that I was a liar and a cheat and somebody who basically misled everybody about China. Okay, I am fine with that, if that is what it wants to say. The point is that our Government can now make it clear to everybody else that the problem lies at the heart of the nature of that Government. This is a despotic, brutal, dictatorial regime that cares nothing for human rights, nothing for the rule of law, and, at the end of the day, nothing for the lives of ordinary people.

I end by simply saying that, today, we see through a glass darkly. We are looking at history repeating itself. Because we chose not to speak out, because we chose to appease a despotic, brutal, dictatorial and murderous regime in the 1930s, the situation got worse and worse and we ended up with 60 million people dying. We must speak out now. The Government must lead on this and learn the lessons of the past. The Uyghur Tribunal was absolutely clear that it is almost certain that genocide is taking place. Please, will my Government stand up,

broaden their shoulders and say that we will no longer turn our heads away no matter what the consequences are? It is time to make the case for Uyghurs to be represented, supported and helped against this terrible genocide.

1.4 pm

Afzal Khan (Manchester, Gorton) (Lab): I thank the hon. Member for Wealden (Ms Ghani) for securing the debate, and for her excellent speech; indeed, we have heard excellent speeches from other Members, too. I commend the tremendous work of the BEIS Committee.

I have lost count of the number of times that I have spoken in this place to urge the Government to take stronger, more robust action against the Chinese Government's blatant attack on human rights and freedoms. The Government's response to the genocide taking place in Xinjiang has fallen woefully short. This is hardly global Britain at its best. Today, the Government have a choice—the choice to stand on the right side of history and fulfil their obligations under the genocide convention. As a vice-chair of the all-party parliamentary group on Uyghurs, I have been highlighting the plight of the Uyghurs for several years, and have heard at first hand harrowing testimony from Uyghurs, their family members, and those who have witnessed what I can only call inhumane and chilling abuses.

The Uyghur Tribunal is, to date, the most extensive independent legal investigation of allegations of genocide and crimes against humanity in the Uyghur region. The judgment of the tribunal, published in December '21, found that the Chinese Government are in fact perpetrating genocide, crimes against humanity and torture against the Uyghurs. I hope that Members from across the House will join me in paying tribute to the brave individuals who gave testimony at the tribunal. I pay particular tribute to Rahima Mahmut, who I consider a friend and a true inspiration. Her heart-wrenching story is a sobering reminder of why the Uyghur genocide is a scar on the world's conscience.

History will remember us, and we have a moral duty to speak out against these egregious abuses. Next week, we will mark international Holocaust Memorial Day—a reminder that we have let genocide take place before. There have been powerful interventions from faith communities, including the Board of Deputies of British Jews, passionately calling on the Government to condemn the horrors taking place in Xinjiang, which include forced labour, detention, sterilisation, organ harvesting, denouncement of religion, sexual abuse, rape and torture. Despite that, the Government continue to drag their feet on holding China to account.

Ms Ghani: Will the hon. Gentleman reflect on the evidence given to the Uyghur Tribunal? What particularly comes to mind is the evidence about factory-sized crematoriums built in the prison factory camps. Let us just think about what that looks like, and which period in our history that reminds us of. How long will we sit here and do nothing?

Afzal Khan: I thank the hon. Member for her intervention. It is harrowing, isn't it? It reminds us of what happened to the Jewish community here in Europe. Those things are repeating.

[Afzal Khan]

Will the Minister heed the judgment and recommendations put forward by the Uyghur Tribunal and finally commit to sanctioning Chen Quanguo, the chief architect of the Xinjiang genocide? Will she also take steps to ban imports from Xinjiang and protect Uyghurs living in the UK from harassment and intimidation by the Chinese authorities?

1.8 pm

Ms Marie Rimmer (St Helens South and Whiston) (Lab): I thank and praise the hon. Member for Wealden (Ms Ghani) for securing the debate, and thank all the Uyghur Tribunal members, and everyone who has been part of this struggle, which will go on, I am sure.

Genocide is a barbaric act. It is the worst crime that humanity is capable of. Our country has a duty and a UN obligation to speak up and take action on genocide where it occurs. The Chinese Communist party is committing genocide against the Uyghurs. That is the main ruling of the Uyghur Tribunal—a ruling made here in London by a jury of independent experts. It is now time for the Government to stop avoiding their responsibilities. They must fulfil their UN obligations on the prevention of genocide. The first step towards doing that is to conduct an urgent assessment of the Uyghur genocide in Xinjiang.

The genocide taking place in Xinjiang is subtle. There are no gas chambers; instead, there is forced sterilisation, there is the forceable transfer of children and there are hard-labour camps. Make no mistake, though: these actions are targeted at the Uyghurs to destroy their way of life—their existence.

As many Members will know, I have raised many times the issue of forced organ harvesting in China. The Uyghur tribunal heard evidence from Ethan Gutmann, an investigative journalist who said that young and fit adults in their late 20s were being killed so that their organs could be extracted and sold. That is worse than evil: it is calculated evil, squeezing every last bit of value out of them so that even in death the bodies of these poor souls serve the Communist party in China.

On the wider issue of how we deal with China, many Governments around the world, often including our own, are fearful of speaking out. China's new silk road initiative has seen it invest in almost 70 countries worldwide. Here, China is involved in the Hinkley Point nuclear power plant and High Speed 2, and was almost involved in the new 5G mobile network. I praise my hon. Friend the Member for Aberavon (Stephen Kinnock), who raised such matters in our group; I was amazed by what I heard.

Sir Iain Duncan Smith: Something just struck me as the hon. Lady was quite rightly laying out where China is involved. I do not know whether she is aware, but it is now clear that most of the polysilicate that goes into the making of solar arrays is mined in Xinjiang, so every one that we put up supports slave labour in Xinjiang. That is an important point.

Ms Rimmer: I thank the right hon. Gentleman for raising that point, which the public will have heard.

China was nearly involved in our 5G mobile network, until the Government came to their senses. It is all part of China's foreign policy strategy to spread its influence. The reality is that it will only get harder to speak out about China as its influence grows. At some point, we have to say that enough is enough. We know what is happening in Xinjiang to the Uyghurs. This time, we cannot say we did not know: the evidence is there in the tribunal carried out here in London.

The time has come for our Government to work with democracies around the world on a complete realignment of our relationship with China. We are all far too economically dependent on China, which is why the Chinese Communist party thinks it can do what it wants to the Uyghurs, to the people of Hong Kong, and perhaps soon to Taiwan as well.

The longer the Government wait, the harder it gets. They can start by supporting the motion, which calls on them to provide to the House with an assessment of the Uyghur genocide. The time to stand up is now: for humanity's sake we cannot afford just to stand by and watch this go on. I call on the Minister to be brave and lead the way on this issue in her Government.

1.13 pm

Chris Law (Dundee West) (SNP): The verdict of the Uyghur Tribunal—that there is proof “beyond reasonable doubt” that the People's Republic of China is committing crimes of torture, crimes against humanity and the crime of genocide, as defined under international law, against the Uyghur population in Xinjiang—is further confirmation of what we in this Chamber already know. Indeed, in April last year the House passed a motion that stated that it

“believes that Uyghurs and other ethnic and religious minorities in...Xinjiang...are suffering crimes against humanity and genocide”.

As we heard earlier from the hon. Member for Wealden (Ms Ghani), who brought the debate to the House, there has so far been, in her words, “zero progress” from this Government.

We are not the only ones who are aware of what is going on; others are doing something about this situation. The US State Department has determined that China's violations constitute genocide, as have the Parliaments of Canada, Lithuania and the Netherlands. Yet there is still no condemnation from the Government. There is shocking evidence of arbitrary detention, re-education camps, forced labour, the destruction of cultural sites, torture, rape and sexual violence and enforced sterilisation. Probably worst of all, and what I heard most harrowingly today, are the abortions of children who are alive at the late stage of pregnancy, who are then murdered by the Chinese state authorities. Those of us with an understanding of the Chinese Communist party's motives, its actions in the past and its scant regard for human rights have been voicing our concerns loudly, despite attempts to keep us silent. I thank the hon. Member for Wealden for securing today's debate and her relentless pursuing of this cause.

Although the Uyghur Tribunal has shone further light on the atrocities being committed in Xinjiang, the fact that we are relying on an unofficial body to do that, and the fact that these crimes are not prevented in the first place and continue to take place today, is shameful and an abject failure of the international community. As Sir Geoffrey Nice QC, chair of the tribunal, stated:

“Had any other body, domestic or international, determined or sought to determine these issues, the tribunal would have been unnecessary”.

For too long, as China has been emerging as a global superpower, a blind eye has been turned to the Chinese Communist party’s gross human rights abuses, but these cannot and must not be ignored any longer. Sadly, the International Criminal Court announced in December 2020 that it would not investigate allegations because China, as a non-member, was outside its jurisdiction. Furthermore, the possibility of further investigation by referral from the United Nations Security Council is hamstrung by the simple fact that China would simply use its veto to prevent that.

The UK Government therefore need to stop hiding and get away from the refrain of, “The policy of successive UK Governments is that any determination of genocide or crimes against humanity is a matter for a competent court.” It is not; it is a matter for a competent and active Government, and every voice and every party in this House is asking for urgent action—and now.

It is of grave concern that even despite the findings of report after report and investigation after investigation, the UK Government do not appear to accept the findings of genocide or their moral and, as has been said repeatedly today, legal obligation to prevent and punish these horrific crimes. It is nearly nine months since the House stated that what was happening in Xinjiang was genocide and more than one month since the Uyghur Tribunal published its judgment. We need to hear unequivocally from the Minister what assessment the UK Government have made of these verdicts, and what their next steps will be.

Have the UK Government explored the prospect of a UN Human Rights Council commission of inquiry using their Human Rights Council seat, as recommended by the Foreign Affairs Committee? If the Chinese Government continue to stall and prevent in-country investigations, the UK Government should propose a Human Rights Council motion that the UN High Commissioner for Human Rights should conduct an investigation into atrocities in Xinjiang from outside China. I hope the Minister is making some notes, because I would like to hear the answers to these questions today. Even if the Chinese Government continue to deny international observers access to Xinjiang, there is a great deal of evidence that can be used to verify the extent of crimes being committed there, as shown by the volume of evidence received at the hearings of the Uyghur Tribunal.

When it comes to access to Xinjiang and other regions in China, we can learn from others. The USA enacted the Reciprocal Access to Tibet Act 2018, which denies Chinese Government officials access to the US if they are responsible for implementing restrictions on Americans who seek access to Tibet. I put it on the record today that I would like to join colleagues in the House who have been sanctioned and are fearful to travel to China in putting forward a visa application to see whether we will be denied. If we are, it will be a golden opportunity for the UK Government to step up and say, “That is fine. You are denying our own democratic representatives. This is what will happen to your officials.”

Ms Ghani: I just want to challenge the hon. Member’s point. I think he said that the sanctioned MPs are “fearful” of the sanctions and travelling to China. May

I put it on the record that none of the sanctioned MPs are fearful of travelling to China or of the Chinese Communist party?

Chris Law: I am glad that the hon. Member has addressed that point. I did not directly mean those who had been sanctioned, but others beyond that who would like to say and do more. I fully appreciate that there are no sanctioned Members here who fear the Communist party state and its behaviour towards its inhabitants.

I was talking about reciprocal access to Tibet. The hon. Member for East Worthing and Shoreham (Tim Loughton), who is no longer in his seat, and who I work with as co-chair of the all-party parliamentary group for Tibet, has persevered with the Tibet and Xinjiang (Reciprocal Access) Bill. I once again urge the UK Government to give the Bill their full support and to enact its provisions immediately. I look forward to hearing a response on that this afternoon.

Indeed, many have commented that the illegal invasion and occupation of Tibet was the testing ground for the Chinese Communist party, and that the lessons learned from the oppression of Tibetans have been applied to Xinjiang, yet none of us across the decade since then has done enough to stand up for the people of Tibet, and this is the consequence of silence. It would be worthwhile, therefore, if the UK Government reversed the regrettable decision taken by the then Foreign Secretary, David Miliband, in 2008 to disregard the previous recognised autonomy of Tibet and accept Chinese authority over the region.

In 2011, Chen Quanguo was appointed the party secretary in the Tibetan autonomous region after the Chinese Communist party vowed never to let the protests that happened there in 2008 occur again. He was the key individual behind blanket surveillance, a heavy police presence, arrests and disappearances, and re-education camps in Tibet. From 2016, he has employed the same security measures in his repression of the Uyghurs, only this time on a far expanded scale. He was able to move seamlessly from repressing one group of people to another, because as far as the Chinese Communist party is concerned, he got results and he got away with it in the international community.

Chen is named in the Xinjiang papers released at the Uyghur Tribunal, and the UK Government must step up sanctions against him and his colleagues involved in perpetrating these gross human rights abuses. So I would like to hear from the Minister what further names have been added to the Magnitsky sanctions. The USA has sanctioned him, and it is again ahead of the UK, having just passed the Uyghur Forced Labor Prevention Act banning all imports from Xinjiang unless a company can prove that they were not made with forced labour.

The UK could be doing exactly the same, but instead is choosing to sit on its hands, and the Government have in fact rejected the BEIS Committee’s recommendations to help tackle slave labour in Xinjiang. The Minister needs to explain why, and I urge the Government that this needs to change. Given that one in five garments globally are made from the cotton of Xinjiang—which means that just about every one of us in this Chamber will be wearing such a garment—and that other key products such as solar panels, which have been mentioned, are produced there, the UK needs to

[Chris Law]

toughen up and enforce its own legislation. Furthermore, the UK should be pressing for the International Labour Organisation to conduct a full investigation on the Xinjiang region, to verify the extent of forced labour there as a matter of urgency.

The recent integrated review of security, defence, development and foreign policy called for more trade with China, but that potential trade liberalisation cannot come at the cost of forced labour in Xinjiang and weak words and inaction from the UK Government on these grave human rights abuses. As we have heard, the current Foreign Secretary, in her previous position as International Trade Secretary, facilitated a doubling of trade with China. The world cannot be picked off nation by nation, each turning a blind eye to genocide for the sake of trade deals.

I echo the hon. Member for Manchester, Gorton (Afzal Khan), who is no longer in his place, in saying that we need to work with democracies across the world because democracy is fragile, and that is fundamentally what is being undermined as we do nothing here. Instead of focusing on trade, and whipping Members to vote against anti-genocide amendments to the Trade Bill, atrocity prevention should be the priority. It is deeply regrettable that the UK Government, like others, failed to recognise and prevent the atrocities in Xinjiang before they reached the levels that we are currently witnessing.

Finally, the UK Government cannot appease China, given these crimes against humanity. It is imperative that the UK Government go beyond words of condemnation and use every single possible avenue to end the persecution and to pursue the punishment of those who have instigated and participated in it. The Chinese Government must be held to account for their abhorrent crimes, and held to account now. Given the overwhelming evidence, and given that every single person in this Chamber is saying, time and again, "Please act, and please act now," I expect nothing less than that from the UK Government Minister this afternoon, to show that we are not cowardly; and I also expect to hear her accept that to do nothing would be an utterly shameful abandonment of our legal and moral duty, as well as our own humanity.

1.23 pm

Stephen Kinnock (Aberavon) (Lab): I pay tribute to the hon. Member for Wealden (Ms Ghani) for securing this vital debate, and for her willingness to work across the House in standing up against the genocide taking place against the Uyghur in Xinjiang.

Last April, this House rightly voted unanimously to declare the persecution of the Uyghur as a genocide. The evidence is compelling, and despite the deeply disappointing response of the Government to date, I am very proud that this House took the decision that it did. The principled position that the House has taken was unequivocally reinforced by the verdict of the Uyghur Tribunal that we are debating.

I pay tribute to the courage that the hon. Member for Wealden and her colleagues have shown in standing up to the bullying and intimidation of the Chinese Government. The fact that she and other hon. Members have been sanctioned by Beijing for simply doing their job is an affront to our democracy and to the House.

We on the Opposition Benches stand in solidarity with all Members of this House and of the other place who have been sanctioned, along with Geoffrey Nice QC and leading academic Jo Smith Finley.

The evidence of genocide in Xinjiang is compelling and conclusive. The crime of genocide requires proof of intent, and it is clear from the evidence presented to the Uyghur Tribunal, and from the legal opinions set out by the Newlines Institute in Washington in March 2021, that the atrocities that are being perpetrated against the Uyghur are not the random acts of some rogue individuals but the result of a conscious, carefully orchestrated campaign of oppression and persecution being conducted by the Chinese Government.

The evidence is clear, both through the persecution and through its results. There is the mass surveillance and arbitrary detention of more than 1 million Uyghur and other minority groups; the torture and inhumane treatment; the rape, abuse and forced sterilisation of women; the enforced separation of children from parents; and the denial of the Uyghurs' right to practise their religion or speak their language.

We all saw the footage on "The Andrew Marr Show" of shaven-headed bound Uyghur men being led on to trains at gunpoint, and the squirming, live on television, of the then Chinese ambassador. We have seen the video bravely recorded by Merdan Ghappar from inside the forced labour camps. We have heard the first-hand accounts from Uyghur women of the forced birth prevention techniques by the authorities in Xinjiang.

The impact of those horrifying practices is also clear. In May 2021, the Australian Strategic Policy Institute published evidence that birth rates in Xinjiang fell by almost half between 2017 and 2019. Perhaps most tellingly, the Chinese Government's own data shows that Xinjiang's birth rates fell by one third in 2017-18. For those reasons, it is absolutely shameful that the UK Government continue to refuse to fulfil their moral and legal obligations to rule on genocide and to support the will of the House.

As a signatory to the 1948 genocide convention, the United Kingdom is legally bound to take all reasonable steps to punish and prevent genocide, yet the Government, as so often, have failed to match their duty to their actions. It is also deeply concerning that with the international courts effectively paralysed last year, the Government refused to support cross-party attempts to amend the Trade Act 2021, which would have allowed UK courts to make a binding preliminary ruling on the genocide.

I was consistently clear, when speaking from the Dispatch Box as the shadow Minister with responsibility for China, that robust action must be taken on the genocide taking place in Xinjiang and on China's oppressive and irresponsible behaviour more widely, to which I will return. I welcome my successor, my hon. Friend the Member for Hornsey and Wood Green (Catherine West), to her place and I greatly look forward to continuing to work with her on these important issues.

On responding directly to the genocide, it is important that the Minister updates the House today on the following matters—although I see that she is not in her place. First, has she made any progress in applying Magnitsky sanctions to a broader number of senior Chinese Communist party officials and entities responsible

for serious human rights violations in Xinjiang, including Chen Quanguo, who has already been sanctioned by the United States?

Secondly, have the Government managed to build wider support for the UN High Commissioner for Human Rights to gain access to Xinjiang, in particular by working to engage countries, many of which are friends and partners of the UK, that have shamefully helped to protect China from international scrutiny? If the Minister believes that access to China is impossible, will she press the High Commissioner to conduct an investigation from outside China? Thirdly, why have we seen so little action on strengthening section 54 of the Modern Slavery Act 2015? Companies have a responsibility to demonstrate that their supply chains are free of forced labour, so when will we see meaningful sanctions introduced for non-compliance?

Successive Conservative Governments since 2010 have been naïve and complacent in their dealings with China. The so-called golden era policy saw Conservative leaders turn a blind eye to human rights and national security issues in the narrow and unbalanced pursuit of commercial interests. Our Government appear to be simply observing from the sidelines as China is not only persecuting the Uyghurs but, more widely, attempting to undermine the liberal democratic world order and impose its own authoritarian worldview by rising roughshod over individual liberties, the security and independence of other countries, and free and fair trade.

We see this agenda being enacted every day in the crushing of democracy in Hong Kong—I note that somehow there are still no UK Magnitsky sanctions on Carrie Lam. We see it in the sabre-rattling in Taiwan, whose airspace is being buzzed almost daily by Chinese military aircraft; in the debt trap diplomacy which sees poorer countries in effect losing their political autonomy as they struggle to pay back Chinese loans; and in the illegal manipulation of markets through measures such as dumping and the theft of intellectual property on an industrial scale.

However, we also see the weakness, over a decade, of the UK Government in the face of Chinese state-backed companies buying up significant amounts of the UK's critical national infrastructure, including 33% of Hinkley Point, and including our water utilities and Heathrow airport. There appears to be no Government strategy to help universities stand up to the pressure placed on faculty and individual lecturers to censor their comments about events in Xinjiang, and nothing appears to have been done about pressure being applied by pro-Beijing activists to pro-democracy activists in Hong Kong and here in the UK. Worse still, in February 2021 a report produced by the think-tank Civitas accused 14 of the UK's top 24 universities of having ties with Chinese weapons conglomerates and military-linked research centres, and in that same month it was reported by *The Times* that nearly 200 British academics were being investigated on suspicion of unwittingly helping the Chinese Government to build weapons of mass destruction.

These are serious issues that the UK Government must address as a matter of urgency. We need a more coherent approach and a clear strategy. The Chinese Communist party respects strength, consistency and unity, and it is contemptuous of weakness and division. I therefore hope that the Government will heed Labour's calls for them to rebuild the alliances with our European

allies that they—this Government—have broken, in the face of the shared challenges that we face in relation to China, but also to undertake a complete audit of every aspect of the UK-China relationship, from politics to business to the media to academia and our scientific community. A more resilient, strategic Britain, working in partnership with our international partners, will be better placed to send a signal to Beijing that its criminal actions will not be tolerated.

Today the Government have an opportunity to draw a line under their shameful golden era policy once and for all. Today the Government have a chance to show that they will no longer turn a blind eye to the horrific crushing of a people, a culture and a language. Let us hope that today they will take that chance.

1.33 pm

Janet Daby (Lewisham East) (Lab): So far, the speeches in this important debate have been disturbing, powerful and heartfelt. There is clearly cross-party support for the motion. I thank the hon. Member for Wealden (Ms Ghani) for securing the debate and for responding to the recent tribunal judgment, and I thank every other Member who has spoken.

The Uyghur Tribunal, led by Sir Geoffrey Nice QC, is the most extensive independent legal investigation to date of allegations of genocide and crimes against humanity in the Uyghur region. The Uyghur Tribunal judgment, published in December last year, found it “beyond reasonable doubt” that the Chinese Government were perpetrating genocide, crimes against humanity and torture against the Uyghurs. That should be enough for the UK—our Government—to agree that genocide is taking place in Xinjiang.

In April 2020, this House unanimously agreed to a motion declaring that Uyghurs in Xinjiang were suffering crimes against humanity and genocide. There was a clear parliamentary consensus on the issue, as I believe there still is now. However, since then the Government have not done enough to push back against the atrocities. It has already been said in this Chamber that our Government need to stand on the right side of history, and I implore and encourage them to do so. Will the Government follow the House and recognise these atrocities and breaches of the United Nations convention on the prevention and punishment of the crime of genocide, and play a leading role?

Democracy is in retreat across the globe, but the Government must be rock solid in their commitment to democracy, human rights and the rule of law. I remind the House of the real experiences involved, many of which have already been discussed: the unbelievable situations inflicted on Uyghur men and women, including mental torture, physical abuses, rape, isolations and killings. We have already heard about babies being born and then killed. None of these things should be happening in this day and age. We must not be silent bystanders; we all have to accept responsibility. Our Government need to act for the United Kingdom.

Ms Ghani: As the hon. Lady has mentioned, the evidence presented to the Uyghur Tribunal is gruesome and it is hard to comprehend the numbers involved. Of course the Chinese Communist party had the opportunity and the absolute right to present to that tribunal, but it was unable to because it is afraid of the spotlight.

[Ms Ghani]

Does the hon. Lady agree that it is surprising and a little disappointing that the UK Government also did not come forward and give whatever evidence they had to the Uyghur Tribunal? Perhaps the Minister can respond to that in her closing remarks.

Janet Daby: I thank the hon. Lady for that remark, and all the others she has made. They are totally on point. It is astonishing, shocking and an absolute disgrace that our Government did not participate and give evidence and that they have not come forward with a statement agreeing with the judgment that took place last month. It is a disgrace that we should have to stand here trying to cajole and encourage our Government to take the spotlight, take the lead and take control.

These abuses against humanity should not be happening. Our Government have a history of slavery, in the past; we need to make sure that we are doing better than we did in the past. We can do better and improve our history by standing with a whole community of people being wiped out in Xinjiang. We need to stand against the Chinese Government and for the Uyghurs.

Even those who avoid the camps that I have spoken about find themselves enslaved. Uyghurs in Xinjiang suffer under intense surveillance, and much of the rural population have been moved into labour factories in the western region of the province. Research seen by the BBC showed that up to 500,000 people are being forced to pick cotton for long hours and with no rights in Xinjiang. Will the Government accept the recommendations of the fifth report of the Business, Energy and Industrial Strategy Committee? Will they force UK companies to finally rid their supply chains of forced labour?

Finally, as I have already said, will the UK take a leading role and work with our international partners to end this infliction on the Uyghurs and hold those responsible—the Chinese Government—to account?

1.39 pm

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): I congratulate the hon. Member for Wealden (Ms Ghani) on securing today's debate, and I commend her and the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith), who is no longer in his place, for their very powerful contributions.

The brutal reality that crimes against humanity and acts of genocide can still occur in 2022 is unbelievable. The tribunal's judgment vindicates what the Uyghur people have been telling us for far too long. Beyond reasonable doubt, the Uyghurs have been persecuted and subjected to torture, rape and sexual violence, forced sterilisation, forced labour and murder by the Government of the People's Republic of China.

There is so much more, but simply listing each atrocity, one after another, does not lend enough weight to each act—not when 12 million people are suffering for no reason other than their religion or ethnicity. The judgment makes for sober reading. It describes the depraved actions against the Uyghurs, which are, for most of us, unimaginable. Witness evidence describes the desecration of mosques and places of worship, long prison sentences for practising religion, punishment for speaking the

Uyghur language and land and money stolen by the state. If there were a tame end of the scale, and there is not, this would be it.

Witness evidence describes how hundreds of thousands of Uyghurs detained with no cause have had their fingernails ripped from their nail beds and have been beaten with sticks and shackled with heavy weights at their feet, sometimes with their hands connected, for months on end, which is unimaginable. The judgment recounts the evidence from a young woman who was gang raped by policemen while a crowd of 100 was forced to watch. There are details of sexual violence so horrific that it is difficult to repeat. There are stories of prominent community members who were disappeared and of children as young as a few months old who were separated from their mothers—literally every parent's greatest fear.

The tribunal heard evidence that young, fit Uyghurs were subjected to forced organ harvesting, supported by a pattern of disappeared detainees, the co-location of the detainee hospital and a crematorium, and the hugely lucrative organ market in China. Although I acknowledge that this allegation was not proved beyond reasonable doubt, the evidence presented has been acknowledged as presenting the possibility, which is a sickening thought.

The tribunal found that torture of Uyghurs and crimes against humanity

“attributable to the PRC is established beyond reasonable doubt”.

More significantly it found that

“beyond reasonable doubt...the PRC, by the imposition of measures to prevent births intended to destroy a significant part of the Uyghurs in Xinjiang as such, has committed genocide.”

The Chinese Government, unsurprisingly, have refused to accept these findings, calling them “absurd” and “sheer lies and disinformation”. The UK Government must, in the strongest possible terms, reject those assertions from China.

The great personal risk taken by every witness who bravely gave evidence must not be in vain. We must provide some assurances and show our support. I say without hesitation that the Uyghur people have my support. I support the calls for the Government to assess the risk of genocide in East Turkestan, which is the minimum required to meet their international obligations, but we should be giving more than just assurances and the bare minimum.

What concrete, measurable steps will the Government take to protect the rights of the Uyghur people? Will the Government join allies such as the US in calling this exactly what it is? In 1948, following the second world war, 39 countries signed the convention on the prevention and punishment of the crime of genocide, which was drafted so that the horrors of the preceding years could not be repeated. The Prime Minister has argued that a determination of genocide cannot be made by a body other than the International Criminal Court. That might be technically true, but the international community has found itself in a position where such a criminal prosecution simply is not possible.

China is outside the jurisdiction of the International Criminal Court and, as a member of the UN Security Council, has veto powers on cases taken to the International Court of Justice. For the very reason that a criminal case cannot be brought, I ask the Prime Minister to

reconsider his stance. It is clear that the lack of a judgment from one of these bodies does not equate to a lack of evidence of acts of genocide.

Ms Ghani: The hon. Lady is making a very powerful speech. I want to refocus her, because I do not want to have the Minister wasting our time by referring to the wrong debate. This is fundamentally about the 2007 ICJ ruling, not the old debate about who determines genocide. This is about the intent of genocide and the Government's responsibility for assessing whether they are comfortable with that or not, does she agree?

Margaret Ferrier: I thank the hon. Lady for that intervention, I am glad for the clarification and I hope the Minister will consider it in her remarks.

In exactly one week, we will be in this Chamber again, this time to commemorate Holocaust Memorial Day, and this year's theme is learning from genocide. Would it not be timely if the Government chose the following few days to stand up against the current acts of genocide in the world, and to show how the UK continues to learn those lessons and advocates for the voiceless?

1.45 pm

Jim Shannon (Strangford) (DUP): First, let me thank the hon. Member for Wealden (Ms Ghani) for setting the scene so incredibly well, factually and passionately, and the other right hon. and hon. Members who have made incredible contributions. I am pleased that so many have turned out today for this debate to add their support. The hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) referred to being a voice "for the voiceless" and that is what we are in this House today. We are speaking up for those who are not able to speak.

We will never know the whole programme of what has happened to them. We have had some indication through the tribunal of what has taken place, but that gives us only a small portion of vision into what has taken place. It is crucial that this ongoing lack of rights is talked about and a plan must be in place, as always, to state what more we can do to help. The hon. Member for Wealden and others have referred to examples of despicable crimes against the innocents of this world. These atrocities burden us and make our hearts ache when we think of those people, who do not have the opportunity that we have in this country of freedom and liberty, and the opportunity to practise our religion. I declare an interest; as chair of the all-party group on international freedom of religion or belief, this issue is close to my heart, and I know that it is close to the hearts of everyone in this Chamber.

I think we are all agreed that the findings of the tribunal are inherently repulsive and abhorrent because of what took place. The sheer scale of the human rights abuses is unspeakable and hard to comprehend, but it must be spoken about. Forced sterilisation, forced labour, rape, brainwashing and other heinous violations of the dignity of the human person have been perpetrated by the Chinese communist party against the Uyghurs and other ethnic minorities. These are some of the most horrific human rights abuses happening today in this world and they must cease. Right hon. and hon. Members have compared some of the atrocities of today to the holocaust of 75 years ago, which was clearly genocide.

As the hon. Member for Rutherglen and Hamilton West just said, this time next week we will have a similar debate and many of us here today will be here next week with the same message but for a different occasion. It will be about lessons learnt, but what lessons have been learnt? That is the question I am asking myself. What has some of the world learnt in relation to what has taken place? The Chinese Government have learnt absolutely nothing. They have pursued their dreams of building a greater China and their influence seems to be everywhere. The Chinese Government's blatant disregard for human rights is evident. It is chilling to consider that such crimes persist, and that, once again, the world stands idly by as genocide occurs.

I respect the Minister, as she knows, but what we are all asking today is that our Government and our Minister act as we wish them to do. The hon. Member for Wealden referred to the ICJ and that is where the focus is, and it is where our Government focus and ministerial focus needs to be as well. In light of the evidence, I ask my Government and my Minister to act, because more just must be done. The UK must use its position on the UN Security Council and its broader influence on the multilateral stage to push for a UN mechanism to collect and preserve evidence of the atrocities that the Chinese authorities perpetrate each day—even as we are having this debate—against the Uyghurs and other ethnic and religious minorities in Xinjiang province. I believe that the utmost efforts should be made to safeguard against hackers who aim to destroy that evidence and subvert justice, fuelling a culture of impunity for even the most evil of crimes.

I cannot stress enough how fundamental it is to establish such a UN mechanism. Without such systems in place, the hope of delivering justice diminishes dramatically. Syria and Myanmar offer examples of how such a mechanism could be established, further strengthening the case against delaying action. The UK, our Minister and our Government are in a very strong position to show leadership in the area, sending out a message that the UK will not tolerate human rights abuses at any stage, even from strategic trade partners. We have to address that issue in the debate, because if we are to have trade, our trade agreements must include accountability for human rights issues. My goodness me, does China need to be made accountable!

It should go without saying that the UK should also ramp up sanctions against Chinese Communist party officials who commit such crimes. The hon. Member for Wealden entirely understands, as we all do, that examples of Government inaction are, unfortunately, numerous. She outlined the things that the Government have not done and that we all believe they need to do. Given that China has imposed sanctions on Members of both Houses, hesitancy in taking action is totally unjustified.

I chair the all-party parliamentary group for international freedom of religion or belief. This debate is about the Uyghurs and we are all speaking about them, but it is also about the Tibetans, whom the hon. Member for East Worthing and Shoreham (Tim Loughton) referred to, and about Christians. I am a Christian, as are others in this House. What is happening to Christians? They cannot worship in church, because their churches have been destroyed. They cannot have freedom of worship, because they are spied on. They cannot have jobs, earn for their families or participate in education, because they are Christians.

[Jim Shannon]

The same is happening to the Falun Gong, who face organ harvesting on a commercial level: the Chinese take their organs and sell them on to other people in the world, which is despicable. It is hard to fathom such cruelty—it is totally horrendous, and China must be made accountable. Like other hon. Members, I have met some of the Falun Gong; they are some of the most gentle and lovely people you will ever meet. Why are they persecuted just because they have a religious view?

I look to my Government—not just “this Government”, but my Government—and to my Minister for the leadership that I and all of us expect. I urge them to ponder their moral obligation and imperative to act swiftly in response to China’s moral and ethical depravity, because that is exactly what it is. The Chinese Communist party’s physical and biological attacks against the Uyghurs constitute crimes against humanity. It is my hope today that our Government—my Government—will agree to take more steps to condemn and repeal those repugnant practices. If not, I would like to know why the UK Government are failing to act while others such as the US Administration are confident in calling those practices what they are: a genocide and a grave violation of human rights and international law.

As I mentioned in an intervention on the hon. Member for Oxford West and Abingdon (Layla Moran), the US Administration took steps at the end of December to ban companies from using goods from Xinjiang province in their supply chains; I referred to Intel and Tesla, and the hon. Lady referred to a large number of other companies. If we are going to do some practical things to hurt China where it needs to be hurt—in the pocket, in the courts and in the economic livelihood it wants to hang on to—those are the things we need to do. I look to the Minister and the Government to do just that.

We should act as we would expect others to act in our times of need. I respect the Government’s long-standing policy that any determination of genocide should be made only by competent courts, but I refer again to the hon. Member for Wealden, who mentioned the International Court of Justice. That is the focus of this debate and of what the hon. Lady said. It is a way of making Governments and the Chinese Government in particular accountable. When it comes to Governments and non-judicial bodies that are important, we cannot stand by and not speak up for those facing horrific acts of human rights abuses.

Today, the Minister, the Government, must lead. They must acknowledge the brutality against the Uyghurs and others, use the International Court of Justice and sanction Chinese officials at the top of the league. It is not one of the leagues one wants to be at the top of, and China is right up there when it comes to abuse, human rights abuses, discrimination, hatred and brutality on an unheard-of scale. I speak up again for ethnic minorities, and for Christians, and those of other beliefs and no belief, who in China today are second-class citizens.

Mr Deputy Speaker (Mr Nigel Evans): We are moving on to the wind-ups. About 24 minutes are allotted to all the Front Benchers, including the two minutes for Nusrat at the end. That is an indication for those who are taking part in the next debate; they should start making their way towards the Chamber.

1.56 pm

Brendan O’Hara (Argyll and Bute) (SNP): I thank the Backbench Business Committee for allowing this important debate.

I pay tribute to the hon. Member for Wealden (Ms Ghani) for her outstanding work in keeping the plight of the Uyghur people at the forefront of the minds of people in this House. The way that she laid out her case this afternoon is a reminder that, despite having been targeted and singled out herself by the Chinese Communist party, the Uyghur people have no greater champion in this House than her. I hope that those monitoring this debate will note that threats and intimidation will not stop Members of this House speaking out against and calling out the appalling genocide that is taking place in Xinjiang.

As we heard from every speaker this afternoon, last month the Uyghur Tribunal found beyond any reasonable doubt that the People’s Republic of China is responsible for crimes against humanity and the crime of genocide. Although very welcome, the tribunal’s detailed findings of mass detention, systematic rape, forced re-education, forced labour, mass surveillance, child separation, psychological trauma, forced sterilisation and the destruction of the Uyghurs cultural and religious way of life confirmed what we already knew and have known for quite some time.

The question for us in this House and for the Government in particular must be: for how much longer must we continue to collect more credible evidence of what is happening before we and other democratic nations take a co-ordinated stand against actions of the Chinese Communist party? How do the Government plan to use what means they have to ensure the cessation of that genocide, including ensuring that—as many Members said—we in this country are not inadvertently assisting, aiding or abetting by supporting the Chinese economy? As much as the Government may recoil from the idea, they will have to step up. They will have to show leadership on the issue because, having had the tribunal sit in London, it is inescapable that our responsibility in international law is now clear: when a state learns of a risk of genocide, it is legally obliged to act.

My first question to the Minister therefore is: since the judgment of the tribunal was delivered, what assessment have the Government made of the findings and do they now agree that the Uyghurs are indeed at serious risk of genocide? Since the tribunal’s findings, what discussions have the Government had with international partners, non-governmental organisations, businesses and others to ensure a co-ordinated international response?

On 28 June last year, in response to the public petition, the Government said that they

“will continue to urge the Chinese authorities to change their approach in Xinjiang”.

So I have another question for the Minister: how is that working out?

As the hon. Member for Wealden and others said, the Government’s response should, at the very minimum, be to blacklist UK firms that trade in goods produced using slave labour, and to place a strict import ban on goods that we know originate in Xinjiang camps, or whose raw materials have been grown in those camps. As we have heard, last month, President Biden signed a Bill banning imports from Xinjiang to the United States;

it puts the onus on the importer to prove that goods were not made using forced labour. I urge the UK Government to follow President Biden's lead and explore the possibility of banning the import of cotton products, solar panels and other products that we believe to have been wholly or partly produced in the labour camps of Xinjiang. Also, there must of course be genuinely meaningful Magnitsky sanctions taken against those perpetrating the atrocities, and against those profiting and growing rich by doing business with the perpetrators.

The Uyghur Tribunal had to be independent and unofficial. As its chair, Sir Geoffrey Nice QC, explained, the International Court of Justice could not take this case, because it can look only at cases that have been approved at the Security Council, over which China has a veto. It is highly unlikely that an independent international court will make a genocidal determination any time soon, but I would strongly argue that this does not mean that the tribunal's judgment carries any less moral authority than it would have done if it had come from an international court. The bottom line is this: whether the tribunal was official or unofficial, now that it has taken place, the UK Government cannot contend that they do not know what is happening in Xinjiang, and they have a moral imperative to act now.

One route to consider was put forward by Sophie Richardson, the China director at Human Rights Watch. She proposed that a United Nations Human Rights Council motion be tabled, asking that the Office of the UN High Commissioner for Human Rights investigate the atrocities in Xinjiang, even if that has to be done, as another Member said, from outside China. Additionally, we could accept the recommendations of our Foreign Affairs Committee and explore the prospect of a Human Rights Council inquiry on the treatment of this beleaguered minority Muslim community; and of course we should step up sanctions against Communist party officials involved in perpetrating these gross human rights abuses.

The Uyghur people have been subjected to widespread abuse, the scale and ferocity of which is unparalleled in modern times. That is a stain on the world. I hope that the world is waking up to the fact that it can no longer turn a blind eye to this. It can no longer wring its hands and issue hollow words of sympathy when it feels that it has to. In April, the House passed a motion declaring that Uyghur Muslims in China were victims of crimes against humanity and genocide. That view is shared by the Parliaments of Canada, Lithuania and the Netherlands, and the US State Department has also determined that the violations against the Uyghurs constitute genocide. In December, the United States announced a diplomatic boycott of next month's winter Olympics because of the ongoing genocide and crimes against humanity. Some may dismiss that as a token gesture, but if it leads to a concerted international effort to get China to change its ways, it will be seen as the start of a process, and as having been very worth while.

Finally, everyone who believes in freedom and democracy is indebted to Sir Geoffrey Nice and those involved in the Uyghur Tribunal. As we have said, it may not have had official Government support or backing, or the power to sanction China, but it has laid out clear and unambiguous evidence that a genocide is taking place, and gives democratic Governments and the United Nations the moral authority to hold those responsible

to account. Minister, please do not let this House or the Uyghur people down; immediately recognise this genocide for what it is.

2.4 pm

Catherine West (Hornsey and Wood Green) (Lab): It is a real treat to have you in the Chair, Mr Deputy Speaker, as someone who has also taken a robust stand on human rights and on the question of China. A number of other Members across the House have gone above and beyond to be on the side of those who do not have a voice. It is also worth noting the associations and affiliations that so many of those who have spoken have, including the hon. Member for East Worthing and Shoreham (Tim Loughton), with his important work on Tibet. Professor Sir Geoffrey Nice QC, who led the panel of the Uyghur Tribunal, is a patron, along with me, of Hong Kong Watch and has taken an interest in China for many years. Members across the House have been very clear from the outset that we stand with the Chinese people, and it is with systematic abuse that we have an issue.

The hon. Member for Wealden (Ms Ghani) has surpassed herself in her speech today, underlining her empathy particularly for women but for all those affected by the regime in the Xinjiang region. Her leadership on this question is unparalleled. I am so sorry that the wrong diplomatic move was taken to sanction her, but I know that, in a funny way, it has emboldened her and all those others who have experienced that same sanction.

Debates such as this bring out the best about our Parliament because this is where we have so much cross-party agreement and where we, as a Parliament, can inform the direction of the UK's foreign policy. We know that, in a week's time, we will be talking about Holocaust Memorial Day, with which there are so many strong parallels. I know that the Minister has an eye to that awful but important and crucial commemoration next week, where we will talk about those in our communities who are still so affected by that dreadful holocaust from 1939 to 1944.

As we know, there is an extensive and growing body of evidence of the systematic persecution of the Uyghur minority, including detailed reports of more than 1 million people subject to arbitrary detention; forced labour; the enforced separation of children from parents; denial of the right to practise religion or speak one's own language; and the rape, torture and forced sterilisation of women. That has all been laid out so clearly by the tribunal. I know that the Minister has a copy of the tribunal findings and I am sure that she has read that. We know also that the Uyghur people in Xinjiang province in north-west China have suffered enormously. The question is now, what will we do about it? We know that the tribunal itself is

"satisfied beyond reasonable doubt that the People's Republic of China, by the imposition of measures to prevent births intended to destroy a significant part of the Uyghurs in Xinjiang as such, has committed genocide".

Today's debate follows our vote in this Parliament in April 2021, ably contributed to by my predecessor, my hon. Friend the Member for Aberavon (Stephen Kinnock), who spoke so eloquently today about the need for the Government to have an overarching China strategy and to implement it as soon as possible. In that vote in this House, which was supported across the House, we

[Catherine West]

recognised the plight of the Uyghur people and we called on the Government to take urgent steps in response. This does feel a bit as though we have raised this before and we are challenging the Government again over what practical action they will take. Will they inject some urgency into their response?

Many of us are disappointed that the Government rejected the excellent recommendations of the Business, Energy and Industrial Strategy Committee last summer. When I visited Primark in my constituency, I was pleased to see that, since the report, it had begun to make different decisions relating to its supply chains, and I know that Marks and Spencer has as well. If the private sector has already begun to make those changes, there is no excuse for the Government not to look at their own record on the matter.

The Government also failed to incorporate the concerns of both Houses when we discussed what we called then the genocide amendment. I hope that the Minister will speak to that and tell us whether she believes that the right decision was taken on that amendment to the Trade Bill. We have this new fresh evidence. If the Government assess that it is correct, will we need to review that element of the Trade Act, which of course has completed its passage here? What does the Minister make of all this fresh evidence and do we need to look at that again?

I want briefly to draw out a couple of conclusions before allowing the Minister to come back because there is a lot of red meat, let us say, in this that she will want to get her teeth into. My hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) raised a specific challenge around the pensions of members of staff in this House. Some of the pension companies may well be unwittingly supporting poor practice and human rights abuses in the Xinjiang region. What is the Minister's response to that? My hon. Friend also raised the question of HSBC, the UK's biggest bank.

My hon. Friend the Member for Manchester, Gorton (Afzal Khan) mentioned the support of the Board of Deputies of British Jews for this particular body of findings. That adds another strand of civil society support for that important work. He also mentioned that he is a great friend of Rahima Mahmut, who has gone through so much but is now the leader of the World Uyghur Congress.

My hon. Friend the Member for St Helens South and Whiston (Ms Rimmer) has raised in this House on a number of occasions the issue of the harvesting of organs, but her question today was whether there has been, to use one of the descriptions, the destruction of a way of life of the Uyghur people in Xinjiang. My hon. Friend the Member for Lewisham East (Janet Daby) encouraged the Government to inject urgency into their work.

The hon. Member for Argyll and Bute (Brendan O'Hara), who spoke for the SNP, issued several challenges, in a similar vein to ours. The fact that so many of us are saying the same things lends weight to our arguments. First, will the Minister commit Government resources to assessing the situation in Xinjiang and undertake to look carefully at the evidence from the tribunal and to come back to this House as soon as possible to say what further action the Government need to take? Secondly, and once again as a matter of urgency, will she work

with colleagues across Government to look again at Magnitsky sanctions on any senior officials involved in abuses who have so far escaped UK sanctions so that we can come into line with the US Government sanctions and there is not a cigarette paper between us and our partners? Specifically the name Chen Quanguo appears to be coming up in a number of briefings and evidence pieces we have heard about today. What is her view of that individual?

Will the Minister look at the wider issue of supply chains, as per the excellent recommendations from the Business, Energy and Industrial Strategy Committee, the investments of firms and state pension funds to ensure that any company with any links to the situation in Xinjiang is held to account, while boosting the legislation necessary to bring businesses into line with their moral obligations? As I mentioned earlier, in some regards, some companies are ahead of the game. How do we catch up? The Committee's report includes a specific recommendation on the question of financial companies. What view does she take of that? What assessment has she and the Foreign, Commonwealth and Development Office made of that?

On the role of the international community, my hon. Friend the Member for Aberavon mentioned the role of the International Labour Organisation. Does she support that? We are high-profile members of the ILO and have talked in this House on a number of occasions about the conventions that have come out of the ILO. What are we doing to apply those international conventions to this situation? Will she support the call for the correct UN individuals, such as Michelle Bachelet, to lead a delegation in the Xinjiang region to check whether what we have heard in London from the tribunal is correct and therefore could inform our foreign policy on China?

The brutal campaign of oppression in Xinjiang is a scar on the conscience of the world and the Labour party stands shoulder to shoulder with the Uyghur people. We want to work hand in hand with the Government and our Parliament to bring forward the urgent action that is required.

2.14 pm

The Minister for Asia (Amanda Milling): I am very grateful to my hon. Friend the Member for Wealden (Ms Ghani) for securing this debate and for her dedication to human rights. I also thank hon. Members from across the House for their very insightful contributions, and I will endeavour, in the time that I have, to answer many of the points that have been raised.

The Government welcome the contribution of the Uyghur Tribunal in building an international awareness and understanding of the human rights violations in Xinjiang. We have been following its work very closely.

Sir Iain Duncan Smith: My right hon. Friend has just referred to and welcomed the tribunal's report, so why did the Government refuse to give evidence for the report when requested to by the tribunal?

Amanda Milling: Government officials observed the tribunal hearings in June and September, and Ministers and officials met the chair, Sir Geoffrey Nice QC, on several occasions to discuss its work.

As we have heard today, the tribunal's findings contain further harrowing evidence of the situation that Uyghur Muslims and other ethnic minorities face in Xinjiang. Uyghurs and other minorities are being detained in political re-education camps, their religious practice is being restricted and their culture squashed. They are subject to invasive surveillance and repressive governance. There is also compelling evidence of forced labour and forced sterilisation.

The research that we have funded has uncovered more deeply disturbing details. Indeed, we have not hesitated to make clear our deep concerns at the highest levels. The Prime Minister raised the situation in Xinjiang directly with President Xi in October, as did the Foreign Secretary in her introductory call with her Chinese counterparts. I also raised our serious concerns with the Chinese ambassador just last month. We have been working alongside our partners to increase the pressure on China to change its behaviour. In March, the UK imposed asset freezes and travel bans on senior Chinese actors responsible for enforcing China's repressive policies.

Ms Ghani: Will my right hon. Friend give way?

Amanda Milling: I am going to make progress, if my hon. Friend does not mind, because I do not have an enormous amount of time.

Ms Ghani: I just want to make sure that we capture the essence of what we debated on that particular point.

Amanda Milling: Okay.

Ms Ghani: I am very grateful; I know that my right hon. Friend wants to respond to every point that was raised. If she is accurate in stating that the Prime Minister, the Department and herself are following not only the tribunal, but challenging the actors of genocide, how come she declared that they are unable to fulfil the ICJ obligation, because the duty is in place?

Amanda Milling: I will come back to the Government's policy shortly, but please be reassured that the Prime Minister, the Foreign Secretary and I have all raised the very serious situation in Xinjiang with our counterparts.

In March, the UK imposed asset freezes and travel bans on senior Chinese actors responsible for enforcing China's repressive policies. We took action alongside the US, Canada and the EU, demonstrating the breadth of concern across the international community.

Some Members have asked about future sanction designations for human rights violations in Xinjiang. As they will know, we do not speculate about future sanctions, but we keep all evidence under close review. The Government have taken robust action to address Uyghur forced labour in UK supply chains. We have introduced new guidance for UK businesses on the risks of doing business in Xinjiang and have announced enhanced export controls, as well as financial penalties, under the Modern Slavery Act 2015. Taken together, those measures will help to ensure that no British organisation profits from or contributes to human rights violations against Uyghur people.

Ms Ghani: Will my right hon. Friend give way?

Amanda Milling: I will make some progress, because I want to address a couple of points that my hon. Friend made in her opening remarks.

In regard to the BEIS Committee report recommendations, we are grateful to the Committee for its thorough inquiry last year on forced labour in Xinjiang. The Government have given it careful consideration, including the recommendation to introduce a blacklist of companies that do not uphold human rights throughout their supply chains. Although we currently have no plans to introduce such a list, the Government are committed to tackling Uyghur forced labour in UK supply chains and are looking to take robust action.

Ms Ghani: Will my hon. Friend give way on that point?

Amanda Milling: My hon. Friend will get the opportunity to respond when I sit down; I have limited time.

On import controls, the Government are fully committed to tackling Uyghur forced labour in global supply chains, but the measures we have taken do not currently include import bans. However, we have announced a range of other measures, including a comprehensive review of export controls as they apply to Xinjiang.

We are also working closely with international partners. At the G7 last month, under our presidency, G7 leaders committed to working together to ensure that global supply chains are free from the use of forced labour. On international action, the UK has consistently led international efforts to hold China to account at the UN through global diplomatic efforts. We led the first two joint statements on Xinjiang in 2019 and 2020. More recently, last October, we helped secure the support of 43 countries for a statement on Xinjiang at the UN Third Committee.

Stephen Kinnock: Will the Minister give way?

Amanda Milling: This will be the last time.

Stephen Kinnock: Will the Minister comment on the point about the United Nations High Commissioner for Refugees realistically never getting access to China? Will the United Kingdom Government therefore push the United Nations Human Rights Council to get a resolution so that the UNHCR can do an inquiry from outside China?

Amanda Milling: I will come to the UN shortly. The statement we secured in October demonstrated the breadth of international concern, with fresh support from Turkey, a member of the Organisation of Islamic Cooperation, as well as Eswatini and Liberia. Through the UN statements, we have pressed China to allow urgent and unfettered access to Xinjiang for independent observers, including the UN High Commissioner for Human Rights. In recent national statements, we welcomed the high commissioner's plans to publish an assessment of the available information on Xinjiang. I assure Members that the UK will continue to play a significant role in holding China to account for its gross human rights violations there.

Siobhain McDonagh: Will the Minister give way?

Amanda Milling: No; we have had a long debate and I would like the opportunity to respond to it.

To monitor the evolving situation, we funded research reports from the Australian Strategic Policy Institute and the Rights Practice, a non-governmental organisation,

[Amanda Milling]

on how China is implementing repressive policies on Xinjiang. Those reports are credible and compelling and will inform future action. We will continue to fund future research.

The Uyghur diaspora also play a crucial role in our understanding the situation. We regularly speak to members of that community to inform policies and ensure that Uyghur voices are heard. Members expressed concern about reports of Uyghurs in the UK being harassed by Chinese authorities. We have repeatedly made it plain that that is unacceptable and have raised our concerns with the embassy.

Sir Iain Duncan Smith *rose—*

Ms Ghani *rose—*

Janet Daby *rose—*

Amanda Milling: I am sorry but I am moving on.

Throughout the debate Members have asked whether we will make our own assessment regarding the risk of genocide occurring in Xinjiang. The UK's long-standing policy, under successive British Governments, is that any determination of genocide is a matter for a competent court rather than for the Government or non-judicial bodies. This long-standing policy is consistent with our legal obligations under the genocide convention and does not undermine our commitment to prevent and punish genocide. I reassure Members that the policy does not inhibit the UK from taking robust action to address the human rights violations and abuses in Xinjiang.

Sir Iain Duncan Smith: My right hon. Friend has made her point; will she give way on it?

Amanda Milling: I am going to conclude.

The UK's long-standing policy on genocide has not prevented and will not prevent the Government from taking robust action on human rights violations in Xinjiang through a broad spectrum of channels and international partnerships. We have a strong history of protecting human rights globally and the situation in Xinjiang is no exception to that. I reassure the House that we will continue to work with our partners, including the Uyghur people, to hold China to account for its appalling actions in Xinjiang.

2.25 pm

Ms Ghani: I am not quite sure whether the Minister was here for the debate, which was based on the 2007 ICJ ruling that states very clearly our legal obligation to investigate if we believe that there is intent to commit

genocide. That is exactly what we have put forward in the motion. The Uyghur Tribunal heard evidence and said that the evidence does exist for biological genocide, human rights abuses and torture.

The Minister stated that she would get back to me on a number of points on which she could not respond at the Dispatch Box, in particular in respect of blacklisting the firms that are exploiting British customers and putting on our shelves products made using slave labour.

I put on the record my thanks to the World Uyghur Congress, to the Inter-Parliamentary Alliance on China and to all colleagues who contributed to the debate. I know there are huge concerns about sanctions on parliamentarians, but we are in a free world and should concentrate on the Uyghurs whose lives are being lost at the hands of the Chinese Communist party.

I am disappointed that the Minister wanted to quibble over the critical point of the debate, let alone to use clever legal arguments to get out of our obligation. I put on the record that it is difficult to draw a comparison between what it is happening in Xinjiang and the genocide of the Jewish people, but the Board of Deputies has already made its position clear. I also put on record the fact that at one point the late Rabbi Sacks was asked, "Where was your God at Auschwitz?", and the Lord Rabbi Sacks said the issue was not about God but, "Where was man?" I want it to be on the record that men and women are putting a voice to what is happening in Xinjiang.

I respectfully ask that the Government allow our motion to pass; that they respond to the three principles and on the sanctions and blacklisting; and, in particular, that they return to the House in two months with an assessment of how they consider the evidence presented to the Uyghur Tribunal.

Question put and agreed to.

Resolved,

That this House notes that the December 2021 Uyghur Tribunal's judgment in London found beyond reasonable doubt that the People's Republic of China was responsible for genocide, crimes against humanity and torture in the Uyghur region; and calls on the Government to urgently assess whether it considers there to be a serious risk of genocide in the Uyghur region and to present its findings to the House within two months of this motion being passed, use all means reasonably available to ensure the cessation of ongoing genocide, including conducting due diligence to ensure it is not assisting, aiding, abetting or otherwise allowing the continuation of genocide and fulfil its other obligations under the UN Convention on the Prevention and Punishment of Genocide, accept the recommendations of the Fifth Report of the Business, Energy and Industrial Strategy Committee, Uyghur forced labour in Xinjiang and UK value chains, Session 2019-21, HC 1272, including black-listing UK firms selling slave-made products in the UK and putting in place import controls to protect UK consumers, and place sanctions on the perpetrators of this genocide, including Chen Quanguo.

Lawfare and UK Court System

Mr Deputy Speaker (Mr Nigel Evans): Before I call the right hon. Member for Haltemprice and Howden (Mr Davis), I should inform the House that Mr Speaker has authorised a waiver under the terms of the sub judice resolution to allow reference in this debate to certain cases which would otherwise be subject to that resolution. This is because the issues to be debated relate to matters of national importance. The right hon. Gentleman is aware of the cases covered by the waiver.

2.29 pm

Mr David Davis (Haltemprice and Howden) (Con): I beg to move,

That this House has considered the matter of lawfare and the UK court system.

I am grateful to Mr Speaker for his having issued a waiver for this debate. I of course recognise why it is important that Members of this House do not seek to influence the outcome of cases that are before the courts, and if these matters were before a jury, I would be wary of raising them, but they are matters of national importance and I am grateful for the opportunity to raise them.

We are rightly proud of our legal system in this country. Britain is home to some of the fairest and best courts in the world. Centuries of jurisprudence mean that London is among the most respected cities from a legal perspective. However, what is attractive to legitimate businessmen is also attractive to those with nefarious intentions: there are those with exceptionally deep pockets and exceptionally questionable ethics. These people use our justice system to threaten, intimidate and put the fear of God into British journalists, citizens, officials and media organisations. What results is injustice, intimidation, suppression of free speech, the crushing of a free press, bullying and bankruptcy. It results in protection from investigation and gives encouragement to fraudsters, crooks and money launderers. It has turned London into the global capital of dirty money. In extreme cases, it can undermine the security of the state by allowing people to act as extensions of foreign powers.

This is lawfare—lawfare against British freedom of speech, lawfare against the freedom of the press, and lawfare against justice for our citizens. Lawfare is the misuse of legal systems and principles by extraordinarily rich individuals and organisations to destroy their critics and opponents. In many cases, our reporters face reputational and financial ruin in defending themselves from these malevolent cases; even if they win, the expense and impact are huge. The chilling effect on a free press is extraordinary. Some newspapers hesitate to cover certain topics, such as the influence of Russian oligarchs, for fear of costly litigation. In at least one case I know, the publication avoids the subject outright.

These sorts of cases, designed to silence criticism, are so prolific that they now have an acronym: SLAPPs, which stands for strategic litigation against public participation. Such lawsuits are based on laws on defamation, privacy, data protection and—ironically—harassment. In the UK the cost of defending a case, no matter how well sourced and how great the public interest, can run into millions of pounds. These cases

are so time-consuming and costly because a disclosure process before trial can be dragged out by deep-pocketed claimants for years to financially hobble the defendant, even before they get to the ruling.

The issue is not just the financial and reputational damage inflicted by these cases; lives are also being destroyed. Defendants are unable to work. Every waking moment is spent looking over their shoulders, wondering who or what is just around the corner. This is not about legitimate recourse against journalists making mistakes—because, as we know in this House, they can and they do; it is about shutting down scrutiny through fear.

Early in 2021, Russian Opposition leader Alexei Navalny published a video investigation into President Putin's palace on the Black sea. In the video, he waved a copy of "Putin's People" by Catherine Belton, a much respected *Financial Times* journalist at the time. Just two months later, Belton and her publisher were suddenly served with a series of lawsuits, filed over the course of six weeks by four Russian billionaires and the state-run company Rosneft—that, I think, gives away that the Russian state is involved.

Media lawyers with decades of experience in such cases said that they had never seen a legal onslaught of such scale and intensity. Those cases dragged on for over a year, and the cost of that year alone ran into the millions—£1.5 million for Catherine Belton alone. If the case had gone on, it would have cost millions more.

One of those suing Belton—the final one—was Roman Abramovich, the multi-billionaire owner of Chelsea football club. Abramovich claimed that Belton's book alleged that he had a corrupt relationship with the Russian President and was making payments into Kremlin slush funds. An identical suit was also filed in an Australian court by Abramovich, to effectively double the cost of defending the case and to further intimidate HarperCollins.

It is worth reminding people of Mr Abramovich's background and the character of the man. We are speaking here of the man who manages President Putin's private economic affairs, according to the Spanish national intelligence committee. This is a man who was refused a Swiss residency permit, due to suspected involvement in money laundering and contacts with criminal organisations. Abramovich was also deemed a danger to public security and a reputational risk to Switzerland.

Abramovich initially came to the UK on an investor visa. In 2015, the Home Office tightened the rules around those visas, so that applicants could be required to prove the origins of their wealth. In 2018, when his visa was up for renewal, Abramovich withdrew the application. When he bought Chelsea FC, Abramovich was the governor of the Chukotka region of Russia. It was alleged by associates of his that the purchase was done at the behest of the Kremlin. As a result of the purchase, he now has enormous soft power and influence in the UK. I ask the House to come to its own conclusion about whether this man is acting at the behest of the Kremlin or Putin's Government.

Belton's case is now settled. Interestingly, there was a huge spin to suggest that Abramovich had won hands down, and he had not, but that is another matter. But for her colleague on the *Financial Times*, Tom Burgis, the author of "Kleptopia: How Dirty Money is Conquering the World", his legal battles are just beginning. Burgis is

[Mr David Davis]

being sued by the Eurasian Natural Resources Corporation, a privately owned Kazakh multinational mining company. Since April 2013, ENRC has been under investigation by our Serious Fraud Office for fraud, bribery and corruption. The investigation is one of the longest-running and most complicated cases that the SFO has on its books. This case, and its reporting, has prompted a wave of legal proceedings by ENRC in the United States and the UK against journalists, lawyers and Serious Fraud Office investigators.

In May 2015, two former employees of ENRC turned up dead on the same day in a Missouri hotel. They were due to be witnesses in the SFO case. The cause of their death was recorded as malaria, but the chances of two people dying from malaria on the same day and at the same time, broadly—within hours of each other—is vanishingly small. The next year, a geologist associated with the company was found dead in the back of a burned-out Audi in Johannesburg. Burgis outlined these facts in his book, but he is now facing the wrath of ENRC, which alleges that passages in the book are “untrue” and “highly damaging”—the reason? Because ENRC interpreted the reporting of the deaths as Burgis suggesting

“murder to protect its business interests, or alternatively, there are strong grounds to ‘suspect’”

that ENRC had them murdered.

Even given the waiver, I should not comment on the substance of the ongoing legal proceedings, but what I will say is that the FBI takes these allegations seriously enough that it is now investigating the Missouri deaths. Take from that what you will, Mr Deputy Speaker.

Amazingly, when the *FT* reported the FBI’s action, ENRC then took action against that paper. Are we now to understand that journalists are not allowed to publicly report the deaths of witnesses for fear that someone may deduce that they were murdered by a company like ENRC?

Bob Seely (Isle of Wight) (Con): My right hon. Friend is making a fantastically important speech, and I look forward to joining him to talk about these many important subjects. What does he think about those London-based law firms that are so willing to sell intimidatory legal threats as part of their services?

Mr Davis: My hon. Friend alights upon a very important point. It is very clear that some London-based law firms have found an incredibly profitable niche that they are willing to pursue without too much concern about the outcome. I think the professional bodies for those law firms should be looking very hard at them, as should the Government. It is an important point, which I am sure others will develop.

Stephen Kinnock (Aberavon) (Lab): The right hon. Gentleman is making an excellent speech. On the point of the lawyers who are facilitating all this—the army of lawyers doing the dirty work of the Russian Government and of oligarchs and the Governments of other hostile regimes—does he agree that were we to introduce a foreign agents registration Act in this country, lawyers acting on behalf of those people should be included in such a registration process?

Mr Davis: The hon. Gentleman makes an important and persuasive point, but I suspect there are other people in this room at the moment—I am looking to my left here—who have stronger authority on this me. What I am trying to argue today is that this issue requires Government action that will involve a whole series of things from reorganising how civil cases are dealt with, through how we license private investigation to the sort of reporting arrangements for foreign agents that the hon. Gentleman is talking about. This is a whole area that the Government will have to take on in toto.

The assault faced by Burgis, HarperCollins, the *Financial Times*, the Serious Fraud Office and others has been described by a coalition of organisations as

“a form of legal harassment used by those with deep pockets to silence journalists”.

That same coalition is

“deeply troubled by the chilling effect this wave of legal action has on legitimate investigative and anti-corruption work by journalists, law enforcement officials, and others”.

This is not just about the financial costs; these actions take an emotional toll on those who are targeted.

Sometimes it does not stop there. Lawfare is often buttressed by other methods of harassment and intimidation. John Gibson, a former Serious Fraud Office case controller, was sued by ENRC for allegedly leaking information to Tom Burgis, the journalist. Why did ENRC suspect that? In cross-examination, ENRC’s lawyer described in detail a meeting between Burgis and Gibson—a meeting that both had gone to extreme lengths to keep secret. It was organised over an encrypted messaging service and held in an underground car park with no telephone signal. So the only explanation for how ENRC’s lawyer had details of this clandestine meeting would be if Burgis, Gibson or both were being actively watched.

This is a private company putting a journalist under aggressive surveillance. It is a private company putting a Serious Fraud Office employee under aggressive surveillance. It is a private company, in essence attempting to undermine the freedom of the press and frustrate the legitimate workings of the state. It is immoral, it is intimidating and it is unethical. Frankly, the entire industry needs to be looked at, and powers need to be put in place to tame the wild west of private intelligence work.

It is not just journalists who are targets for this kind of bullying, and it does not just involve international billionaires. Our former colleague Charlotte Leslie, the director of the Conservative Middle East Council, is facing legal challenges from the multi-millionaire Mohamed Amersi. The court documents outline how Mr Amersi tried to pressurise his way to becoming the chair of the Conservative Middle East Council. It has been suggested that that was because he saw it as a route to a knighthood or other honour, and that Ms Leslie rejects his attempts. In response, he tried to form his own group, the Conservative Friends of the Middle East and North Africa. Ms Leslie then compiled a due diligence note on his background, and it was sent to Conservative headquarters by Sir Nicholas Soames. That memo outlined details about Amersi’s past, his associates and his dealings with Russia. As far as I can see, it was compiled from open source research.

Mr Amersi got hold of this memo. In response, he had his lawyers send demanding letters to both Soames and Leslie. He claimed that the memorandum was defamatory and inaccurate. However, despite the issue rumbling on for over a year, he filed his defamation case only last month. In the meantime, he used data law to take Ms Leslie to court. This is a growing tactic for those using SLAPPs to silence their critics. In November, Ms Leslie appeared in the Royal Courts of Justice. The contention was that she had not responded properly to a data subject access request from Amersi. Usually, the Information Commissioner deals with such disagreements, but when a rich man wants to silence and destroy someone, they go to the courts. The claim was dismissed and Charlotte and CMEC were awarded 65% of the costs, but Amersi is bringing the claim back and a four-day trial has been scheduled for the spring, further ramping up enormous costs.

So, who is Mohamed Amersi? On his website, he describes himself as

“driven by a desire to create a world that’s better for everybody”.

Let’s test that against public domain facts, shall we? In 2005, he made £4 million helping a Luxembourg company to buy a Russian telecoms business. The following year, a Swiss judge concluded that that company was secretly owned by a top crony of Vladimir Putin, Leonid Reiman. In 2006, Amersi was accused in a separate lawsuit of trying to extort a \$2 billion payment, not on behalf of himself but on behalf of a Russian oligarch.

Four years later, in 2010, Amersi advised on a transaction in Uzbekistan that was found to be a \$220 million bribe to the daughter of the country’s brutal dictator. When he was embroiled in a dispute in the early 1990s, a UK High Court judge described his conduct as “lamentable” and his evidence as “unreliable”, “unconvincing” and “unsatisfactory”.

All that information is available in public court records. I cannot make an authoritative judgment on the matter, so I will leave it to the House to decide for itself whether that served to create a world “better for everybody”. In the latest instance, Amersi has used his wealth and influence to try to bully Charlotte Leslie into silence.

Tim Loughton (East Worthing and Shoreham) (Con): As a former colleague of Charlotte Leslie, I think she has been treated appallingly just for doing her job efficiently and in good faith. I am glad that my right hon. Friend has exposed the appalling tactics that have been used against her.

Is there no way to stop repeated legal actions, or the threats of legal actions, being brought? It is the attrition effect of clearly vexatious complaints that intimidates people into submission or silence or, effectively, bankruptcy. Surely there should be some measure that says, “You have one shot at it, at best, and then there is no further recourse to the courts or such legal action.” Would that be a way to stop the appalling actions that my right hon. Friend has been describing?

Mr Davis: My hon. Friend makes an extremely good point. The way that it happens is that there are legal firms that now specialise in making that sort of intimidating tactic work, and it is based on multiple different laws—as I said earlier, on everything from defamation to data protection and privacy. Therefore, we have to find a way to govern how the courts work to ensure that exactly

what he says does not happen and that there are not multiple attempts. After all, someone can be charged only once for a crime, so why can someone be sued multiple times for another sort of misbehaviour?

It is not only Amersi who is engaged in bullying and egregious behaviour, and it is not just law. For instance, Mr Carl Hunter was in contact by phone with Ms Leslie to attempt to informally broker peace between her and Mr Amersi and to urge her to apologise. He told her:

“You need to consider your position—being able to walk the dog at night, being able to sleep well at night.”

He said that she was looking at a “world of pain” on it. Those are clear and unacceptable threats, of which recordings are available, made in an attempt to intimidate. Those recordings contain other rather sinister comments as well.

Bob Seely: To reinforce a point that other hon. Members will probably make, although the lawyers—the Carter-Rucks and the Mishcon de Reyas—will say, “Everything that we do is legal,” this is part of a really corrupt and intimidatory practice that veers well into the criminal. Even if the lawyers are obeying the law, other parts of these sorts of campaigns are, frankly, purely criminal.

Mr Davis: I take my hon. Friend’s point. He will understand that I am picking my way carefully through my speech, given Mr Speaker’s ruling, so as not to trip into pre-empting the case. I am trying to present facts to the House so it can make its own judgment.

Charlotte Leslie has tried to settle the issue. After that intimidatory approach, she agreed to apologise to Mr Amersi and he rejected it. He is used to getting his way. He justified the use of money to get access to members of the royal family as “access capitalism”—that is his phrase. He has taken the same approach in this case. He throws money at a problem in an attempt to make it go away.

While Ms Leslie has been subject to legal harassment for a year, Sir Nicholas Soames has avoided the brunt of Amersi’s attack. Why? This is not a comment against Sir Nicholas, who is a very good man, but in Amersi’s own words—his rather odd English—it is because of his “grandioseness”. Charlotte, on the other hand, is not seen as grand and is therefore fair game. There is a simple non-legal word for that, which is bullying. That is what we are seeing.

So what do we need to do about SLAPPs? Members of this House will have many more ideas than me, and many of them are much more skilled and knowledgeable than me in these areas, but the clear fact is that there needs to be balance. Dealing with SLAPPs is an issue of balance. It is not wrong to sue journalists—sometimes they make serious mistakes or behave maliciously—but billionaires and multimillionaires should not be able to use the law to shut down legitimate criticism. Even if someone defends their case successfully, in this day and age they face material costs so huge that they will further deter others from following a story, and they can even destroy lives. Just to go off on a tangent, Charlotte Leslie, if she has to meet the costs of all of this, will probably have to sell her home and lose all her savings, and that is what an ordinary person faces in this context.

[Mr David Davis]

In the United States, 31 states have passed anti-SLAPP laws offering varying degrees of protection—remember that the US already has the first amendment—and in some cases allowing journalists and media organisations to file motions to dismiss such suits at an early stage on the grounds that the case involves protected speech on a matter of public interest. Such a protection does not exist in the UK, enabling the process to be dragged out at great expense to both parties. That is fine for those with deep pockets, but for an ordinary person it is immensely damaging financially and emotionally. It destroys the entire concept of equality under the law.

Other countries are already addressing this issue, and as they do, the problem for London will only grow as more and more ultra-wealthy individuals come here to exercise lawfare. If London is to remain the envy of the legal world, then we need to get a grip on the problem and stop this rampant abuse of our system. If we do not, we will continue to face these kinds of attacks on the freedom of our press—the foundation of our state—and we will leave our people subject to grotesque injustice in the face of this outrageous lawfare.

2.51 pm

Liam Byrne (Birmingham, Hodge Hill) (Lab): It is a real privilege and an honour to follow the right hon. Member for Haltemprice and Howden (Mr Davis) to help open this debate and to follow on from his arguments.

“Follow the money” is the oldest and wisest advice given to journalists who are pursuing the corrupt, shining lights where they need to be shone and hunting the truth, yet this dictum, which has served us so well since Watergate, is now being smothered, suffocated and strangled in courts by allies, associates and friends of President Putin, who is pursuing a hybrid war against the west and against us. That is the context for the debate that we are holding this afternoon.

Many of us in this House have been warning for some years that it is time for this country to wake up to this new threat. Hybrid war is a novel kind of conflict. Once upon a time, wars were fought on land, in the air and at sea, but no more. Hybrid war is a battle for minds as much as it is for land—for influence and narrative, not simply territory. That means it extends the battlefield to space, to cyber-space and, now, to law space. It is fought with tweets as well as tanks, and now it is being fought with writs as one more weapon in the armoury. Of course, the reason for this is simple: what totalitarians, autocrats and kleptocrats fear most is the truth, so what they are seeking to do is to murder the truth, and we are letting them do it in English courts.

Stephen Kinnock: My right hon. Friend is making an excellent speech, and I congratulate him on securing this debate. On the point of cyber and hacking, is he aware of cases in which these Russian-backed interests are hacking people's private data, leaking it and then suing them for libel, and does he agree that that is an utterly absurd and unacceptable position to be in?

Liam Byrne: My hon. Friend is absolutely right, and I will come on that in a moment.

The truth is that the truth is under attack by oligarchs with Russian connections because they are seeking to disguise the origin of their fortunes, their methods of

business and, of course, their networks of friends. The result is that the frontline of this hybrid war now stretches from the streets of Donbass and Crimea and the troll farms of St Petersburg to the law courts of Britain—our courts, in England, here in London.

It was the Intelligence and Security Committee—whose distinguished Chair, the right hon. Member for New Forest East (Dr Lewis), is present—that made clear on, I believe, page 22 of its landmark report on Russia that the interests of Russian business are now so closely entwined with the interests of the Russian state that it is impossible to unravel them. It is these honourable folk who are now using English courts as their preferred location for the business of truth silencing. According to a survey of 63 journalists in 41 countries, more cases were brought against journalists in the UK than in America and Europe combined. As the right hon. Member for Haltemprice and Howden said, the United States and Europe are now moving to shut this down, but we are not. That is why we are now becoming the global capital of the lawfare industry.

There are now so many cases that today we can reveal—it was evident in the right hon. Gentleman's speech—what might be described as the oligarch's playbook. Step one is to target the individual, not the organisation, because the individual is most vulnerable, and take aim at the slightest error. Arron Banks did not go for *The Guardian* or *The Observer*; he went for Carole Cadwalladr, and took aim at a single sentence in her TED talk. As we have heard, ENRC went after Tom Burgis personally after he flagged up the information that witnesses to its crimes were being murdered. Paul Radu, who happens to be Romanian, is being pursued in English courts by corrupt Azerbaijani politicians. We have to ask: why are powerful interests from far away suing journalists who are not English and do not write for English titles? Why are they being sued in English courts? Surely that must tell us that something in our country is going badly wrong.

Step two is to maximise intimidation, using covert surveillance if necessary. As we have heard, investigators and journalists are now being inundated with data subject access requests so that people who are up to no good can smoke out what they are up to. ENRC agents surveilled Tom Burgis, who was in a meeting that had been arranged on an encrypting messaging app; how on earth did it know about that? The *Financial Times* journalist Dan McCrum, who helped to break the Wirecard story, was subject to online abuse, hacking, electronic eavesdropping and physical surveillance. These people know no boundaries. They are completely out of control.

At one stage, I have been told, Elizabeth Denham, who was the Information Commissioner at the height of the Cambridge Analytica scandal, was warned by counter-terrorism officers that MI5 had evidence that she was under active intrusive surveillance ordered by Mr Arron Banks, so her office had to be swept. Others have told us about the “hack and leak” technique whereby systems are hacked into, and information is then leaked to serve as a trigger for defamation proceedings.

Step three is then to file the most ludicrously exaggerated claims. Mr Abramovich's attack on Catherine Belton took completely out of context what Ms Belton had actually written. We know that Tom Burgis has been attacked because he is alleged to have said that a corporate

entity had ordered the murders. There are extraordinary exaggerations and twisting of what has actually been written.

Step four is to co-ordinate the claims with others to maximise intimidation and, indeed, legal costs. Catherine Belton was subject to an onslaught first from the Alpha group, then from Abramovich, then from Mikhail Fridman, then from Shalva Chigirinsky, then from Pyotr Aven, and then from Rosneft—and we are being invited to believe that somehow this was unco-ordinated. They must think we are complete idiots.

Step five, as we have heard, is to file claims in multiple jurisdictions—an example is Mr Abramovich's suit against HarperCollins in Australia—to maximise the cost for journalists, writers and their publishers. The impact is the creation of legal bills that are so big that they chill and kill the truth. Catherine Belton's case cost well over £1.5 million, and it would have cost millions more if it had gone any further. Carole Cadwalladr's case is costing hundreds of thousands of pounds. Major Karpov's case against Bill Browder left Mr Browder with a bill of £600,000, which the plaintiff has not paid because when he lost his case, lo and behold, he subsequently disappeared.

Democracy's watchdogs are having their tongues cut out and our writers are having their writing fingers broken. The result is that suspicion multiplies and the risk of corruption grows. I am so glad that the right hon. Member for Haltemprice and Howden has put before the House details of Mr Mohamed Amersi, which is a case in point. On Monday I shared intelligence with the House from sources inside the Kremlin and the Russian Government, including information about one of Mr Amersi's business partners, a man called Leonard Bogdan, who sources tell me has "a definite FSB background." I now learn that Mr Bogdan's daughter works for the Conservative party's central office and—surprise, surprise—was briefly secretary of Conservative Friends of the Middle East and North Africa.

We then learned, as the right hon. Gentleman said, that Mr Amersi's associate, friend, colleague and lunching partner, Carl Hunter, threatened a former Member of Parliament, Charlotte Leslie, that without an apology to Mr Amersi the case had "all possibility of going further to a really gruesome stage." What on earth is going on in this country when people like this are able to issue threats to anyone, never mind former Members of this House? And still Mr Amersi thinks he can go to a four-day trial and take Ms Leslie to court.

We still do not know the origin of Mr Banks's donations to Leave.EU. When the Electoral Commission warned about the poor National Crime Agency investigation, Mr Banks sued the Electoral Commission and forced it to take down a statement about his lies. We have heard from regulators who fear judicial review because a subject access request might come in from representatives of organised crime groups that are seeking banking licences. This is complete madness. Perhaps there are perfectly innocent explanations for all this, and maybe I have too suspicious a mind, but I would like to know the truth. I want newspapers and investigators to be able to hunt down the truth and, where necessary, publish it.

That is why we need action and we need it now. We are still governed by the great European Magna Carta that we wrote in the 1950s, the European convention on human rights. It establishes a positive obligation to

safeguard the freedom of a pluralist media and to create a favourable environment for participation in public debate. We are failing to uphold that duty.

It is not simply libel law being abused, as Bill Browder was attacked using cross-border insolvency legislation. We have heard how GDPR is now being misused by oligarchs. I was the shadow Minister on the Public Bill Committee on the Data Protection Act 2018, and I can expressly tell the House that it was not the intention of the previous Parliament for the Act to be used in this malicious way.

The new anti-corruption strategy and the economic crime plan that the Government have to refresh need to include five quick provisions. First, we need what are known as SLAPP-back laws so that a judge can rapidly dismiss a case if it is designated as strategic legal action against public participants. Secondly, we need a public figure defence, as America has, so a person who sues a public figure has a much higher bar to clear and needs to be able to prove actual malice. Thirdly, we need a sanctions regime against vexatious litigants, which could include paying 100% of costs or even punitive costs, to deter the misuse of our courts that we are now seeing. Fourthly, we need a defamation defence fund on the lines proposed by President Biden, and I humbly suggest that it should be funded by a windfall tax on the law firms making millions from the misuse of our courts.

Time and again, we have heard in our research about the behaviour of Hugh Tomlinson, Geraldine Proudler, Carter-Ruck, Mishcon de Reya, Schillings, CMS and Olswang, and it is now time for the regulatory body to pass new rules to ensure these firms follow a good model of litigation principles that ensures rules of good conduct and even liability for clients who refuse to pay their bills when they lose their case, like Major Karpov.

Bob Seely: This is yet another great speech. Does the right hon. Gentleman think that these solicitors' bodies and barristers' bodies should be more concerned about the very questionable ethics and behaviour of individual lawyers and individual law firms? They seem to be able to get away with whatever they want and offer whatever service, however questionable.

Liam Byrne: The hon. Gentleman is right on that. When we welcomed the integrated review and the rhetoric of "global Britain", what none of us intended was that "global Britain" meant London becoming the capital of the global lawfare industry, yet we know about the profits that are being made by some of these firms, which, as the right hon. Member for Haltemprice and Howden eloquently said, are now carving out a big fat niche for themselves.

In conclusion, once upon a time Mr Churchill warned about an "iron curtain" descending across our continent, from Stettin in the north to Trieste in the south. The challenge for our generation is very different. A kleptosphere is taking shape, stretching from Kaliningrad in the west to Kamchatka in the east. Every day, urgently, incessantly, patiently, friends of Mr Putin are trying to push the frontiers of that kleptosphere into Ukraine, the Balkans, Cyprus, Malta and the Baltics, and, yes, into Britain. It is pushed forward by attacking the weakest brick in our defences, and we in this House must ensure that our courts never become vectors for our country's opposition. For nearly 1,000 years, our courts have been sanctuaries

[Liam Byrne]

of justice, but now they are becoming arenas of silence, places in which the truth is killed. It was Václav Havel who said that the greatest defence against totalitarians is to live “in truth”. That is also the greatest defence against kleptocrats. I want to live in truth, which is why I say to the Minister: it is now time for the Government to act.

Mr Deputy Speaker (Mr Nigel Evans): Before I call Sir Robert Neill, let me just remind everybody that the sub judice waiver is not a general waiver; it relates to specific cases. If people wish to seek guidance, the Clerks at the Table will be able to guide them properly so that they do not stray, which I know Sir Robert Neill will not do.

3.7 pm

Sir Robert Neill (Bromley and Chislehurst) (Con): Thank you very much, Mr Deputy Speaker. I promise that in my brief remarks I will endeavour not to do so. I am grateful to my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) for securing this important debate and congratulate him on doing so. This is a significant topic, one with constitutional importance. I wish to confine most of my remarks to the position of the legal system in the UK, bearing in mind that just as living in truth is a great defence against evil, so, in practical terms, is the independence of the judiciary the greatest defence of our constitution. Abuse undoubtedly occurs, and I am grateful to him for highlighting some of the cases. The one case I will refer to is the appalling treatment of our friend and former colleague Charlotte Leslie; this is the worst type of intimidation of a thoroughly good person, as many of us would know, but there are many other such cases. When we deal with that abuse, we have to be wary of not doing so in such a way as to undermine the ability of the courts of this country to act utterly independently. That will sometimes involve the right of an unattractive litigant to seek access to the courts; that is fundamental too. That is probably why it is right that if action has to be taken, this House and Government must do it. We cannot place the judiciary in the invidious position of having to make judgments as to the political acceptability or otherwise of those who might seek to bring a claim before the courts—provided, of course, that there is at least a *prima facie* legal basis to bring the claim in the first place.

The right hon. Member for Birmingham, Hodge Hill (Liam Byrne) mentioned some sensible measures that we might take to enable courts to protect themselves. The anti-SLAPP law is worthy of consideration because it could involve an early strike-out mechanism that would speed up the means of dealing with cases without any substantive merit that have clearly been brought for the purposes of intimidation through a war of attrition.

It is useful to know that many lawyers and judges have raised concerns about the matter. Only at the end of last year, there was a very useful conference in which it was considered by the High Level Panel of Legal Experts on Media Freedom, which is chaired by the noble Lord, Lord Neuberger, the former President of the Supreme Court. The panel, of which Baroness Kennedy of The Shaws is also a member, recommended

that the Ministry of Justice move towards a consultation on anti-SLAPP laws, perhaps taking up some of the best practice found in the States. We do not have to take up all suggestions—I would have some concerns about the practical impact of the defamation fund suggested by President Biden—but other issues that have been raised are well worthy of consideration.

Sir Roger Gale (North Thanet) (Con): My hon. Friend is infinitely more expert than I am in these matters, but the point has been raised very clearly indeed on a couple of occasions that the regulatory bodies dealing with these law firms appear unwilling or unable to take any action. Can he suggest any way in which the law firms themselves can be brought to heel?

Sir Robert Neill: Let us be very clear: there are very significant regulations relating to the conduct of law firms in the United Kingdom. There are two separate regulatory regimes. Very properly, there are much greater checks in place on money laundering and source of funds for the solicitors profession, which handles client money, than for the Bar, which does not; it acts on the instructions that come via its professional client, the solicitors. That distinction is important, and I will digress briefly to deal with it.

We have to bear in mind that one of the key strengths of the independent Bar in England and Wales, in Scotland and in Northern Ireland is that barristers operate on the cab rank rule: if they hold themselves out as having expertise in a particular field of law and are available to take on a case when a proper fee is offered, they are professionally obliged to do so, regardless of their opinion of the client. That is utterly fundamental. Barristers do not and should not have the luxury of making moral choices about the people for whom they act; that is the essence of independence and objectivity at the Bar.

Bob Seely: Is my hon. Friend saying—he may well be right; I make no assertions—that it is a complete coincidence that Hugh Tomlinson keeps taking these cases?

Sir Robert Neill: If Mr Tomlinson practises in that field, it is open to him to take those cases—I have to say that bluntly to my hon. Friend. It would be a very dangerous thing if Parliament ever sought to interfere with the rights of any lawyer in respect of which clients they do or not take on. That would be a very dangerous and slippery slope; actually, it would go in the direction of the jurisdictions that we are rightly criticising in this debate.

Sir Roger Gale: I am sorry to press my hon. Friend on the point, but is there also a requirement on the law firm—the practice or the man—to establish the source of the funding that is being used to persecute people?

Sir Robert Neill: Absolutely. The regulations dealing with the solicitors profession have very considerable requirements to track the source of funds. They apply from the basic level of a conveyancing transaction, all the way up to funding for the most complex litigation. We should not mischaracterise the position by saying that there is a high level of cynicism in the legal profession; there is not, and I do not believe that there is a failure of regulation either.

Mr David Davis: As has already been said, my hon. Friend is infinitely more expert in these things than most of us. May I bring him back to the matter of Mr Hugh Tomlinson and other firms? The answer to this may be to look very closely at the tactics put together by these firms, which put them in the very profitable commercial niche that I was talking about. If we were to judge that those tactics were unfair and unjust, that would solve the problem of firms or individuals appearing in more and more of these oppressive cases.

Sir Robert Neill: Let us put it this way: Parliament may decide as a matter of policy that certain behaviours are undesirable and should be constrained by law. The courts would faithfully apply any law on the subject that Parliament passed. That is the right way, in my judgment, to deal with this. That relates, too, to the law regulating the professions. For the reasons I gave, we should be very wary of fettering lawyers' ability to defend unpopular clients, which is not the same as unmeritorious clients. Remember why that is: there are many instances where injustice has been prevented by lawyers taking on an unpopular client and an unpopular cause. That is the point on the other side that we have to weigh in the balance before we go entirely down the path of saying that because we disapprove of someone, we should deny them redress in law.

Liam Byrne: The hon. Gentleman is doing an immense service to the House by bringing his expertise to this debate. I agree that we need to be circumspect, and to empower judges to deal with abuse of courts. Judges know an abuse of court when they see one. In Major Karpov's case, he was being paid £15,000 to £20,000 a year in Russia, but could somehow afford lawyers who cost £600 an hour. There must be some kind of weakness there, which we need to fix if we are to ensure that lawyers can genuinely understand the source of the money that is paying their bills.

Sir Robert Neill: Obviously, I am not in a position to consider the facts in that case. If people have suggestions, or examples that suggest a failure in the regulatory environment, of course they should bring them to the attention of the regulatory authorities; my experience has been that they take their job very seriously, and I know that the Ministry of Justice is very aware of this matter. Of course, one should never be afraid to look at specific examples to see if anything could be improved; I am very open to that. I would not, however, want to throw out the baby with the bath water in our approach to this issue, and that is why I argue for a balanced approach.

Bob Seely *rose*—

Sir Robert Neill: I will give way to my hon. Friend, and then I will try to make a bit of progress, because I have given way quite a number of times.

Bob Seely: My hon. Friend is making fantastically important points, and we are testing our arguments on him out of respect for his background and experience. Much as we like or dislike individual cases or lawyers, we all agree that lawyers should be independent, but we are talking about systemic failure that allows this corrupting industry to grow. On the point made by the right hon.

Member for Birmingham, Hodge Hill (Liam Byrne), Bill Browder has directly alleged that CMS took instruction from Russian organised crime via middlemen, but nothing much seems to have been done about it, and there does not seem to be huge interest in where the money came from.

Sir Robert Neill: We must always make sure that the regulatory regime is kept up to date and fit for purpose. That applies to a number of the tools we have for dealing with this type of corruption. It also applies to resourcing of the Serious Fraud Office, which has been mentioned. We should make sure that it has the technology and manpower to deal with complex investigations, and that the courts and certain regulatory bodies have the technology to deal with complicated matters; there is no problem with that at all. The key thing that we must do, however, is preserve the independence of the regulatory bodies, and that is best done by our setting a proper legal framework—that is our responsibility—and giving them the tools to do their daily job in an independent fashion. As far as I can see, there is no dispute about that in the Chamber.

It is important, too, that we look at practical measures. I hope that the Ministry of Justice will consider consulting on anti-SLAPP laws that broadly follow the form of those in the United States. That is something that distinguished jurists such as Lord Neuberger think is well worth considering. It would be a sensible and constructive step forward. The High-level Panel of Legal Experts on Media Freedom also suggested that reform of the civil procedure rules could be fairly regularly undertaken. That is something we could ask the judiciary themselves to look at, because they must be master of their own rules, rather than us dictating them.

It has been suggested, for example, that civil procedure rule 24.4 on summary judgment could be adjusted to make it easier to deal with such unmeritorious claims where they are being pursued for abusive reasons, such as deliberately stretching out proceedings to run up the costs. Perhaps greater use of security for costs could also be undertaken. Those are practical things that I have no doubt that the courts would be willing to do and we could ask them to consider. The broader legislative framework of the anti-SLAPP law, as I said before, is down to this House. I, for one, would be open to looking constructively at that. That is the balance that I wanted to get into the equation. How do we ensure the reputation that we have in this country as a jurisdiction of choice for litigation—that exceptional benefit?

Only yesterday, Justice Committee members and I met the Justices of the Supreme Court, across Parliament Square, because we thought it would be useful to start more of a dialogue between the legislature and the Supreme Court on matters of importance. We have there men and women of the highest integrity and intellectual ability. They reminded us of the very high percentage of cases that they deal with, even at the final appellant level, that involve international parties. Of itself, that is not a bad thing and we should not ever allow anyone to think that is ever a bad thing. Generally bona fide commercial organisations or individuals choose to litigate under English law precisely because it is trusted more than that anywhere else, because of the independence and because of the rigour. How do we preserve that and at the same time update, where necessary, the tools to

[Sir Robert Neill]

prevent abuse of the system? That is the trick that we have to pull off. I am sure, with good will, that that can be done.

The final thing I was going to say in this context was referred to by other speakers in the debate: the importance of our continued engagement in the international sphere on this. I, for one, in particular stress the absolute importance of our continuing within our obligations to the Council of Europe and the convention on human rights. I regard that as an absolute red letter in our constitutional and legal position and a massive benefit to the UK.

I had the honour to serve in the Parliamentary Assembly of the Council of Europe for a number of years, before I became Chairman of the Justice Committee, and in that role I represented the Parliamentary Assembly on GRECO, the Group of States against Corruption, on which the Ministry of Justice has officials sitting on a permanent basis. Admirable work is done there, including, interestingly, by some of the emerging democracies in eastern and central Europe, which recognise the need to clean up their own systems and reputations. That is important.

Liam Byrne: The hon. Gentleman is being incredibly generous. I underline that the Ministry of Justice is out for consultation on reform of the Human Rights Act 1998, which helps to enshrine the ECHR. Does he agree that it is absolutely essential that there is no backsliding on our obligations to preserve a pluralist media environment with vigorous public debate and the cherishing of free speech?

Sir Robert Neill: Protection of the media and the right to free speech are fundamental to our convention obligations. We must never do anything that resiles from those. There is a separate debate about the mechanisms with which we in our domestic courts enforce the convention obligations, but our commitment to the convention itself must be absolutely crystal clear and so, too, must be our commitment to the institutions put in place to assist, on a co-operative basis, with those matters. I referred to GRECO, which does excellent work, as does—particularly in terms of dirty money, which is without doubt a real problem—Moneyval, the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism. They are not the catchiest of acronyms, but they do valuable work.

We could also look at what we do on the issue of cross-border insolvency. That is not one that is easy to fix because, again, the cross-border insolvency regime stems from a number of international agreements that we have entered into, which in many respects bring considerable commercial value to British companies and individuals. However, there is no harm in looking at that, if it is an issue where there is potential abuse.

This has been referred to in discussions I have had with practitioners and judges. As well as the cross-border insolvency issue—we need to protect from abuse—we need to look at potential loopholes in the data protection legislation. Again, that is for us to do because, we, as a House, passed that legislation. If time has shown that there are areas of defect that need to be addressed, then, absolutely right, we should move to address that. Again, if we address that, I have absolute confidence that the

judiciary will enforce the policy decision that we take in this place under our constitutional rule. They will play their constitutional part to enforce it.

This is an immensely important debate and I am very grateful to my right hon. Friend the Member for Haltemprice and Howden for securing it. Our international reputation is critical. The reputation of our judiciary is critical. I get the sense that no one for one second is calling that into doubt, but we have to find a sensible, balanced and proportionate means of making sure that, while we uphold that and the judiciary's fundamental independence, we do so in a way that prevents abuse. That is an objective that certainly warrants further debate and consideration. I hope the Minister will take that on board as we go forward.

3.25 pm

Apsana Begum (Poplar and Limehouse) (Lab): I thank the right hon. Member for Haltemprice and Howden (Mr Davis) and my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) for securing this important debate.

Litigations against public participation are abusive lawsuits that are pursued with the purpose of shutting down acts of public participation and, as the right hon. Gentleman mentioned, they can come in many guises, covering many different areas of the law.

The House will be aware that I was completely cleared and vindicated in Snaresbrook Crown Court last year after what I and many in my constituency and around the UK viewed to have been vexatious litigation pursued with the purpose of shutting down my public participation as a democratically elected socialist Member of Parliament and as a survivor of domestic abuse. To put it very simply, I do not believe that I would have had to endure such an ordeal if I had not stood up against domestic abuse, harassment and intimidation and if I had not had the audacity to put myself forward as a socialist to represent the area in which I have lived all my life.

The use of courts to try to pull down political opponents is fundamentally undemocratic and against the public good. First, my case raised questions about the independence of local bureaucrats and whether they can be trusted to deal with imprisonable offences, because, of course, the legal action pursued against me was not taken by the Crown Prosecution Service, but brought by my local council, spending more than £90,000 of public taxpayers' money. Nobody, absolutely nobody, involved in pursuing this trial seems to have found it remotely odd that the complaint was made by my ex-husband's brother-in-law, submitted after I was selected to be Labour's parliamentary candidate and coincided with the day when the nomination papers had to be formally submitted; or that the people who were opposed to me being selected as the candidate, including my ex-husband, were in positions of political oversight. Surely, given such conflicts of interest, at the very least the case should have been referred to the CPS.

Secondly, my case demonstrated problems with the way the legal system deals with domestic abuse and, indeed, the increasing prevalence of cases such as mine where the legal action taken against me was an extension of this abuse and the ongoing intimidation and harassment subsequent to my escaping a very bad situation, which continues.

I found it bizarre that such a spurious case could be pursued against me when I had been told that too much time had passed regarding the abuse that I had suffered, despite the period in question being the same. Indeed, the local authority was made aware of the abuse from day one and that was never challenged by the prosecution during the trial. A list of agreed facts was read out at the trial, including medical records and police records. Perversely, the domestic abuse was so accepted that, in cross-examination, it was used against me in order to suggest a motive for the alleged crimes. My ex-husband, also a sitting councillor, was tellingly not called to give evidence by the prosecution. Throughout, the message that came across again and again was that my being a survivor of domestic abuse had no bearing on how this investigation was being conducted. But how can that be? How many other women is this happening to?

I had to be aggressively cross-examined and humiliated in front of the world, with political opponents and my ex-husband's brother-in-law sitting in the public gallery, about issues of such personal pain and trauma. The case felt as though it was about destroying me, and at times it very nearly did. The complaint was leaked to the media even before I was made aware of it, and there appeared to be a regular source of information flowing to keep the media updated. To be clear, when I won my selection, I was a divorced 29-year-old of modest means. I did not own anything, not even a car, and had been struggling for years to rebuild my life. Suddenly, I had a target on my back for the far right to throw all their bile and hatred at. However, the media did not let truth and decency get in the way of a good story and the opportunity to bring down a socialist feminist Muslim woman who would go on to become the first hijab-wearing MP in this House. Why is it the case that almost anything is allowed to be written and said about me, fuelling Islamophobic abuse and death threats over social media and leading to the judge in my case to issue warnings for my protection?

I want to make an important point about the legal system and access to it. I grew up in the reality of the world out there. I did not know how, and did not have the means or connections, to pursue cases against various outlets. Defamation is an area of law that is rarely accessible to working-class people. It is important for the purposes of this debate for us to have that in mind. Equally, while I agree that media freedom is paramount, media accountability still needs to be addressed more fundamentally. I am not interested in defending elites from justified criticism or in preventing the public from scrutinising those who represent them, including myself. However, I am interested in defending the fundamental structures of political freedom and democracy. In that sense, the media are also in positions of power and leadership in public life, and as such should have regard to how their tone is likely to shape public debate.

However, in my case, so-called scrutiny was not even well researched, well written or accurate. It was derogatory and dehumanising. I always wonder whether the outlets publishing that stuff ever thought about what they were doing to my life, the risk that their actions were placing me under or what my case meant for survivors of domestic abuse and Muslims across the country. Do they ever consider what their intimidation—based on prejudice or hate, which disproportionately negatively impacts women, ethnic minorities, the lesbian, gay,

bisexual and transgender community and other candidates from minority groups—does to people's mental health and wellbeing? Clearly, my ex-husband and my political opponents thought I would just submit and be intimidated into going away and hiding, but via the solidarity of local people and Labour party members, including my hon. Friend the Member for Streatham (Bell Ribeiro-Addy) in particular, I knew that I could not let that happen to me. I found the strength to survive, not least because I felt a duty to socialists and women everywhere to defend myself and pursue justice.

People might think that being vindicated is the end of it, but the smears continue and my reputation has been damaged. More importantly, claims of defamation and libel were being fired at me and people supporting me. I could not believe it at first—it seemed so ludicrous. I remember how heartbroken I was, when I was finally able to tell my story after the trial, that the media felt it necessary to uncritically print a disclaimer from my ex-husband. I felt that they were highlighting it as his warning to me.

Aaron Bell (Newcastle-under-Lyme) (Con): The hon. Lady is making a powerful speech. I was not aware of all the details of what she has been through. Obviously, I do not share her politics, but I commend her for speaking about domestic abuse in the House, as my hon. Friend the Member for Burton (Kate Griffiths), my personal friend, did recently. The more women who do that and share their stories in this place, the better it is for women across the country.

Apsana Begum: I thank the hon. Member for his strong point. I followed very closely the case he mentions of his colleague, the hon. Member for Burton (Kate Griffiths). She is incredibly brave to come forward.

This experience is not unique to me. We know that powerful men use their power and the law to silence women. Southall Black Sisters says it almost had to withdraw from a 2017 documentary on domestic violence because of the insistence that the husbands of the unnamed women alleging abuse and abandonment be given the right to reply in ways that negated the women's accounts of abuse and exposed them to risk of reprisals, and we know of a series of libel cases where wealthy men have sought to protect their reputations from women who accused them of abuse. Under the Defamation Act 2013 the defendant in libel cases can argue a public interest defence, but this is not available to survivors. I never wanted any of this; I was forced into a situation where I had to speak out and now I feel an obligation to continue to do so because this must never happen again. What does what happened to me say to survivors of domestic abuse when we know how difficult it is to come forward?

I believe in democracy, which means that people from all walks of life and backgrounds can put themselves forward to be considered in democratic processes. This is a question of public good. The increasing prevalence of intimidation of parliamentary candidates and others in public life should concern everyone who cares about our democracy. This is a question of public good. It is important to be clear: lobbying, campaigning, disagreeing and opposing representatives is not what I am talking about. Actually, I am talking about the opposite: intimidation is about seeking to use undemocratic and

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underhand means, often deploying establishment power, to destroy someone's life. Finally, I believe no one should suffer domestic abuse and anyone in such a situation should be supported in speaking out. This is a question of public good.

3.36 pm

Sir Roger Gale (North Thanet) (Con): I shall be very brief because many of the points I intended to make have been eloquently expressed by my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) and indeed by the right hon. Member for Birmingham, Hodge Hill (Liam Byrne).

We have come a long way since the late Robert Maxwell sought to persecute *Private Eye* through his bank account. We are now dealing with a wholly different scale of abuse, and it is saddening to hear the extent to which London has now become perhaps the money laundering capital of the world. We know—because we do know—that there is investment in football clubs, property and businesses that is bought by dirty money, and we have a very fair idea of where that dirty money has come from. It comes not only from the Russian Federation but from Azerbaijan, other countries of the former Soviet Union, and countries in the middle east; it is the oligarchy—the kleptosphere as the right hon. Member for Birmingham, Hodge Hill said.

Having spent, as others have, some time with the Parliamentary Assembly of the Council of Europe, I am in no doubt of the extent of this influence, and, more importantly, of the direct link between those carrying the money bags and Putin's Kremlin, and that is unacceptable in a civilised society. It is a disgrace that there are law firms in London aiding and abetting those seeking to use the law to suppress the voice of truth, which is why I ask my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) to what extent those in the legal profession take trouble to try to identify the source of the money they are being paid with. I cannot help but feel that the regulatory bodies of the solicitor profession and the Bar need to ask some rather more searching questions.

The convention on human rights is founded on the principles of free speech, a free press and free democracy. If we allow our country to be used as a base to suppress free speech, we will be on a very slippery path. All I want to say to Front Benchers is that the case has been made and the Minister has heard that. We cannot allow this to go on any longer. We have to take action to ensure that anti-SLAPP laws are introduced, that proper controls are exercised to prevent the abuse of our courts and to try to protect those who seek to investigate and then publish the truth.

3.41 pm

Clive Efford (Eltham) (Lab): I congratulate the right hon. Member for Haltemprice and Howden (Mr Davis) and my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) on securing this debate. I chose to speak because, like many others, I have growing concern about the use of SLAPPs to silence those who try to shine a light on wrongdoing. As my right hon. Friend said, there is a growing problem of a global kleptocracy in which those with enormous wealth, who may have

gained that wealth through dubious means, seek to manipulate our legal system to avoid scrutiny of how they assess their wealth and use it.

Our legal system is respected throughout the world and we are respected for fairness and justice in this country. It is designed to defend our rights and to protect ordinary citizens from being adversely affected by those who would break the law or would seek to take their rights away. It defends our need for freedom of speech and a free, independent press. We in the UK pride ourselves on the sophistication of our democratic system, our legal systems and our free press, so when we see one part of the system being used to diminish another essential part of it, in the form of a free and independent press, we undermine ourselves and the status of our country.

It is important in a democracy such as ours that we can speak truth to power and that we know what is being said and done so that we can form our own opinions. However, the increasing use of strategic lawsuits against public participation—SLAPPs—is undermining that important part of our democracy. It is concerning that one pillar of our democracy, in the form of the legal system, is being used to silence those who would expose wrongdoing.

There are too many disturbing examples of investigative journalists, for example, being silenced by those who are immensely wealthy and who have issues about the way in which they want to be held publicly accountable. They silence individuals through abusive lawsuits. Such lawsuits threaten huge damages and constantly require responses for disclosures, which, in turn, saps the resources of organisations or individuals who are subject to those abusive lawsuits.

This is not just about journalists, whistleblowers, activists, academics and non-governmental organisations. More disturbingly, even our regulatory bodies are not exempt and individuals in those regulatory bodies are targeted in order to silence them. If the organisations and bodies that are set up by the legislation that we pass in this House through our democratic processes are allowed to be undermined by the imposition of SLAPPs on individuals who are carrying out their duty in those organisations, our democracy itself is undermined.

The right hon. Member for Haltemprice and Howden went into detail about the case of the Eurasian Natural Resources Corporation, which raised legal action not just against the Serious Fraud Office that was investigating its activities, but against the individuals who worked there. If individuals feel as though they are exposing themselves to that type of action by carrying out their duty, they are bound to think twice about whether they should do so. As he said earlier, the investigation has gone on since 2013 and has not even reached the courts, but ENRC has issued several SLAPPs to silence and stop that investigation. We cannot allow that to go on.

I listened closely to the speech of my neighbour, the hon. Member for Bromley and Chislehurst (Sir Robert Neill), for whom I have enormous respect. Despite what he said, however, it seems that a significant number of firms in the law profession turn up to defend organisations and individuals who are using SLAPPs. I fully understand the taxi ranking system—I operated it for many years—and I also understand the concept of brooming, which other hon. Members may not, but I bet they have all experienced it. It is the sound of a vehicle's accelerator being pressed when somebody does not want the job and they broom

off. I am sure that it also exists in the legal profession, because a number of individuals seem to turn up in these law suits, which cannot be coincidental. There is clearly something in the legal profession that needs to be examined.

We have to accept that there is a problem and I suggest that two areas need to be examined. First, we must accept that London is becoming a centre for laundering dirty money. The Prime Minister, through one of his spokespeople, has claimed that London has some of the strongest control systems in the world, but that does not explain the criticism of the regulatory regime. The *Financial Times* said:

“Becoming a money laundering centre is an inevitable risk of being a global financial centre. But UK authorities have for too long been reluctant to adopt or enforce tougher safeguards against dirty money for fear of harming Britain’s image as an easy place to do business.”

I would say that becoming the international centre for dirty money is far more damaging to Britain’s image as a place to do business than exposing the activities that are taking place. More harm will come to Britain as a consequence of doing nothing or delaying action. What does that say about post-Brexit global Britain? Surely part of making Brexit work must be setting the highest standards here in Britain. After all, we have had that reputation for many generations and we should defend it even more vigorously now that we are global Britain on our own after Brexit. We have to act.

I do not want to demand that SLAPPs are introduced that might end up defending huge media corporations that took away or abused the freedoms of individuals through the hacking scandal. To create a system that would contain a loophole for those organisations would be a huge mistake, but neither do we want to enable our legal and financial systems to be abused by criminals who want to buy influence through political donations and silence those who would expose their illegal activities through the use of such abusive legal actions. The Government need to review the issue of SLAPPs and think about regulating in that area without delay. We should also take action to protect individuals who work for agencies that should be investigating such cases—particularly those who may be threatened with legal action.

I wanted to contribute to this debate to demonstrate to the Government the most important thing of all: the growing concern about the use and abuse of SLAPPs by extremely wealthy and powerful people who may have obtained their wealth by dubious means. That voice is growing and the time for action is now.

3.50 pm

Bob Seely (Isle of Wight) (Con): I thank the hon. Member for Eltham (Clive Efford) for his speech; I agree with many of his points. Normally, when people agree on stuff across the House, a bit of virtue signalling may be going on—but in this case, agreement shows serious concern about a really serious issue. I thank both the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) and my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) for securing this debate; for many of us, it will be one of the most important that we have spoken in.

The abuse of UK courts by organised crime, oligarchs and authoritarian states and their wretched proxies is, I believe, a significant threat when it comes to the corruption

of the UK legal system, to freedom of speech and, as the hon. Member for Eltham was saying, to the conduct of due diligence against potentially corrupt actors who would threaten the health of our institutions.

I agree wholeheartedly with what my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) was saying—that nobody here is questioning the independence of UK courts and nobody is saying that we do not want that independence to continue. It is also true that London is a very important financial and legal centre, and long may that continue—it brings a great deal of money, wealth and employment into London and the UK—but I hope the Minister will understand that bad money drives out good and bad law will do the same. If we allow the cancer of the selling of intimidation services by high-end legal firms, it will not do us any good in the long run, just as in the long run letting mafias launder money would also be bad for us.

Let me be clear. Although these tactics are sold by law firms to many different actors, including organised crime and corrupt corporations, I think they are very much part, as some Members have said, of the Russian state playbook and Russian hybrid war tactics: the tools of non-military conflict in the west against the west. I will argue for significant reform of this corrupting cottage industry, which enriches the few at the expense of the whole. We need to bring in anti-SLAPP legislation, and we need to go after those lawyers—dare I call them slappers—who use such tactics. We need anti-slapper legislation. We also need a much more robust public Act of defence. The United States has one and we have to bring one in here as well.

Finally, I will make the case that we need a foreign lobbying law—or foreign agent registration Act, as some call it. In that way, the law firms that sell services such as reputation management, and related industries such as commercial spying and dirt digging on people, have to be clear about their business models. When they sell those services to overseas entities such as the major and questionable corporations that are Mr Putin’s proxies, they need to give us that information and put it in the public domain, so that the foreign lobbying law can help us identify who works for foreign actors and what they are doing.

We have discussed the various definitions of lawfare so I will not go into that, but there appear to be two important elements that I would like to address specifically. The first is when the law is used to intimidate, wear down and financially destroy journalists and campaigners, and the second, as the hon. Member for Eltham said, is when the law is used to intimidate organisations into failing to conduct due diligence. There is a massive potential issue if we allow bad actors into our energy, food or telecommunications markets.

From 1990 to 1994, I lived in the Soviet Union and in post-Soviet states, and in my academic work have studied as hard as I can types of Russian hybrid war. Let me give a little bit of background. In Russia, the ultimate outcome for a journalist who crosses the rich and powerful and cannot be silenced is death. They are murdered—and nearly two dozen have been murdered under Mr Putin’s leadership of the country. In this country, the murder of UK officials and journalists is not yet part of the oligarch organised crime playbook, although it is in some EU countries, so it is a danger. Instead, other methods are used, two of which are, as we have heard today, the use

[Bob Seely]

of libel law and the use of data protection law to intimidate and destroy financially. Reporters, campaigners and activists in our state are threatened not with physical destruction but with financial destruction.

The kompromat corruption industry has sadly been exported to our country from Moscow and St Petersburg. As well as journalists, publishers are intimidated into silence. I congratulate massively HarperCollins for fighting its cases. If HarperCollins has to pay out £5 million or £2 million in court costs every time, the message is clear: do not write about Russia, about those close to the Russian leader or about those state oligarchs who hide their dodgy dealings in plain sight. For the UK and the wider world, the result is that, as many of us have said, freedom of speech has been stifled and journalistic investigations remain unlaunched.

Apsana Begum: Does the hon. Member agree that if the Government are to tackle the type of Russian interference that he has been giving examples of, we must contend equally with the actions and activities of the US Government? Does he appreciate that the case of Julian Assange is relevant? It has been reported that the US had plans to assassinate him on British soil, and at this moment he languishes in prison.

Bob Seely: I am not quite sure of the case that the hon. Lady talks about but the principle is clear: SLAPP legislation applies not just to one country, one industry or one person; it is there to prevent the use of lawsuits against public participation and is in favour of good journalism, good campaigning and good activism. As the hon. Member for Eltham said, SLAPP legislation would not support rich companies that hide their hacking activities—that would not be purposeful—and would prevent bad actors from trying to prevent important information from coming out.

In recent years, several high-profile examples have exposed slightly different tactics in each case, including those of Catherine Belton and HarperCollins, Tom Burgis, Chris Steele, Bill Browder and former Member of Parliament Charlotte Leslie. I thank them all for fighting their battles. Allegedly, the firms that offer and sell—dare I say it?—legal intimidation services to the corrupt, to organised crime or to the Russian state or its proxies include, so we are told, some of the many names that have been mentioned thus far: CMS, Mishcon de Reya, Skadden, Carter-Ruck, Schillings and Harbottle & Lewis, which services Mr Abramovich's needs.

What do the tactics look like? The Carter-Ruck strategy against Charlotte Leslie appears to be to ratchet up exorbitant costs in the hope of achieving a technical victory on data law and then inflicting the costs on Charlotte and her team in the hope of bankrupting her and her organisation. Last summer, in one week alone, she received 12 letters. Carter-Ruck then threatened other of her directors, despite the fact that they have not taken part in any way in any of the relevant activity.

As we have heard, Catherine Belton and HarperCollins were hit by multiple suits from oligarchs close to President Putin.

In Bill Browder's well-known case, as the right hon. Member for Birmingham, Hodge Hill said, a relatively lowly official in the Russian Interior Ministry, who was

allegedly part of a campaign to steal tens of millions of dollars and linked to the murder of Sergei Magnitsky, hired Olswang, which is now part of CMS, to go after Bill Browder via a bogus bankruptcy claim. If the internet is correct, the lawyer in question, Geraldine Proudler, used to serve on the Scott Trust, which oversees *The Guardian*, and apparently now serves on the Guardian Foundation board. I will come back to that, because I have questions for the editor of *The Guardian*, but I do not support any side that takes questionable funding, whether they are political parties—mine or others—or lawyers. This is not about score settling; I am glad when *The Guardian* has pointed out where we are not living up to those standards, if indeed that is the case.

With Tom Burgis, we have heard about the Kazakh mining company ENRC issuing 18 legal proceedings in the UK and US against lawyers, investigators and—seriously—the Serious Fraud Office. When the journalist Dan McCrum was being investigated and chased, all those people came out of London. Potentially the most important case in some ways is Daphne Galizia, the murdered Maltese journalist, who was facing 47 lawsuits at the time of her murder. According to her sons, Mishcon de Reya

“sought to cripple her financially with libel action in the UK courts”.

They also said:

“The campaign for justice in our mother's case cannot be disentangled from the abuse that she suffered at the hands of Mishcon de Reya's lawyers. The firm sought to cripple her financially with libel action in UK courts, on the instruction of...Henley & Partners. Had our mother not been murdered, they would have succeeded.”

They added that the firm

“has consistently threatened and harassed not just our mother, but countless other journalists worldwide”.

Effectively she was about to be financially destroyed before she was, by others, physically destroyed, but the principle was the same: she was to be silenced at all costs.

We look at the websites of all these big fancy posh firms that apparently charge double or triple rates for doing this sort of work, and one would think butter would not melt in their mouths. I am sure they do pro bono work. This sort of work, offering these sorts of services to some of the most unsavoury human beings and organisations on the planet, is deeply immoral and is deeply corrupting to those otherwise upstanding firms, which should be doing more to protect and not corrupt our legal system. What is being offered is a cottage industry of lawfare—legalised intimidation by some of the most deeply unpleasant individuals and organisations on the planet. These companies are going out trawling for business because it is so well paid. The lawyers who do this sort of work should, to put it bluntly, be deeply ashamed of what they do, because they destroy the integrity of the UK legal system, not uphold it. They charge double or triple, but it is a moral abuse of the law, and they know it.

I want to make one specific point about Geraldine Proudler. I look at her reputation and her lovely website and all that. Bill Browder told me that CMS takes effective instruction via middlemen from Russian organisations and from individuals who have since been sanctioned under Magnitsky. My question to Katharine Viner, who is the editor of *The Guardian*, is: what on earth is Geraldine Proudler doing on the Guardian Foundation,

if she is still a member? What on earth was somebody who was engaged in a case defending a person sanctioned under Magnitsky doing on the Scott Trust? What on earth has the Labour party said about that? Again, I do not defend one side or the other, but there are folks on the Opposition Benches who should be saying to *The Guardian*, “What on earth are you doing?” I am sure there are other examples that can be thrown our way, and I will not defend anybody.

The board of English PEN, which campaigns to defend writers and freedom of speech, decided in 2018 to retain the libel lawyer Anthony Julius as a trustee. Mr Julius is, I am sure, a fine and upstanding man, but he was also a senior at Mishcon de Reya, the firm that hounded Daphne Galizia to her financial destruction, prior to her physical destruction. I find it unspeakable that these people have got away with this behaviour with absolutely no reputational damage to them at all, yet they are doing things that are actively bad for freedom of speech, any concept of truth and the UK legal system.

I will not go on for too much longer, but I will raise just a couple of other points, if I may. There is a second element here that is critical, which is the intimidation, using data protection laws, of people who are doing due diligence work on our behalf as civil servants. We have seen that ENRC, as part of its wave of lawsuits, has started proceedings against the Serious Fraud Office, or was threatening to do so. I understand that threats of judicial review have also been made in relation to decisions made by the Department for Business, Energy and Industrial Strategy and by the Special Immigration Appeals Commission. We are getting into very serious territory when the functioning of Government, as well as the exposing of truth—and, dare I say, concepts such as justice—is being severely hammered and severely damaged.

However, we then move on to another aspect, which is not only the financial destruction, but the reputational destruction facing journalists. I understand that in the Carter-Ruck and Charlotte Leslie case, PR agencies were working hand in glove with the law firms Phil Hall Associates and Kroll, as well as K2 Integrity, a company that helps with “litigation support” and “reputational defence”—also known as digging dirt on other people. I think we are importing too much of the Russian tradition, and it is a specific Russian tradition, of kompromat—the collection of compromising material—which started under the Soviets and is now a huge industry there. Komprometiruyushchiy material, as it is called, is material that is found and then used to blackmail or destroy individuals. In this country, it happens at the same time as racking up extraordinarily large legal bills.

I believe this cottage industry of corrupt activities is actually pretty vile. I think it undermines rather than supports the legal system in this country, and it undermines rather than supports freedom of speech, so what needs to be done? The Government apparently want to restart or to reboot, and I congratulate them on that. I think they need to do so. May I humbly suggest that one of ways that we could be supporting higher standards in public life is by gripping this issue?

The first point is that libel tourism should effectively be outlawed. Secondly, let us look at bringing in a robust public actor defence that raises the bar for the rich and powerful taking on campaigners and journalists. Thirdly, let us have statutory regulation of private

investigators and firms that take on the collection of kompromat. Fourthly, let us bring in SLAPP legislation. Fifthly, I again say that we need a foreign lobbying Act as part of the updating of our lobbying laws in this country, which are not fit for purpose. That explains why the UK remains an influence pedlar’s paradise. I have been urging this for four years, and I produced a study of options for the Government about 18 months ago. Corruption scandals, sleaze scandals and lobbying scandals will continue ad infinitum in this country until we grip this issue and do something about it.

I do not want to get in the way of client confidentiality, but I want to know what these firms are doing working for these oligarchs. I want to know how many hours they are billing—I would not mind knowing at what rate as well, to be honest—and what they are doing, as well as which bits of those companies are doing what and why. We need this in the public domain for the good of all of us. We need this cottage industry if not shut down, then severely limited. I will continue to fight for this, as I know others will, because it is very important to the law and to the legal system in this country. Although it is a highly paid industry, it is a corrupting one. It seeks not to strengthen freedom, but to destroy it. It seeks not to defend justice, but to undermine it. It is a growth industry, but in the same way that cancer can be inside a body politic, and it needs to be cut out. I believe that those who work on behalf of foreign states, proxies and organisations betray our values, and the values of our legal system and our nation.

4.8 pm

Aaron Bell (Newcastle-under-Lyme) (Con): It is pleasure to follow my hon. Friend the Member for Isle of Wight (Bob Seely), and to contribute to this excellent debate secured by my right hon. Friend the Member for Haltemprice and Howden (Mr Davis). I am very grateful to him for securing it, and I am also very grateful for the briefing that he arranged for Members earlier this week to explore some of the issues behind this.

I want to touch on the really big issues that we have already discussed, but I also want briefly to mention a local low-level lawfare issue in my constituency. Walleys Quarry landfill, which I have referred to many times in this House, is a landfill run by Walleys Quarry Ltd. It is owned by Red Industries, which is controlled by Mr Adam Share, a convicted criminal. He went to jail for bugging the Environment Agency in the 2000s over another landfill, which had remarkable similarities to Walleys Quarry, with the odour overcoming many residents in the local area. Residents were bugged, as were the Environment Agency and the local councils.

Walleys Quarry Ltd is a very litigious company: it has tried to sue me; it has sent legal letters to my council leader, Simon Tagg, and to county Councillor Derrick Huckfield; it tried to secure an injunction against protestors at the last minute the other day, only to be defeated by a woman on Zoom at the High Court on her own—Audrey Young, with no legal representation, defeated that injunction, and I pay tribute to my constituent for that today. This is a slightly lower-level case and I will not go into any further detail for the House today, but I hope that the journalists who want to publish what they know about what has been going on at Walleys Quarry are able to convince their lawyers to stand up to the lawyers employed by Walleys Quarry Ltd.

[Aaron Bell]

We have heard today about how our libel laws are being used to silence journalists; how the Data Protection Act and the general data protection regulation are being used to harass investigators; and the abuse of subject access requests to try to obtain special personal data. As the hon. Member for Aberavon (Stephen Kinnock), who is no longer in his place, said in his intervention, when that fails there is the hack and leak approach, where people hack in, publish someone's data and then sue them for having that data in the first place. Surely that is absolutely ludicrous. We also hear about how judicial review is used to threaten our Government, our Government agencies and our regulators, such as the Serious Fraud Office. The Bureau of Investigative Journalism described how City law firms acting on behalf of those under investigation are "completely outgunning" the SFO in litigation tactics and resources, and raised concerns that an "imbalance of arms" is allowing some oligarchs and powerful corporations to "buy impunity". That is what is happening to our regulators right now, in our courts, and it is ludicrous that that is permitted.

What do we need? My hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) described the independence of the judiciary as one of our essential bulwarks of freedom of speech and liberty, but another is parliamentary privilege. Therefore, first, we need a parliamentary inquiry into all of this. I hope that he will read the *Hansard* record of my saying this, because such an inquiry would be very valuable. It could look into legal intimidation and into SLAPPs, and it would have the added advantage of giving key figures such as Ms Leslie—I did not serve with her, but I know that most of the Members in this Chamber did—the opportunity to come to this House and say things that are true but that she is worried about saying in any other place because she is frightened of losing her home and of all the other things that were described in the excellent opening speech by my right hon. Friend the Member for Haltemprice and Howden.

Damian Collins (Folkestone and Hythe) (Con): My hon. Friend makes an important point on whistleblowers. They get privilege if they give evidence to a parliamentary Committee, but the act of coming to give evidence is not necessarily privileged and they could face legal action for choosing to reveal information. We should look seriously at the idea of extending privilege so that any whistleblower invited to come to a parliamentary Committee will be protected in the act of giving evidence.

Aaron Bell: I thank my hon. Friend, who speaks with experience as a former Chair of a Select Committee. The Procedure Committee, on which I serve, has been looking at what is covered by parliamentary privilege, and I am sure that my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley) will hear what he has said today and make sure he examines whether that is something we could look at.

Bob Seely: On privilege, occasionally we get the use of it wrong and everyone talks about abusing it, but actually it is fundamentally so important. We need to update it. We need absolute clarity on Committees, on broadcast, and on the relationship between talking about things here and being able to discuss them outside.

That urgently needs to be looked at, and if we need new primary legislation, let us get it. If my hon. Friend would keep on looking at this, we would all be very grateful.

Aaron Bell: I thank my hon. Friend for his intervention.

Mr David Davis: One thing that came up when we were discussing the strategy of this debate was the question of whether people are using subject access requests on this House. The advice the House authorities give is that we should respond to subject access requests. I told my office, "No, you don't. I will go to prison before you give away any information on the debating of things in this House." We need to update those rules, too, so that we are properly protected in future.

Aaron Bell: I thank my right hon. Friend for that intervention. I will ensure that all three of those interventions are brought to the attention of the Procedure Committee, because there is a lot to consider here and it is worrying that those tools could be used against Members of Parliament. We should have full protections in all aspects of our job, not just in what we say in this Chamber.

Damian Collins: As a former Chair of the Select Committee on Digital, Culture, Media and Sport, I know from experience that Committee Clerks and staff of the House are often sent repeated requests for information about data they hold. Some information is exempt, with respect to the main business of the Committee, but some is not. A huge amount of Clerks' time and Committee time is taken up with processing those requests.

Aaron Bell: Yes, I quite understand the position that Clerks are in; our staffers can be in the same position. We need protections for everything that goes on in and around this place in the proper exercise of our duties.

What else do we need, as well as the things we can do in Parliament? Fundamentally, we need a change of the legal rulebook. Many of the tactics deployed by unscrupulous claimants are becoming increasingly commonplace, so much so that they constitute a rulebook of tactics and strategies to thwart corruption investigations. They need to be countered by an opposing rulebook, in the ways that have been described: anti-SLAPP laws and a reorientation of the legal profession, private investigation and PR firms to abide by fair standards of litigation and stop pre-trial manoeuvres designed simply to drain resources and intimidate counterparties. Such a reorientation would involve an overhaul of all regulations applicable to the legal profession on the conduct of litigation. As many hon. Members have said, the legal professional bodies need to look hard at what they are permitting to take place under their auspices.

Let us look at anti-SLAPP laws and at what happens elsewhere. In the USA, as the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) mentioned, there is the public figure defence. Protection of Public Participation Acts were passed in Ontario in 2015 and in the Australian capital territory in 2008. There are off-the-shelf models in other countries that we can adapt to work in the United Kingdom.

My right hon. Friend the Member for Haltemprice and Howden began by praising our courts. Of course he was right to do so, but the best infrastructure in the world, and all our best infrastructure, can always be

abused—people can drive at 110 mph on our motorways and flush whatever they like into our sewers. We must not let dirty money flush through our courts. We must find a way to prevent the perversion of justice by people who mean us harm.

4.16 pm

Richard Thomson (Gordon) (SNP): I congratulate the right hon. Member for Haltemprice and Howden (Mr Davis) on securing this fascinating and crucial debate and the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), who is not currently in his place, on his work to bring it to the House so quickly and persuade others to contribute. I also congratulate the hon. Member for Poplar and Limehouse (Apsana Begum) and thank her for sharing her very compelling personal testimony about how she has personally been on the receiving end of many of the bullying tactics that we have heard about this afternoon.

The golden thread running through our discussion is that freedom of expression is one of our core values. People should have the freedom to say what they think, to share information and ideas, and to challenge received wisdom and the behaviour of others. It does not come as an unalloyed freedom, however: we place limits on freedom of expression. People are not entirely free of its consequences, nor should they be. We quite rightly allow recourse through our legal systems to those who have been defamed through people's use of freedom of expression, so that redress may be sought appropriately.

It is often said quite cynically that the Ritz hotel is open to all, just like the law courts. The truth is that, yes, the law courts are open to all, but it can be ruinously expensive to resort to law, whether for the more routine transactions we make in our lifetime or for going to court to seek a remedy for defamation. It is well beyond most people's reach even if matters do not get to court.

Thankfully, the Scottish courts have never been a very popular destination for libel tourism. There are doubtless many reasons for that, but I suspect that the lower costs of some—I emphasise “some”—Scottish lawyers and the often lower rewards for successful defamation actions have played a role. Unfortunately, the same cannot be said for the courts in England, which are increasingly becoming the venue for David and Goliath struggles and actions, or simply the threats of actions, that allow the powerful and the wealthy, whether they are from the UK or elsewhere, to silence, intimidate, cow, browbeat and otherwise silence anyone with something to say, with information to share or with criticisms that run counter to the interests of those wealthy and powerful people. London already has a highly unenviable reputation as the launderette for much of the world's dirty money and, through its burgeoning public relation and public affairs industry and the comparative accessibility of the courts to those with enough money and financial stamina to make use of them, it is sadly also increasingly becoming a launderette for the sullied reputations of individuals and their corporate entities.

The best courts are the ones that serve the population best in terms of accessibility, fairness of process, transparency, consistency and the justice of the outcome. That is the sort of legal system we should be looking to

have, rather than simply having the best legal system that money can buy. London is obviously a massive global centre for many things, including culture, finance, politics, diplomacy, business and commerce, and whenever power, money and influence intersect, it is no surprise that attention is focused on that, with people commenting and reporting on it and discussing it in the various public and private forums. It is important that that power, influence and passage of wealth should be scrutinised and held to account.

The right hon. Member for Birmingham, Hodge Hill (Liam Byrne) spoke earlier about the actions of the Russian state, particularly in the areas from Ukraine to the Baltics. I would hope that, even domestically, we are becoming increasingly aware of the menace and impact of the misinformation and disinformation in that area, all of which aims to mislead, to anger, to influence values and, ultimately, to change behaviour. We might want to apply the same focus to how party political funding is being used to change the nature our debates and some of our democratic choices, but I do not have enough time this afternoon to talk about that, and to do so would be to stray off topic.

Obviously, the antidote to this is openness, truth, the rule of law and having a free flow of information. For the courts to be used as a venue for the vexatious, the speculative and the downright malicious use of the law to hinder that process of the free flow of information simply serves to harm legitimate business interests, to harm democracy, to harm our lives and, ultimately, to harms our ability to live our lives in the manner that we would otherwise choose. That is why this is so important. This afternoon, Members have been able to use parliamentary privilege to highlight many examples of concern, and it was good and useful that that was able to be done, to illustrate for anyone who reads or watches our proceedings the pernicious nature of how the courts and the legal system are being used to silence, intimidate, cow and otherwise get people to vacate the space of public discourse.

The UK Anti-SLAPP Coalition has a number of proposals, some of which have been mentioned in the debate. I would like to highlight three of them. The first seems to be fairly fundamental, and I hope that the Minister will address it directly. Should not an accelerated process be put in place to dispose of SLAPPs at the earliest possible opportunity, so that a judge can take an early decision on the merit or otherwise—let us be honest, in most cases it is otherwise—of these kinds of actions? We should also be looking at what sanctions can be put in place to deter and delegitimise the use of SLAPPs in the courts. Also, we should be looking at what protective measures can be put in place to safeguard individuals and those who act as public watchdogs to protect them from SLAPPs and to ensure that where the legal process advances, they are able to fight back on something approximating to a level playing field. I would not want to be overly prescriptive about that, however, because this is just the start of the debate.

While today's debate has given us a very useful and necessary opportunity to highlight this issue, the issue requires much more than what each of us has been able to say this afternoon. It requires much more than a Backbench Business debate. It requires the Government to act, and it requires them to do so in a way that sets aside all private interests.

4.25 pm

Andy Slaughter (Hammersmith) (Lab): I thank the Backbench Business Committee for granting this important debate, and congratulate the right hon. Member for Haltemprice and Howden (Mr Davis) on securing it and on his excellent speech. He is rightly renowned as not only an advocate but a practitioner of free speech, as, indeed, we saw in the House yesterday.

On that subject, I should add, very briefly, that as the right hon. Gentleman knows his history, perhaps better than the Prime Minister, he will be aware that both Leo Amery and Oliver Cromwell secured the results that they desired in short order with the departure of Chamberlain and the Rump Parliament—although we should not stretch these analogies too far: Cromwell required a company of musketeers to clear out the Rump, which included pulling the Speaker from his chair, and in any event the Rump was back six years later quickly followed by the restoration of the monarchy, which I do not think is what Cromwell had intended. But I digress.

May I—personally, but I am sure that I speak for a number of other Opposition Members—send our solidarity to Charlotte Leslie? I worked with her on middle east matters, and still do, although she is no longer a Member of Parliament. I wish her well, and hope that she is successful in resisting the appalling bullying conduct against her. Let me also congratulate my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne), who is a co-sponsor of the debate and who has also been assiduous in raising this matter inside and outside Parliament.

We heard many passionate speeches this afternoon, from, for example, the right hon. Member for North Thanet (Sir Roger Gale), my hon. Friend the Member for Eltham (Clive Efford), and the hon. Members for Isle of Wight (Bob Seely) and for Newcastle-under-Lyme (Aaron Bell). I want to praise, in particular, my hon. Friend the Member for Poplar and Limehouse (Apsana Begum), who made a difficult speech on a sensitive subject. She raised not only important issues relating to this debate and to domestic violence, but other issues as well, including one on which I will not elaborate because it is not a subject for today, but which I consider important none the less. I refer to the nature of prosecutors. We saw something of that in the instance of the Horizon scandal and the post offices, but my hon. Friend made the point again about prosecutors other than the Crown Prosecution Service. She also mentioned the role of the media and their disproportionate power, and I will address that in a moment, because I think it is relevant to the debate. First, however, let me make some general comments about lawfare, or SLAPPs, while trying to avoid descending too much into jargon.

SLAPPs are an increasing feature in the UK court system—or perhaps “the English court system” is a better way of putting it—and are an abuse of that system. Their intention is to silence legitimate interests not by merit or argument but by process and oppressive conduct, and they prevent journalists, investigators and even regulatory bodies from shining light on issues of great public interest. Over the last few days, I have attended briefings from lawyers, investigators and writers to hear about their first-hand experience of SLAPPs, and I am grateful for that. They allege that the English court system is being used to play out this tool of legal harassment. The purpose of this debate is to discuss the

evidence for SLAPPs and the reason they are prevalent in this jurisdiction. Is it that our legal system favours them, or is it that those who employ them are over-represented in the UK? I think it is probably both.

That said, we need to get the balance right. Freedom of speech is central to our values in the UK—the Lord Chancellor has made that clear with his proposed Bill of Rights—but inequality of arms and abusive conduct in litigation can work both ways. For every David sued by Goliath—for every oligarch chasing an investigative reporter—there may be a tabloid newspaper willing to libel an innocent citizen knowing that they can afford neither the cost of bringing a claim nor the risk of losing one. I will be happy today if the Minister first acknowledges we have a problem, and secondly undertakes to go and look for a solution. I do not have one that I think is bullet-proof, and I do not immediately expect him to. On the other hand, I hope he will not bury his head in the sand and deny that this is a substantial problem that is bringing our internationally revered justice system into disrepute. I doubt he will, having heard the compelling testimony of earlier speakers and the case histories they have presented.

We have heard from several speakers about the case of Tom Burgis and the Eurasian Natural Resources Corporation. Since the publication of his book, “Kleptopia”, Tom, his publisher HarperCollins and the *Financial Times*, for which he writes, have been subjected to a torrent of litigation by the ENRC. I have a copy of the book here that I have borrowed from the House of Commons Library, as I am afraid I have not had time to get to Waterstones, but I have promised that I will buy a copy to even up that case’s financial balance a little.

The ENRC, as we have heard, is subject to an ongoing investigation by the Serious Fraud Office focused on allegations of bribery, fraud and corruption, which resulted in the procurement of mineral assets in the Democratic Republic of the Congo. But the ENRC has not just brought a legal case against Tom Burgis and the *Financial Times*; it has also brought proceedings against the SFO.

I have my own quarrels with the SFO, as do the Government, and the Attorney General announced last year that she will investigate its mishandling of the Ziad Akle case—I found out this week from a parliamentary question that the investigation has yet to start. Many of the SFO’s problems come from a lack of resources. The ENRC spends as much on litigation each year as the SFO’s entire budget. The fact the ENRC feels so emboldened as to sue a UK Government Department when that same Department is currently investigating it for bribery, fraud and corruption should concern the Minister.

I received an email about a week ago from a company called Riverside Advisory, which describes itself as a private client communications service and reputation management company. Riverside Advisory is acting on behalf of the ENRC, and the email asked whether I wanted to meet it, perhaps because it believes I am still a member of the Justice Committee. The Chair of the Committee may have received a similar email.

Sir Robert Neill indicated assent.

Andy Slaughter: I see the hon. Gentleman in his place, and I commend him for his learned speech. Riverside Advisory wishes to piggyback on the Select

Committee's inquiry into fraud and the justice system to tell us about its exasperations at its treatment by the SFO. Riverside Advisory filed a high-profile civil claim at the High Court last summer on an allegation of misfeasance in public office and it has offered to brief me, so I might take up that briefing. Other hon. Members may want to join me, I do not know.

I will now speak to the inequality of arms. SLAPPs have several identifying features, but a common thread in all SLAPP cases is the ability of the claimant to continue the lawsuit for many months, sometimes years, due to their enormous financial resources. The defendant then spends money trying to defend the action, which can prove financially ruinous even if they win, or if they win on most points. If they risk losing the case, the costs are such that it is tempting to concede at an early stage. This self-censorship or chilling effects means we never hear about most SLAPPs, let alone the information that has been suppressed.

That disproportionality also feeds into the number of claims filed against a person or organisation, and claimants are increasingly pursuing individuals. As we have heard, they are pursuing journalists rather than newspapers, which gives a clue to their motivation. Why sue an impecunious writer rather than a media group? Because intimidation is more important than damages. Similarly, by bringing multiple proceedings the claimant seeks to overwhelm the defendant. SLAPPs are not a tool to set the record straight or to protect a previously unblemished reputation; they are a tool to silence public participation, to bully and to halt public criticism.

As far as I am aware, there is currently no judicial guidance or legislation expressly dealing with SLAPP cases, although, of course, English judges will take a robust line with parties they think are abusing the court process. Just this week, the High Court threw out a five-year-old negligence case for warehousing—maintaining a suit while doing the bare minimum to progress the litigation—but that is a long way from the position in many US states that have specific anti-SLAPP laws in place. London is already seen as friendly to SLAPPs and the people who bring them. If other jurisdictions are proactive in being anti-SLAPP, even more actions will be commenced here. The Foreign Policy Centre surveyed 63 investigative journalists across 41 countries and found that the UK is the most frequent international country of origin for legal threats.

I await the Minister's telling us whether he recognises the problem and the scale of it and any ideas he has to fix it—particularly how we can rein in the oligarchs, their corporate vehicles and rottweiler law firms without further limiting the ability of genuine victims of press vilification and intrusion to get justice. I fear that the Government have a poor record on both points. The lurid stories of Tory donors that my right hon. Friend the Member for Birmingham, Hodge Hill recounted in the Elections Bill debates earlier this week suggest that the Tories are not ready to take on vested interests, and the shameful way they sidelined the recommendations of the Leveson inquiry, which sought to provide low-cost litigation for claimants and defendants in media cases, proved they are not prepared to offend the media barons.

Investigative journalists are a key component of a democratic society, which is why they are anathema to repressive regimes around the world. They risk their reputations, their assets and sometimes their lives to

expose corruption. All they ask from the Government, who purport to believe in free speech, is to make the rules of the game fair. It is not only writers and journalists but investigators and even public bodies, as we heard, that are prevented from carrying out their functions; and it is not only defamation suits but privacy, data and even judicial review claims being perverted to this end.

There is more the Government can do to protect people against SLAPPs and to ensure that freedom of speech and expression is not curtailed by an unelected, seriously wealthy few and their agents, including, shamefully, some of the best-known law firms in this country. We could start with clearer judicial guidance and better regulation of the legal profession, and indeed measures to control costs, but we may need legislation. We cannot continue to do nothing—for the sake of victims of SLAPPs, but also the court system in this country and the Government's reputation.

4.37 pm

The Parliamentary Under-Secretary of State for Justice (James Cartlidge): I begin by congratulating my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) and the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) on securing this important debate, and the Backbench Business Committee on raising the profile of this important subject.

I will make two points about the sub judice ruling. First, as the Minister for the courts in the Ministry of Justice, I would not want to comment on any live or recent cases, for obvious reasons, including the case of the hon. Member for Poplar and Limehouse (Apsana Begum), although like the SNP Front-Bench spokesperson, the hon. Member for Gordon (Richard Thomson), I pay tribute to her bravery and courage in talking as she did on her experience of domestic abuse. The other point concerns the 17th century, where the shadow spokesman, the hon. Member for Hammersmith (Andy Slaughter), lingered briefly. My hon. Friend the Member for Newcastle-under-Lyme (Aaron Bell) made the point that we are all incredibly privileged, under article 9 of the Bill of Rights 1689, to have the right to stand up in this House under parliamentary privilege, knowing that we cannot be taken to court for what is said. That means we all enjoy the freedom to speak out without fear of those powers and those rich people we have been talking about. It is important that we have been able to put that on the record. It shows Parliament at its best when we have these sorts of debates, with colleagues showing what I think is consensus on these matters and speaking with great passion. I pay tribute to all the speeches we have heard.

Let me set out our position. All of us can be proud of the respect that the UK judiciary and legal profession attract around the globe. One of this country's great exports is the common law system and rule of law principles which are fundamental aspects of our constitutional arrangement. My hon. Friend the Member for Isle of Wight (Bob Seely) spoke about the value of legal services and he is absolutely right. In 2019, the sector contributed over £29.6 billion gross value added to the economy and generated revenue of over £36 billion—that is many jobs in our constituencies.

Transparency and integrity are key to the proper functioning of the courts and to the law. Those values underpin public scrutiny of the powerful and maintain

[James Cartledge]

confidence in our laws. Let me be clear: today's speakers are right to highlight the rare instances where the law is being weaponised as lawfare. SLAPPs represent an abuse of the legal system—let me be clear about that—as they rely upon threatening tactics to silence free speech advocates who act in the public interest. Public participation enriches all our lives and our democracy.

Having said that, I agree with my right hon. Friend the Member for Haltemprice and Howden, who, towards the end of his speech, spoke about the question of balance. We do have to approach this in a balanced way. We must be cautious to respond to SLAPPs in a proportionate way that continues our tradition of balancing individual rights with the public good.

Let me talk about actions we have taken and are taking at home and abroad in this area. I want to reassure the House of the Government's commitment to act whenever the rule of law is under attack. We acted decisively in 2013 to introduce reforms to the Defamation Act 2013 to curb the practice of what is called libel tourism, which had allowed a number of overseas claimants to use our courts to challenge publications with small circulations in this country. A number of colleagues, including the right hon. Member for Birmingham, Hodge Hill, spoke about how England and London in particular had become a centre for international libel, but under section 9 of the Act the courts must now be satisfied that England and Wales is the most appropriate jurisdiction in which to hear a claim. The courts have robustly interpreted this test, notably in the Court of Appeal case of *Wright v. Ver*. While these reforms have succeeded in tempering international libel litigation in the UK, we are now exploring further whether further reform may be necessary when litigation targets public participation specifically.

I note that, according to the most recent Royal Courts of Justice statistics, defamation cases in the High Court in 2020 were in line with the average number for the past decade, at 152. That suggests we must not be premature in launching a response to SLAPPs but instead grow our evidence base through careful monitoring, as Lord Wolfson, my ministerial colleague in the Ministry of Justice, undertook to do in the House of Lords last June.

I want to commend the UK Anti-SLAPP Coalition for its support and advocacy in this field. Ministry of Justice officials are monitoring anti-SLAPP efforts in neighbouring nations. This is a fast-evolving jurisdiction which none the less warrants a considered response.

Open justice and free speech must be a core feature of any democracy. The Ministry of Justice recently launched the Bill of Rights consultation with an explicit aim to strengthen protection of the key British value of free speech. Our proposals intend to provide statutory guidance to the courts on the utmost importance attached to the right to freedom of expression. This is particularly important when considering whether an interference with the right to freedom of expression is proportionate “for the protection of the rights and freedoms of others” or when set against the wider public interest.

The right to freedom of expression is protected by article 10 of the European convention on human rights, which is given effect in domestic courts by the Human

Rights Act 1998. We are signatories to the ECHR and I can assure colleagues we will remain so. Our proposals for a Bill of Rights will go even further to promote this country's proud tradition of freedom and reinforce the democratic prerogatives of elected Members in this House over the legislative process in respect of the expansion of human rights.

It must be said that free expression is not an absolute right. There is a delicate interplay involving the need to protect security, the right to a private life, keeping citizens safe and taking steps to protect against harm to individuals. Our ongoing human rights consultation closes in March 2022, after which we will set out detailed plans to reinforce our great tradition of free speech.

A number of colleagues spoke about investigative journalism. We recognise that it plays an important part in keeping us all informed and promoting accountability where there is wrongdoing. Officials from my Department are monitoring threats against journalists in the form of SLAPPs, working closely with civil society stakeholders who tirelessly support journalists under threat to understand the immense financial and psychological burden that a few have endured when faced with these actions. Where journalists face physical threats, the Department for Digital, Culture, Media and Sport's national action plan for the safety of journalists exists to support their security and wellbeing.

We are not alone in combating SLAPPs. The Ministry of Justice is collaborating with the Foreign, Commonwealth and Development Office to ensure a united stance on international engagement and media freedom around the world. I am pleased to announce that the UK will be a member of the Council of Europe's inaugural working group on SLAPPs thanks to our diplomatic collaboration. The working group is comprised of experts in law and media policy who will begin working this year on an anti-SLAPP draft recommendation for member states due in December 2023.

We have also met the Organisation for Security and Co-operation in Europe's representative on freedom of the media's team to discuss common objectives in addressing SLAPPs. Meanwhile, the Media Freedom Coalition has continued to expand since its foundation in 2019 and consists of 50 members who have pledged to improve media freedom at home and abroad. It has also issued 20 statements on the deteriorating situations for media freedom concerns in various countries, including Yemen, the Philippines, Belarus, Egypt, China, Hong Kong, Myanmar and Russia.

The Government recognise that global media freedom increases security and prosperity for all, which is why that was a cornerstone of our G7 presidency. Misinformation can undermine public order and even health, particularly during the covid-19 pandemic. To that end, the UK has supported UNESCO's global media defence fund by committing £3 million over five years and encouraging contributions from others.

Further, the UK has provided more than £400 million in official development assistance to the media and free flow of information in the past five years. We are consistently in the top five aid donors to the media sector globally. I recognise the strength of feeling in the House today, given the importance of the principles at play. In the light of the evidence provided in today's debate, I will be giving SLAPPs in UK courts urgent consideration.

Dr Julian Lewis (New Forest East) (Con): I have been here purely to listen to the debate, but I have one question for the Minister. Does he accept that both Government and Opposition parties are targets of systematic attempts to buy political influence? If so, does he accept that the people who are trying to check the legitimacy of such donations must be properly protected?

James Cartlidge: My right hon. Friend, who has a track record of scrutinising such matters, makes a very good point. I would simply say one thing: the Opposition spokesperson mentioned donations to our party, but we should all be concerned about recent stories of certain donations from an individual connected with the Chinese Communist party to a Member of the House.

As I said, I will be giving SLAPPs in UK courts urgent consideration. I want to make it clear that the Government are committed to a robust defence of transparency and freedom of speech. We will not tolerate anything that risks tarnishing the integrity of our judicial and legal profession.

Dr Lewis: I am sorry to come back, but that was not a reply to my intervention. I made it quite clear that parties on both sides of the House are subject to the problem. I am looking for a commitment from the Government that when people are trying to do due diligence and check on behalf of their party or any other organisation within their party that donations are legitimate—when they are trying to see whether a donation is clean money or dirty money—the Government will recognise the need for them to be protected and not sued. Will the Minister give a straightforward answer to that question?

James Cartlidge: Let me be clear to my right hon. Friend. I was simply referring to the debate as a whole. I recognise that he referred to all parties; I was just putting in some balance because we had only heard about one party. On his point, I am more than happy to meet him and look at the detail of what he proposes, because I do not think it is directly relevant to the matters that we have been debating.

It is important to consider lawfare threats in the broader context of Government action to curb abusive foreign influence. Last year, the Department for Business, Energy and Industrial Strategy brought in the National Security and Investment Act 2021 precisely to target foreign state interference in our economy.

Bob Seely: I am grateful to the Minister for listening to the debate. He says that the intervention of my right hon. Friend the Member for New Forest East (Dr Lewis) was not directly relevant but, with great respect, it was, because we need to protect people such as Charlotte Leslie, who are trying to do due diligence; we need to protect officials at the SFO to ensure that they are not hounded individually; and we need to protect journalists and people here. We need to protect quite a lot of people in this debate. He says that the Government will do everything in their power, which is great, but we need to get on and act because there is a real specific problem at the moment.

James Cartlidge: I recognise that there is a lot of concern about sources of money. The hon. Member for Eltham (Clive Efford) and a number of other colleagues have talked about the source of funding. I do recognise

its importance, but stress that the legal profession has a robust due diligence mechanism in place to prevent dirty money corrupting our courts. Anti-money laundering regulations exist to combat illicit financing. The suspicious activity reporting regime requires legal professions to report to the UK financial intelligence unit within the National Crime Agency where terrorist activity or money laundering is suspected. Law enforcement officials must act safe in the knowledge that the Government defend their investigative remit as we all collectively rely on their industry. There has been a lot of talk about following the money. I just make the point that we do have robust regulations in place, as my hon. Friend, the Chair of the Justice Committee said earlier.

Sir Robert Buckland (South Swindon) (Con): I am extremely grateful to my hon. Friend for giving way. I know that he is working very hard on these issues. He is right to talk about suspicious activity reports. The problem with them is that, for far too long, we have prioritised quantity over quality. Will he focus on this with his colleagues at the Home Office to make sure that we make this a meaningful process? May I gently say to him that the point made by my right hon. Friend the Member for New Forest East (Dr Lewis) is germane? It is a clear SLAPP. If somebody is trying to do the right thing in the public interest, and, in effect, a litigation stops that, then that is a classic SLAPP and something that we should all be concerned about.

James Cartlidge: I certainly recognise it from what my right hon. and learned Friend said. I apologise to my right hon. Friend the Member for New Forest East (Dr Lewis) if I misinterpreted his question. I was seeing it perhaps in a different context—

Dr Lewis: I did not want to mention Charlotte Leslie specifically, but we have spent plenty of time hearing about the Charlotte Leslie case, so I will now mention her specifically. The fact is that she was trying to see whether the money that was being offered by somebody who wanted to take over a political organisation within the Conservative party was clean or dirty. As a result of her doing her duty, she is threatened with financial ruin. If my hon. Friend the Minister cannot see the relevance of my asking for protection for such people in this debate, then he needs to go back and restudy his brief. I am sorry to put it in those terms, but I cannot put it in any other way.

James Cartlidge: Let me just answer.

Liam Byrne *rose*—

James Cartlidge: I will respond to the intervention first, because this is important. I said at the beginning that I would not comment on specific cases no matter how—

Madam Deputy Speaker (Dame Eleanor Laing): Order. We will be very careful about specific cases. I understand the point that the right hon. Gentleman is making, but the Minister is being rightly careful. There are perhaps some discussions that might better take place not here in the glare of publicity.

James Cartledge: I will come to what I think is one of the most important points—my final substantive point—which is about costs. My hon. Friend the Member for Isle of Wight and a number of other colleagues have talked about the way in which costs are used—I think his words were to “financially destroy” journalists. As has been made clear, SLAPPs often threaten journalists with ruinous cost claims. In recent years, civil litigation costs, including defamation, have been subject to greater control. The Government commenced the no win, no fee conditional fee agreement—the CFA reforms—in part 2 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, for defamation and privacy cases. This meant that the lawyer’s success fee was no longer payable by the losing party. This further controls the costs of these cases and gave effect to our legal obligations under the MGN v. UK judgment of the European Court of Human Rights in 2011. We are keeping the existing costs protection regime in place for the time being. This means that after-the-event insurance premiums are recoverable for defamation and privacy cases as the CFA reforms are in force. The ATE regime enables parties with a good case to litigate and discharge their article 10 rights for freedom of expression without the fear of having to pay potentially ruinous legal costs if their case fails. This approach controls costs but protects access to justice, as parties with good cases can still benefit from recoverable ATE insurance in respect of adverse costs.

We also introduced a rule that means that costs that are disproportionate will not be recoverable even when they are reasonably or necessarily incurred. The rule is intended to control the costs of activity that is clearly disproportionate to the value, complexity and importance of the claim, as is the case in SLAPPs.

Let me be absolutely clear, however: if more action is needed, I am happy to look at it. I recognise that this is an important issue. *[Interruption.]* I thought that was another phantom intervention—I apologise. I will wrap up.

This country will always support vigorous debate, here and abroad, and our rule of law requires it. Where we see proof that foreign sources seek to undermine our values, using the law against our national interests, the Government are poised to act. I ask today’s speakers to work with us as we consider the full sweep of legislative and regulatory reforms available to stop lawfare on our soil. The debate has had an impact, and we will respond. I am grateful to all speakers who have taken part.

4.55 pm

Mr David Davis: I have to say that before we started I did not necessarily expect this debate to be a particular success, because it deals with an industry that hides evil in plain sight and it is pretty difficult to deal with something that can do that, yet we have had a formidably effective debate. Whether it was the detailed, astonishing insights into how the Russians operate from my hon. Friend the Member for Isle of Wight (Bob Seely), the localised issue raised by my hon. Friend the Member for Newcastle-under-Lyme (Aaron Bell), or the courageous exposition by the hon. Member for Poplar and Limehouse (Apsana Begum) of what happened to her, the contributions have demonstrated the impact on ordinary people: the simple people we aim to represent.

At a grander level, the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) made the best speech I have ever heard him give—I hope he will forgive me for saying that. It was formidable, passionate and went right to the point. It was then picked up, of course, by my right hon. Friend the Member for North Thanet (Sir Roger Gale), who talked about the kleptosphere and how we have to deal with that.

To come to the substance of the debate, the SNP spokesman, the hon. Member for Gordon (Richard Thomson), rightly said that it needs much more than a Back-Bench debate. There is no two ways about that. It is difficult and will be difficult. The hon. Member for Hammersmith (Andy Slaughter) crystallised the whole thing when he rightly said that we need to make the rules of the game fair, in a game where one side has enormous resources—even measured against the resources of Government—and the other side does not. We have to think about whether we are putting enough effort into it.

As my hon. Friend the Member for Isle of Wight made clear, these people have made an industry out of devising incredibly complex tactics to exploit the Human Rights Act, using all the articles, one against the other. I say this to him: I welcome what he said about recognising that, but I think the difficulty he had in answering the Chair of the Intelligence and Security Committee, my right hon. Friend the Member for New Forest East (Dr Lewis), demonstrated the complexity and detailed nature of the problems. We must please not rely, therefore, on the consultation on the Bill of Rights or whatever. The matter requires a special look and careful attention.

The huge authority of the day was of course the Chair of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill). I will simplify everything he said, which was basically a tutorial for all of us, down to the last point he made: we can pick the best of the anti-SLAPP legislation in the States and other places. That is the way to go. We have to start with a proper, detailed and tight investigation, and deliver off the back of the best practice elsewhere. That is my request of the Minister. He has done a sterling job of dealing with a difficult issue and I hope that he will carry on in that direction.

Liam Byrne rose—

Madam Deputy Speaker (Dame Eleanor Laing): The right hon. Gentleman has already spoken, but he has the leave of the House to speak again.

4.58 pm

Liam Byrne: This has been one of the most remarkable debates that I have sat through in 18 years in the House. The issue is extremely serious, there has been a high level of cross-party consensus and immense practical detail has been offered. I have been in the Minister’s position, when there is turbulence at the top. I urge him to keep his head down and to plough on. We cannot afford anything less.

Thirty-two years ago, President Gorbachev came to the Council of Europe and talked about his dream of a common European home and a single legal space, our great gift to the world. That dream is now shattered, but that means that we have a special obligation in this country, as the home of the Magna Carta and the Bill

of Rights, to be a beacon and a champion of freedom, rights and free speech. That is the challenge to which the Minister must now rise.

Madam Deputy Speaker (Dame Eleanor Laing): I am glad that the right hon. Gentleman had the leave of the House to speak again.

Question put and agreed to.

Resolved,

That this House has considered the matter of lawfare and the UK court system.

Mental Health Act 1983: Detention of People with Autism and other Lifelong Conditions

Motion made, and Question proposed, That this House do now adjourn.—(*Amanda Solloway.*)

5 pm

Sir Robert Buckland (South Swindon) (Con): It is a pleasure to address the House in a debate on an issue that has great resonance with and importance to many people and families across the country—the continued detention of autistic people and people with learning disabilities under the civil provisions of the Mental Health Act 1983. I am grateful to the National Autistic Society and Mencap for working with me in the run-up to the debate.

Remember, these are people who have committed no offence. They are not even alleged to have committed offences. They have been detained for what is still defined as a mental disorder. They have done nothing wrong. Here are some bald statistics relating to the use of powers under the 1983 Act. At the end of November 2021, there were 2,085 people with autism or a learning disability in in-patient units; 1,234 of them were autistic people, 200 of whom were under 18—they were children. The average length of detention is 5.4 years, some people having been detained for more than 20 years. In September 2021 there were 3,620 reported instances of restrictive interventions, and 595 of them involved children. Those interventions involved physical and, very often, chemical restraint. Those are not the complete figures, because there was data for only 31 out of 55 NHS providers and four of 16 private providers, so the real figure will be higher.

Jim Shannon (Strangford) (DUP): I congratulate the right hon. and learned Gentleman on bringing forward this debate on an issue that is massive in his constituency and mine. The number of detentions under the 1983 Act seems to decline with age, but there seem to be significantly higher numbers of cases among children and young adults. Does he agree that there is a better chance of rehabilitation and wellness when mental health issues are dealt with properly from as young an age as possible than when there is long-term detention with no counselling or rehabilitation?

Sir Robert Buckland: I am grateful to the hon. Gentleman for his intervention. He has a long-standing interest in autism issues, in Northern Ireland in particular. He is right that if there is early intervention, more can be done to prevent a lifelong condition such as autism becoming a co-morbid mental health condition. I will explain that in a little while.

Behind the statistics are real-life stories of people whose lifelong conditions have led to the system, however well-intentioned it might be, ascribing a lower value to their quality of life. That implicit judgment, I believe, runs through everything from the continued lumping together of autism and learning disabilities with mental health conditions, which in many cases is wholly out of date and inappropriate, to the discriminatory and unjust application of “do not resuscitate” guidance to people with these conditions. Those are abuses in plain sight.

Furthermore, the profound sense that the system is, in effect, making assumptions about the life of people with learning disabilities in particular has been exacerbated

[Sir Robert Buckland]

by the use of DNRs during the covid pandemic. Not only do we need to stop new orders being issued inappropriately to people with learning difficulties, but existing inappropriate DNRs need to be retracted. I ask the Minister: when will the Government act on the Care Quality Commission review recommendations about better staff training and family involvement in decision making about care and treatment?

It is no longer good enough for people with learning disabilities to be discharged from hospital with a form in the bottom of their bag, effectively having signed away their rights about the end of their own life. That is what we are talking about; I cannot put it more bluntly than that.

Darren Henry (Broxtowe) (Con): I thank my right hon. and learned Friend for securing this debate. We are heavily relying on hospitals to manage individuals with complex needs, which costs the NHS thousands of pounds per individual per week. If we invested more in care in the community, perhaps using the coming health and social care levy, we could prevent hurt or trauma to individuals and save money for the NHS.

Sir Robert Buckland: My hon. Friend is absolutely right about the waste of resources that I am afraid underlies much of this. I shall come to some of the figures, which are pretty shocking. He is right to highlight the levy that is being introduced in April. It is imperative that the £12 billion that we are told is being earmarked as part of the £36 billion to be raised from the levy is actually used on social care.

The worry we all have is that the money will be eaten up by spending on the health backlog, and that there will be no audit trail at all to make it possible to ensure that it is, in effect, ring-fenced and used in social care. I put that big challenge to Ministers. The Health Secretary knows my strong view; I was writing about it in the national media on Sunday. We have to really laser in on these issues.

The horror of Winterbourne View is still seared into my mind 11 years on, together with other instances of abuse. But in general, we are not in this position because of malice or hostility towards people with autism or a learning disability; we are here because of indifference, frankly. It is all too easy to make the assumption that because the person has been detained for their own safety, the letter of the law has been followed and the clinicians have given their opinion, that will just have to do. That really is not good enough in this day and age.

Recent news coverage of the cases of Tony Hickmott and Patient A has brought these issues into stark relief. I will briefly mention Mr Hickmott's case, which was highlighted by the media just before Christmas. Ongoing legal proceedings mean that I must limit my remarks, but I read reports that this gentleman has been detained for more than 20 years under this system—nearly half his entire life. That is deeply distressing for his family and should be of grave concern to the rest of us.

Patient A's case was reported in *The Sunday Times* just after new year, the result of some excellent investigative journalism. He has been confined for over four years so far in a secure apartment at the Priory Hospital Cheadle Royal. That apartment—I use the word advisedly—is

the size of a large living room. He is monitored by CCTV. His food and medication are passed through a hatch. He is now 24 years of age. The story of his life leading up to this incarceration is heartbreaking in itself but also emblematic of failure. The interventions made exacerbated his existing anxiety, creating a descending spiral of deterioration in his health that has resulted in over-medication, more restrictions and even poorer mental and physical health. We are spending money on harming people rather than saving them.

Tim Loughton (East Worthing and Shoreham) (Con): It is so good to have my right hon. and learned Friend on the Back Benches in some respects; he is such a champion of this cause and is making a very important contribution. Does he agree that it is a completely false economy not to be thinking smarter, and lazy not to be able to let people out of NHS facilities where there may be better community facilities and better working with the families? It would, of course, mean a much better life for the person involved as well. The chemical cosh that he just referred to and the use of restraint, which in some places is disproportionate, is a sign of failure, and that the person is not being looked after appropriately. That is what needs to change.

I should have declared my entry in the Register of Members' Financial Interests at the beginning of this intervention.

Sir Robert Buckland: My hon. Friend, who has long experience of this matter, having served with distinction as Children's Minister and as a long-standing campaigner on these issues, makes a hugely important point about the chemical cosh that is medication. I think he and I agree that we are not here to single out or criticise many dedicated care staff and NHS workers who do their very best to care for and support in-patients. They deserve our thanks; they are doing the day-to-day work. I am talking about the system that allows this to happen—that allows, in effect, a standing reproach to us all. This is 2022, not 1922.

There are two strands to the approach that we need. First, as the hon. Member for Strangford (Jim Shannon) said, earlier and better interventions are needed to prevent cases spiralling into crisis in the first place. Secondly, better community-based alternatives to the continued detention of in-patients are needed. It is my firm belief that with the better commissioning of community support, the need for recourse to detention would inevitably fall. That would create a virtuous—rather than vicious—circle, which would benefit all.

There is not only a social, health or moral price being paid for this failure, but a financial one. In 2015 the National Audit Office estimated that, in the year 2012-13, the NHS spent £557 million on in-patient services for people with learning disabilities whose behaviour could be challenging. More than half a billion pounds was spent on services that harm people, and that figure is from nearly 10 years ago. The cost now will be considerably more. That speaks volumes about the failure of the present system.

Although the Mental Health Act was reformed in 1983, it is, in essence, a replication of a regime that was created under the Mental Health Act 1959. That is a 60-year-old framework; to say that it is out of date understates the argument.

Sir Robert Neill (Bromley and Chislehurst) (Con): I am grateful to my right hon. and learned Friend for giving way, and for the passion and knowledge that he brings to this topic. He refers to out-of-date legislation and how things have moved on. He will know from his experience as Justice Secretary that if we thought that we were applying the same regimes in terms of detention and use of restraint to people who had been convicted of offences after the passing of 60 years, we would rightly be outraged. Should we not be rightly outraged now that this is being done to people who have committed no offence and have not had the protection of due process that those going through the justice system have?

Sir Robert Buckland: I have good news, because it is Government policy to update the Mental Health Act. That is the plan that I and others, when I was in Cabinet, agreed on and I know that it is what the Minister will speak about. Reforming the Mental Health Act is Government policy because, goodness me, we have work to do. Between 2006 and 2016, the number of detentions rose by a staggering 40%. We owe thanks to the work of people such as the outstanding Sir Simon Wessely, whose independent review in 2018 gave the Government the clear course that I know they are adopting and following.

I particularly welcome the disaggregation of autism and learning disability from mental health in law and the end to their being classed as a mental disorder under section 3 of the existing Act. According to the Government's policy, there has to be a clinically established concurrent mental health condition before detention can be allowed, and there will be a 28-day limit. All that makes immense sense, and I particularly look forward to the Government's introducing a statutory duty to provide adequate community-based services, such as supported housing. In the White Paper that the Minister introduced before Christmas, we saw really healthy and useful reference to supported housing. It is my belief that, without that, we cannot create effective community-based services.

We still do not have a fully clear picture of the current commissioning landscape across England, but we know that people are being left in NHS-funded detention, because the lack of resources for local government means there just are not enough local government-commissioned community services for people to go home, back to their families and back to their local areas. Legislative change cannot come soon enough, so I would be extremely grateful if my hon. Friend the Minister could confirm the Government's intention to bring forward that legislation, whether it will be first via the pre-legislative scrutiny process and, if so, when we can expect its introduction.

As time is short, I want to speak briefly about the Transforming Care agenda. We know that, when all agencies work together at the same pace, it is excellent, but the trouble is that we still have agencies dragging their heels or causing problems that mean people are spending longer in detention than they need to. The readmission of patients who are being discharged is another depressing example of our failure to break the vicious cycle in many cases.

We know what "good" looks like; we have the NHS England "Building the Right Support" service model and National Institute for Health and Care Excellence

guidance. We know that there are pockets of good practice that the Government are actively promoting and supporting, but more needs to be done to join that up. If we are to see these figures starting to come down, consistent with the Government's own priorities, the time for action is now.

There are, therefore, two things that the Government can do. They can not only bring forward the legislation, but fulfil their pledge to add more substance to the strategies they have outlined. The £74 million, pledged in the 2020 Budget to help with what are known as the double running costs when people with a learning disability or autism are discharged into the community, is extremely welcome. I know there are funding commitments in the NHS long-term plan to help the development of community support. However, as the recent Health and Social Care Committee inquiry noted, we still are not in the place we need to be. We still do not have that level of support that will make the discharge of patients a much more seamless and successful process. I know that ending those perverse incentives and this artificial division between the NHS and local government is part of the integration agenda, and I look forward to the White Paper that my hon. Friend will be publishing very soon, but I want everything to be joined up, in a way I was acutely conscious of when I was Justice Secretary.

I will end on this note: I was acutely conscious of the need for greater speed when it came, for example, to the approval of the recommendation of clinicians, which was the responsibility of my Department. Prior to the onset of covid, I collaborated directly with the then Health Secretary to jointly pursue the Mental Health Act reform agenda. My abiding regret is that I was not able to do more, and I want to say that I am sorry that I was not able to do more, but here I am in my place asking my friends to carry on the work, to pick up the ball and to take it further for all the people we represent and their families. By calling this debate and by making that direct request to Government to act, I hope that together we can make the necessary changes and save lives.

5.18 pm

The Minister for Care and Mental Health (Gillian Keegan):

I take this opportunity to genuinely thank my right hon. and learned Friend the Member for South Swindon (Sir Robert Buckland) for securing a debate on this vitally important topic. Improving the care and treatment of autistic people is something he has championed, particularly through his commitment to reform of the Mental Health Act. I thank him for his continued work on this matter, no matter where he is sat. I give him my commitment that I share his determination for change, and I will continue to work with him. There is absolutely no place for poor-quality care for autistic people or anybody with a learning disability in our society. The system needs change.

I recently visited Norfolk to meet the families of those affected by the tragedy that occurred at Cawston Park Hospital, which was the subject of a previous Adjournment debate. I met the parents of the young people who suffered and sadly died and heard at first hand about the experience of people with autism and people with Down's syndrome in health and care settings, and it was shocking. Such experience has too often fallen unacceptably short of the standard of care that individuals and

[Gillian Keegan]

families—those people who are the most vulnerable and often voiceless—should rightly expect. It is truly awful to hear about such appalling experiences.

We are taking action for children, young people and adults, for people who have been in-patients for longer than they should, and to prevent people from being admitted, even for a short time, when they do not need to be. I welcome this opportunity to set out the immediate and longer-term actions we are taking. They include our planned Mental Health Act reforms, which will provide the opportunity to change the legal framework and to reinforce and underpin the changes we are making now. I cannot commit today to a timetable for that, but the planning is well under way and I will keep my right hon. and learned Friend informed.

To keep people safe now, all autistic people and people with a learning disability must receive high-quality, safe care. That is our first priority. We know that some people may require support in a mental health hospital; when that is necessary, it should have a clear therapeutic benefit, be the least restrictive support possible, be close to home and be for the shortest possible time. We will not tolerate instances of abuse or poor-quality care.

To ensure that people are safe, all autistic people and people with a learning disability in an in-patient setting now receive a safe and wellbeing review. These reviews, which are led by NHS England, are a priority and the majority will be completed by the end of January. We also fully support the more robust approach that the CQC is taking in increasing the amount of shorter, unannounced inspections and closing hospitals that do not provide a high-quality standard of care.

My right hon. and learned Friend mentioned people who are in long-term segregation. There are about 100 of them and a couple of cases were mentioned in the debate. Every single one of them will receive independently chaired reviews of their care and treatment. The reviews will consider how to move towards a less restrictive or, ideally, community-based setting.

As part of a wider £31 million package to support discharge and develop community support, we have provided funding for a senior intervenors pilot. These independent experts will work to resolve blockages in the path to discharge, where there can be multidiscipline teams who basically do not agree or manage to find a solution among themselves. The senior intervenors will help to unblock things for those people in a long-term situation, and move them towards a less restrictive setting and back into the community, which is where we want people wherever possible.

My hon. Friend the Member for Broxtowe (Darren Henry) mentioned the need to build and make sure we have the right support in the community. The Government want to make sure that, wherever possible, autistic people and people with a learning disability are able to lead full lives in the community, close to their families, with the right support in place to prevent crisis.

In the NHS long-term plan we committed to reduce the number of autistic people and people with a learning disability who are in-patients in mental health hospitals by 50% by the end of March 2024. Since 2015, we have achieved a 29% reduction, which is equivalent to a

reduction of around 800 in-patient beds—800 people—and means we need to close around 600 more to meet the target. I am firmly committed to achieving that.

The building the right support programme is our national policy to ensure that autistic people and people with a learning disability are supported in the community, and more than £90 million of additional funding for community services and support for discharges has been provided for 2021-22 to help to achieve that. Joint action across organisations and systems is essential to drive progress, so we are developing an action plan to outline the steps that we and all our partners will take to deliver that action with urgency, and we will publish it as soon as possible. We also know that early diagnosis is key, as the hon. Member for Strangford (Jim Shannon) mentioned, and that prevention and intervention at an early stage are vital, so we are investing £2.5 million to test and implement the most effective ways to reduce autism diagnosis waiting times for children and young people in England. Additionally, we are investing £600,000 in significantly expanding an autism early identification pilot to at least 100 schools over the next three years. Those actions and others set out in our all-age autism strategy, which was published in July, should make a big difference.

I want to touch on the subject of “do not attempt CPR” decisions, which hon. Members have mentioned. My right hon. and learned Friend the Member for South Swindon mentioned the culture; we are working to ensure that there is a culture of compassionate care for autistic people and people with a learning disability that is also of the highest quality. The Department has remained crystal clear that it is unacceptable for DNACPR decisions to be applied in a blanket fashion to any group of people.

We have also developed and trialled the Oliver McGowan mandatory training in learning disability and autism for all health and social care staff, working with Health Education England and Skills for Care. The programme is backed by a £1.4 million investment, and I think it will go a long way towards changing the culture.

We want to end inappropriate detentions for autistic people and people with a learning disability, and we are introducing once-in-a-generation reforms to the Mental Health Act that will be critical to achieving that. Under our proposed reforms, we will limit the scope to detain autistic people or people with a learning disability under section 3 of the Act. We want to prevent the detention under section 3 of people who do not have a co-occurring mental health condition; they simply have a learning disability.

We want to ensure that the right services are in place, allowing individuals to receive the best possible care in the community. Our proposed reforms will create new duties for commissioners to ensure an adequate supply of community services and ensure that every local area understands and monitors the risk of crisis at an individual level. This will transform our capability to provide those services in the community and to keep people safe in their community.

I thank all hon. Members for their contributions and thank my right hon. and learned Friend again for securing this vital debate. It is important that we continue to listen to people with lived experience and to their families, most importantly, in shaping and delivering high-quality care, both in in-patient settings, where they

still exist, and in the community. Having heard some truly shocking experiences as Minister for Care and Mental Health, I am grateful that the debate has given us an opportunity to set out my personal commitment and to give a voice to those people who, for too long, have not had one.

In addition to the work that the Government are undertaking now and in the longer term, we must make sure that all autistic individuals and people with other lifelong conditions are treated with dignity and respect and are able to lead fulfilling lives in their community. I am absolutely determined to see that happen, and I look forward to working with my right hon. and learned Friend; I know that he is determined, too. There should never be an instance of people with a learning disability

and autistic people being treated as anything less than equal in our society. He has my commitment that I will work with him to achieve that.

Madam Deputy Speaker (Dame Eleanor Laing): Before I put the Question, I am sure that the whole House will wish to join me in congratulating the right hon. and learned Member for South Swindon (Sir Robert Buckland) on his knighthood. [HON. MEMBERS: “Hear, hear.”] Congratulations, Sir Robert—I see that we have quite a lot of Sir Roberts around.

Question put and agreed to.

5.28 pm

House adjourned.

Westminster Hall

Thursday 20 January 2022

[DR RUPA HUQ *in the Chair*]

Biometrics Commissioner and Forensic Science Regulator

1.30 pm

Dr Rupa Huq (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—although hasn't that changed again overnight? Never mind—and that of the House of Commons. I am not, because I may be required to speak at any moment. I also remind Members that they are asked by the House to have a covid lateral flow test twice a week before coming on to the estate. They can do so downstairs: I did so the other day, and they gave me a pack of six for the future as well. Please also give each other and members of staff space when seated, and when entering and leaving the room.

Greg Clark (Tunbridge Wells) (Con): I beg to move,

That this House has considered the Nineteenth Report of the Science and Technology Committee, Session 2017-19, The work of the Biometrics Commissioner and the Forensic Science Regulator, HC 1970, and the Government Response, Session 2019-21, HC 1319.

It is a pleasure to serve under your chairmanship, Dr Huq. I am grateful to the Liaison Committee for allocating time for this issue to be debated. I also acknowledge the role of the predecessor Science and Technology Committees—some Members who will speak in this debate served on those predecessor Committees, and I pay tribute to their assiduity and tenacity in keeping a focus on this subject—ably assisted by a succession of brilliant Clerks, who continue to this day in the shape of Mr Ben Shave, one of the Clerks who is advising the Committee on these matters.

The issues covered by my Committee and its predecessors are of considerable complexity, but also great importance. The global value of biometrics is expected to reach £21 billion this year, a 130% increase compared with 2016. The perceived vulnerability of passwords, the growing prevalence of mobile devices with biometric capabilities, and wider advances in computing technologies all point to biometrics and forensics playing a greater role in public and private life. In the UK, biometric data obtained via technologies that capture, measure, analyse and process digital representations of our physical or behavioural traits, such as DNA, fingerprints, voice and handwriting, are held by the police on no fewer than four separate databases, while criminal investigations have long relied on the services of private sector and in-house forensic science laboratories.

As I said, the Science and Technology Committee and its predecessors have published a number of reports on forensic science—specifically in 2011, 2013, 2016, 2018 and 2019—and on biometrics in 2015 and 2018. Our sister Committee in the House of Lords has also undertaken a detailed examination of the use of forensic science in the criminal justice system over the course of

almost a year. In 2018, our immediate predecessor Committee called on the Government to give statutory powers to the Forensic Science Regulator, a recommendation that—thanks to a private Member's Bill tabled by my fellow Select Committee Chair and a former member of the Committee, the hon. Member for Bristol North West (Darren Jones)—has now been implemented. We place on record our gratitude to him for his achievement in securing that legislation.

We also said that the Government should strengthen the auditing of standards of compliance; deliver a planned IT upgrade that would fully implement an automatic custody image deletion system for those not convicted of any crime; and ensure that any wider deployment of facial recognition technology is not considered an operational decision for the police but is a matter for Parliament to decide. We said that the treatment of how image databases should be managed and regulated should be subject to similar scrutiny.

Shortly after that 2018 report was published, the Government published their biometrics strategy, which committed to enabling

“more efficient review and automatic deletion of custody images by linking them to conviction status, more closely replicating the arrangements for fingerprints and DNA”.

However, it did not mention the important matter of the accreditation of police laboratories. In a follow-up report, published in 2019, our predecessor Committee concluded that concerns remained about the long-term viability of the market for forensic science services and highlighted the significant risk that that posed to the effective functioning of a criminal justice system. Other recurring concerns raised in that report included gaps in current forensics research, the absence of a mechanism to set clear national research priorities, insufficient oversight of biometric technology, and a lack of scientifically rigorous testing of new biometric technologies. That Committee also expressed worries about the effectiveness and potential bias of facial recognition technologies.

In the 20 months between the publication of that report and the Government response—it is worth noting that 20 months is an unconscionably long time for the Government to take to respond to a detailed and specific set of recommendations—the passage of the Forensic Science Regulator Act 2021 gave the regulator new, statutory powers, so our Committee invited the former regulator, the former biometrics commissioner and relevant Ministers, including my right hon. Friend the Minister for Crime and Policing, to seek their views on where things stood in June of last year.

Professor Gillian Tully, the former forensic science regulator, told us that at the time of her departure, in February 2021,

“neither toxicology nor digital forensics had sufficient capacity to meet the current needs of the service.”

That shortfall in capacity has real-world consequences. Professor Tully spoke of cases that rested on the accusation that an individual was, for example, driving while under the influence of drugs, and cases that she was familiar with had to be dropped. It may not have been a large number, and prioritisation on the part of individual police forces may have also been a factor, but her testimony is worrying nevertheless, at the time when advances in toxicology and forensic science more generally should be playing a greater role in securing convictions. Indeed, in a conversation with a person with current

[Greg Clark]

knowledge of the system, I was given to understand that we have only 30 qualified toxicologists operating in the United Kingdom. That is an extraordinary number, considering the weight of responsibility that rests on their shoulders.

In his appearance before our Committee, the Minister acknowledged that he, too, was concerned about capacity, and I know this from conversations separately. He committed to looking urgently at how to stimulate more forensic toxicologists to join the profession. Part of the purpose of today's debate is to seek from the Minister an update on how that is going and whether the intention is being translated into practice. On digital forensics, we heard about mobile devices and computers sitting in very long queues for analysis, and that convictions that might have been made if there were greater integrity to the laboratory accreditation process have been lost.

Such concerns relate not only to forensics but to biometrics. Professor Paul Wiles, the former commissioner for the retention and use of biometric material—the biometrics commissioner—highlighted four concerns. First, the existing framework governing the use of biometrics by our police forces had not kept pace with developments in biometric technologies, and the Government had not responded to domestic and European Court of Human Rights judgments about the framework. Secondly, the police, the Home Office or some combination of the two had yet to create a proper evidence base for the use of new biometrics, which could complicate the decision-making process around future deployments. Thirdly, the Home Office has yet to update databases containing both biometric data and more general information relating to offenders, convictions and arrests. Finally, Professor Wiles argued that biometrics, together with artificial intelligence and large databases, are the technologies that, at least in part, will drive the future social world in which we live, and their use should therefore be considered a key strategic issue across Government. For a Government who have made a signal commitment to improving conviction rates and protecting society to fail to make use of stunning advances that can help to secure convictions and put into jail people from whom society should be protected is a serious omission.

Professor Wiles also specified several areas where he thought elected Members of Parliament should decide what was not in the public interest. Facial recognition technology is a case in point, as well as the fingerprints we use to log into our phones, and a plethora of applications including voice recognition and gait analysis.

I do not want to give the impression that we were told that the use of all these technologies falls on the negative side of the register—that the advances they comprise are not good for society. That would be the wrong impression. Professor Wiles highlighted the idea of frictionless airports and their potential for eliminating the onerous barrier checks that have come in in response to the terrorism threats of recent years. Advances in technology might allow some relief there, which would be very much in the public interest. However, the point that he and others have made is that the rules need to be clear, there needs to be a co-ordinated cross-Government approach when it comes to formulating those rules, and that we should not delay doing so.

That brings me to the response from the Government to our predecessor Committee's 2019 report, and the work that has been undertaken since then. I am sure the hon. Member for Blackley and Broughton (Graham Stringer) will cover the report in his contribution, as will the hon. Member for Glasgow North West (Carol Monaghan). From my perspective, the key takeaway of our Committee session that questioned the Minister and his colleague Baroness Williams, the Minister for Countering Extremism, is that, although some progress has been made, it does not stand comparison with the progress that should have been made, and the opportunities to protect society from the advances in technology that are available. It was clear to me from the session that the outstanding issues need to be addressed and the pace of action needs to be accelerated.

Several areas require scrutiny in the weeks and months ahead. As of July 2021, 16 of the 43 police forces in England and Wales have joined the Forensic Capability Network, although the Government anticipate that the number will have risen by the time powers in the Forensic Science Regulator Act are fully taken up by the new regulator. Will the Minister update us on the current number of forces that have joined the network?

On a related point, we remain concerned that without the disclosure of data on accreditation and compliance, the Home Office will not be able to evaluate the success of the Forensic Capability Network, or the transforming forensics programme that was launched in 2017. Will the Minister update us on the Government's plans for measuring the success of the new regime in driving accreditation and compliance? Has the case for a single system of accreditation for both police and private laboratories been considered?

The Government have encouraged some collective decision making through these two initiatives, but in our June 2021 session Professor Tully suggested that attempts to

“work through persuasion rather than any form of mandate”

have now run their course. She stated clearly that there are some areas on which there should be national decision making, even if that results in reversing some decisions that were been taken by previous Ministers and Administrations, whatever good faith and optimism was vested in those decisions at the time. However, the Government have confirmed that there are no plans to establish a new decision-making body specifically for forensic science, citing ongoing work taking place in the Home Office and UK Research and Innovation as a better avenue for determining future priorities and ensuring that capacity grows. I would be grateful for an update from the Minister on this work. What might persuade the Government to revisit the muscular approach the Home Office is taking to this important matter?

In short, the picture is mixed. Some progress is being made, but not nearly enough considering the clarity of what was set out as being needed and the available opportunities. The Police, Crime, Sentencing and Courts Bill, which is being considered in the House of Lords, and forthcoming College of Policing guidance on the use of facial recognition will provide opportunities to strengthen these matters. It will be helpful to hear from the Minister what assessment he has made of the contribution they will make. The Minister's latest update to the Committee did not contain a publication date for the guidance; can he offer one today, so that we know where police forces stand on facial recognition technology?

There are several other areas I would like an update on. First, on biometrics governance and updates to the framework, the Committee was told in September 2021, following the Court of Appeal judgment in *Bridges v. South Wales Police*, that the Government were updating the surveillance camera code accordingly and consulting the relevant organisations set out in the governing legislation, including police, local authorities, the Information Commissioner's Office and the biometrics and surveillance camera commissioner. A revised code of practice was promised towards the end of 2021. We have now passed that date. When can we expect that to be issued?

Secondly, on the timeline for the new automatic deletion system for custody images, the 2024 deadline is approaching. I hope the Minister can update us on the interim steps being taken by the Government. Thirdly, the custody image review has been absorbed into the wider piece of work to implement the Government's manifesto commitment to empower the police to use new technologies such as biometrics and including facial images within a strict legal framework. Can the Minister confirm what progress is being made on delivering against that manifesto commitment?

I mentioned that the Science and Technology Committee first examined these complex questions in 2011. More than a decade on, our interest in them is undiminished. The developments in technology cause us to commit to taking a close interest in the responses of the Minister today and in the months and years ahead. I urge the Government to have the same sense of determination and purpose in order to achieve the breakthrough in police practice and regulation that the technologies allow.

1.48 pm

Graham Stringer (Blackley and Broughton) (Lab): It is a pleasure to serve under your chairship, Dr Huq. It is also a pleasure to serve on the Science and Technology Committee under the chairship of the right hon. Member for Tunbridge Wells (Greg Clark). I associate myself with his questions and the general points that he made, with one exception. The history of the Science and Technology Committee looking at forensic science goes back even further than he set out. I have been on the Committee a long time, but the first report on the subject came out before I joined it. Called "Forensic science on trial", the report was published on 29 March 2005. The right hon. Gentleman referred to issues that have been examined repeatedly by the Committee—these are not my speaking notes, Dr Huq—but not to all the reports and the responses of the Government that have been produced on this issue.

The "Forensic Science on Trial" report went through the even longer history of forensic science. The way in which the Home Office has responded over time to the changing science is interesting and relevant. Science and the ability to examine and get information from crime scenes have changed enormously over time. It was only in 1988 that DNA led to the conviction of the double murderer Colin Pitchfork. Since then, DNA has been used thousands of times for many different crime scenes.

What worried the Committee then was that there had been big changes. Back in the early 90s, police forces went along to the people who did forensic science and asked for analysis of things from a crime scene, and

they got it with no cost. The then Home Secretary, the noble Lord Blunkett, thought that there should be a more commercial relationship between the Forensic Science Service and police forces, and that the Forensic Science Service should be moved into a public-private partnership body. The Science and Technology Committee looked at that proposal and said that things would be lost if the service was changed in that way. A lot of evidence was taken, and the Committee's report, which I will summarise, having just read it again, said that the evidence was not there to justify doing that.

Nevertheless, after the 2010 general election, the new coalition Government looked at the funding of the Forensic Science Service. They said that it was losing £2 million a month and things would have to change. They said that there was a real possibility, given that the Forensic Science Service was world leading, that we could sell our services internationally and make money from them. The Committee looked at that and said that the case was not made, because the statistics claiming that the cost was £2 million a month were based on false information. The laboratory at Chorley had already been closed, and the people working in the Forensic Science Service on the other side of Lambeth bridge were very worried about their future. The Committee certainly was not convinced that the changes should be made.

I will say this now so that there is no mistake: the Labour Government made some of the original decisions to change the Forensic Science Service, the coalition Government made a number of changes and the Conservative Government have made further changes. I do not see this as a party political matter at all. Like the Minister and other hon. Members around this Chamber, I want the forensic science facilities, whether private or public sector—it is not about differences between private and public—to yield the best information that will lead to the conviction of criminals. That is the key issue. It is not an ideological issue. Having said that, there has been a failure of Government, right the way through the process, to properly consider how to keep our elite status in world forensic science—it looks as though we have lost it now—and how best to deliver forensic science for the criminal justice system.

One of the conclusions of the Committee's forensic science report, which was published during the 2010 to 2012 Session, was that if and when the Forensic Science Service disappeared, which it did, one of the things that would be lost was the context of the crime. The private sector does a very good job when it comes to simple, repetitive operations, such as doing fingerprint or DNA analysis. What is missing from the service at present, however, is the ability for the police to go to a public sector body, or a private sector body for that matter, and ask, "What question should we be asking? We are not scientists." Previously when I visited the Forensic Science Service, it was very strong on the point that it would be able to help the client—the police, the criminal justice system—ask the right questions, which it could then examine scientifically before giving the information back. That has not happened, and that is one of the losses to the service.

The other loss to the service, to which the Government have never really responded, is that when the Forensic Science Service went, the money going into forensic science research and forensic science was lost and has

[Graham Stringer]

never been replaced. The different science funding bodies do not really recognise forensic science as part of their bailiwick or funding responsibilities. Not only are the right questions not necessarily being asked, but the money going into research and science has been lost, and I believe it should be replaced.

During one of the many inquiries we have had, we heard from Dr Tully, who worked for the Forensic Science Service, then became a regulator and has now gone into academic life. When she came before the Committee, I asked her three or four times whether murderers and rapists would get off because of the changes in the Forensic Science Service, and every time she answered positively—that that would be the case. The right questions would not be asked, so the right information would not be fed into the courts system and very bad people would not be brought to justice. Murder and rape are the worst crimes, but the problem goes right the way through the system. If we do not have a good forensic science service, we do not have a good criminal justice system, because the criminal justice system relies on the scientific interrogation of crime science.

When the original decision was taken to disband the Forensic Science Service and leave things up to the market, there was an internal Home Office problem that I think indicates a broader problem. Professor Silverman, who was then the scientific adviser to the Home Office, told the Committee he was not consulted, and nor was the then Forensic Science Regulator. That indicates that the decision was viewed entirely as a cost-saving issue and not as a way of ensuring that the criminal justice system worked as well as it could to bring criminals to justice.

The other side—which the Committee has written about in every report since, including the latest one—is that now that the Forensic Science Service has effectively been disbanded, we all rely on the market to work. At different times, as the Minister will know, because he has replied to this point, the market in forensic science has been close to collapse for a number of reasons—most recently, because of covid, not as much work was being commissioned. One of the good sides of covid was that there was less crime, so there was less need for forensic science.

Another driver, over a longer period, was that the police were taking a lot of forensic sciences in-house to save money. However, they were not only saving money but using non-ISO-accredited systems to do that. They lost the good Forensic Science Service and replaced it with something with no accreditation, which makes it more challengeable in court. That was another reason why the Committee did not support the disbandment of the Forensic Science Service—because the market was too volatile and not stable enough to ensure that the forensic science that the police and the courts needed would be there to be used.

I do not know why Governments of different political colours have not got this correct and have dragged their feet on the regular call for the Forensic Science Regulator to be put on a statutory footing. It is half on a statutory footing now because my hon. Friend the Member for Bristol North West (Darren Jones), with Government support, took a private Member's Bill through. However,

even that Bill does not deal with biometrics in terms of the statutory basis for the regulator, so that demand has only partially been met.

I do not know whether the Minister, who has been in office for a period, knows why the Home Office, under different political parties, has not given the service the political prioritisation that the public would want, because I think the case is overwhelming. The public have an enormous appetite for television shows about forensic science and for reading detective novels, in which cutting up cadavers is the main focus. Yet, at the same time, our forensic service has gone from being one of the best in the world to, quite frankly, being moth-eaten and not as good as it should be.

I have spoken for quite a long time, but I want to emphasise a point that the Chair of the Committee made about custody pictures. If you, Dr Huq, were arrested—I am sure you would not be found guilty of anything—and taken into a police station, your DNA, fingerprints and photograph would be taken. If you were arrested by mistake, your DNA and your fingerprints would be destroyed if you wanted them to be, and you would have no criminal record, but your facial record would remain in the computers. With all the connections those computers have, that is very worrying. Most people do not know that they can ask for those photographs to be deleted. The Chair of the Committee referred to the Government's commitment that they would be automatically deleted after six years. That is too slow. I do not think police forces have any right to keep a picture of you or anybody else who is not guilty on record, where it can be misused and accessed improperly in many cases. The Government have not, over that period, given the resources to police forces to delete those pictures. However, I have spoken long enough and I will let other people speak.

Dr Rupa Huq (in the Chair): The first of our Front Benchers, who is also a Committee member, is Carol Monaghan.

2.4 pm

Carol Monaghan (Glasgow North West) (SNP): It is good to see you back in the Chair, Dr Huq. As you have said, I follow two of my fellow Committee members. I am also speaking from the Front Bench for the SNP. I should state at the start that I prefer to see myself here as a Committee member because this area is devolved to Scotland, and I will make a couple of remarks about that. For me, the big issues are around funding and governance, and I will talk about both.

Forensic science services provide accountability in what is a rapidly changing landscape, with new developments in not only technology and science, as well as in the many techniques we can use to promote greater public confidence and safety. It is in that vein that we are having today's debate, because all of us want to see moves made to get the Forensic Science Service back up and running in the way it once did.

As I have said, forensic science is devolved in Scotland, and the Scottish Police Authority has its own fully accredited lab. It delivers world-leading forensic services and has over 500 trained staff operating out of four different sites, with scene examination based throughout Scotland. In September 2021, the Scottish Government published their forensic service strategy, which aims to

continue to grow that scientific excellence. In March last year, Scotland's first biometrics commissioner, Dr Brian Plastow—a former police chief superintendent—was appointed, and it is hoped that he will bring great expertise and significant leadership to that role. It is encouraging for us in Scotland that the UK Government have recognised the lead shown by Scotland and intend to watch with interest the work that has been done by the biometrics commissioner and the power to enforce a code of practice for Police Scotland's biometrics use.

When it comes to forensics, public trust is paramount. It is imperative that when the public are going through criminal justice procedures, or when they are impacted in any way, they can place their trust in the civil justice system as a whole. That needs proper governance and a proper statutory footing: without those things, it is very difficult to get what is required. In their response to our Committee's 2019 report—I am afraid I have not been a member for quite as long as the hon. Member for Blackley and Broughton (Graham Stringer), and I do not go back to 2005, but I very much welcome the expertise of my fellow member—the Government stated that they were

“committed to maintaining and improving our world-class forensic services and supporting the forensic scientists who work in them.”

The Chair of the Select Committee, the right hon. Member for Tunbridge Wells (Greg Clark), mentioned the evidence we took from Professor Gillian Tully, who described some of the concerns she had. She told the Committee that the closure of forensic science services had led to the loss of significant research funding. In her words,

“that money was lost. It was not then taken and given to anyone else to do research”—

something that the hon. Member for Blackley and Broughton has described in detail today. That money has been gone for a number of years, and with it, expertise is dwindling and diminishing. The Chair of the Select Committee has mentioned that we have only 30 toxicologists, a fact that should cause all of us some concerns.

The Government's response to our questions on this issue has been disappointing and, at times, repetitive. They said:

“The Government fully agrees that funding for forensic research is vital, but that it must come with a full understanding of the research landscape.”

They talked about a guidance document that would be hosted by UK Research and Innovation and made publicly available, enabling the forensic science research community to identify suitable funding routes. As Professor Tully has said, that funding went, and was not replaced. The Government's response should be more robust than simply, “We'll provide the means by which people can apply for funding,” because expertise in forensic science does not just mean expertise in forensic science; what people are saying is that they also need to have expertise in writing funding applications. If that has been gone for a long time, it is very difficult to get it back.

We know from the work that we do with research institutions and private research bodies that they have people dedicated to writing these research applications and funding applications. Now, if this is a service that is on its knees and that has not had an injection of funding, we are asking the people working for that

service to dedicate more of their energy and resources to apply for funding that quite frankly should be directed to them now, without further delay. It would be good to hear some words on that from the Minister this afternoon.

We know that science funding is important. The hon. Member for Blackley and Broughton talked about our no longer being a world leader. I would like to think that Scotland still retains some of that expertise, but his point is well made, because without the funding and without the ability not only to conduct research but to train up new people in the techniques that are currently being used, it becomes very difficult for people to operate in the circumstances in which they have been asked to operate.

I will briefly mention laboratory accreditation, which the hon. Gentleman, the Chair of the Select Committee, has mentioned already. He has said that 16 forces have already signed up to it, which I suppose is a good start, but we need more data on this issue. We need to know when other forces sign up to the Forensic Science Regulator's code and, if forces are not signing up, why they are not doing so. Information on that would be helpful.

I suppose that one of the issues that causes the public most concern is the idea of how their biometrics and images are managed. There is a lot of work that the Government need to do in that regard. It is concerning that they are not moving to a system whereby custody images or other biometric information are deleted automatically and at the point where no charges are brought to bear.

The Government have reiterated their position that individuals can request to have that information deleted. That makes the assumption that members of the public know that they can make that request and know that their images have been captured and are still being held. There has been a lot of discussion about this issue. If you were so unfortunate, Dr Huq, as to be taken into custody and images are captured, you might know after this debate that you have a right to ask for them to be deleted. But do we know what other images are being kept?

In fact, a piece of evidence that we took for a report by a predecessor Committee referred to the number of images being held on databases that were not custody images; they were other images. I would like to know about them. My two daughters went on a climate action march during COP26, and I would like to know whether their images were captured and, if so, are they being held? I appreciate that I am talking about Scotland and a devolved issue, but if that march was taking place here in England what would happen with those images? The right to protest and demonstrate—the right to march—is fundamental to democracy. People should be able to do those things without their images being captured and retained.

Public confidence depends on clarity and full disclosure of how these images and other biometric information are used, which is why there is a really strong need for the regulator. The Bill introduced by the hon. Member for Bristol North West (Darren Jones) has, of course, put that into practice, which is really helpful, but we need to see action on this issue.

I will finish by saying that the Scottish Government have enshrined statutory powers for an independent regulator to judge the ethics of forensic science for

[Carol Monaghan]

quality and fairness, and to help criminal justice to go beyond the reasonable doubt threshold by using biometric data. It would be good to see what steps the UK Government, if they are truly watching with interest, are taking. I appreciate that Scotland is a much smaller entity, and probably easier to manage than what the Minister is dealing with. However, if there are lessons to be learned, I hope he can learn them and start putting into practice some of the recommendations of the Committee reports.

2.15 pm

Sarah Jones (Croydon Central) (Lab): It is a pleasure to serve under your chairship, Dr Huq. I congratulate the right hon. Member for Tunbridge Wells (Greg Clark) on securing the debate, and on his elegant critique of Government progress. He asked a comprehensive list of questions about missed deadlines and the like, which I look forward to hearing the Minister respond to. I join him in thanking the members and Clerks of the Science and Technology Committee for all the work that they have done—he listed the number of times that this issue has been looked at and the proper and serious work that has been undertaken.

I listened with interest to my hon. Friend the Member for Blackley and Broughton (Graham Stringer) talk about the history of how we got to where we are, and how none of us here will be looking at this through the eyes of ideology—what should be private or public—but through the eyes of what is most effective. As the hon. Member for Glasgow North West (Carol Monaghan) said about funding and governance, we should have the ambition to be world leaders in this space—that should be what we are all striving towards.

As Members have already made clear, forensic science is critical to the investigation of crime and the administration of justice. Without it, thousands of people would not have been brought to justice. It not only allows us to identify offenders and provide evidence to the courts, but is a vital safeguard against wrongful conviction and false allegations. When it comes to forensics, the stakes are high. The United Kingdom must have an efficient, working and credible model for forensic investigations.

I welcome the Forensic Science Regulator Act 2021, introduced by my hon. Friend the Member for Bristol North West (Darren Jones), to whom I pay tribute for his hard work and commitment in delivering his private Member's Bill. However, it has not yet been fully implemented. He asked the Minister a written parliamentary question on 5 January, and the Minister's answer was "as soon as possible", so I would appreciate some kind of timescale to go with that. Considering that it took the Government nearly 20 months to respond to the Committee's report, Members of the Opposition cannot be confident that the Government are committed or willing to prioritise these important matters.

One of the major issues affecting forensic science is the market and the availability of services. It is vital that the Government ensure there is sustainable capacity to meet the needs of the whole criminal justice system. The market does not work as it currently runs; private providers come in and out and some collapse, leading to delays and confusion as they pass on their work. New recruits are not trained properly, funding is unclear and

unequal, and increased pressure leads to falling standards, errors and, potentially, miscarriages of justice. The police need costs to be as low as possible because their budgets have been cut, and everyone is having to make difficult decisions in a volatile and unsustainable market.

Such fragmentation of the sector does not just provide a regulatory headache; it has real-world impacts. This lack of certainty leads to criminal cases being put in jeopardy and emergency funding needing to be provided. Redundancies in the sector are also an issue. It is vital that the criminal justice system has the power to retain the very best scientists.

Forensic science is time sensitive. Courts rely on toxicology reports to determine whether an individual was driving under the influence of drugs and alcohol, but they cannot receive a report if the statutory time limit for the test has been passed. It cannot be right that charges are dropped because of a forensics problem. It is also the case that police forces are sometimes forced to ration and prioritise which cases they send to forensics. Forensics work must be done in a timely manner.

On digital forensics, we know that rape victims—really vulnerable people—might have their phones confiscated for months or even years, in the worst instances, while waiting for a forensics team to download and analyse their data. In the end-to-end rape review, the Government committed to leaving no victim without a phone for more than 24 hours in any circumstances. It would be good to understand a bit more about the progress towards that goal, particularly with the rape charge rate at a shocking 1.4%.

Similarly pressing are the issues of oversight and accreditation. Accreditation, as we have heard, provides an independent, impartial confirmation of technical competence. It surely forms an unavoidable plank in the plan to ensure public confidence in forensic science and the criminal justice system more widely. The importance of accreditation and compliance is indicated by the Randox case, which called into question the integrity of the laboratory's toxicology results, and impacted 10,000 criminal cases. It was estimated that the re-testing of those samples might take between two and three years—even then, the degradation of samples would have rendered re-testing pointless. Randox did not have additional accreditation to the codes of practice and conduct for forensic science providers and practitioners in the criminal justice system.

The Forensic Science Regulator Act 2021 requires a regulator to prepare a code of practice for forensic activities, which each forensic unit will have to comply with. It also included deadlines for units to achieve accreditation. As long ago as 2011, the Committee called for statutory powers to enforce compliance, with proper standards. These are yet to be introduced. The Committee called for a prohibition on the police using non-accredited laboratories to be included in the 2021 Act, as well as the mandate that all in-house police labs should be accredited within a year. The Minister disagreed, suggesting that these clauses would

"detract from the independence of the Regulator."

It seems to me, however, that such regulations are critical, and might speak to some of the most concerning areas within the forensics sphere.

Regulation would ensure compliance with standards and deal with the fragmentary market. It would help solve the serious delays in digital forensics, which the

Minister himself says remain a concern. It is a field now more important than ever, given the increasingly online nature of crime. Computer misuse has increased by 85%, hacking is up 161%, and 90% of cases now have a digital aspect.

Recent evidence given by Professor Tully shows that deadlines on accreditation of police laboratories continue to be missed. It seems impossible that the proposed October 2022 deadline for all forces to achieve accreditation on all sites will be met. The current situation sees victims relying on a forensics system that is not properly regulated, and reliant on a regulator with no proper enforcement powers. Time and again, the story seems to be of a Government failing to listen to the advice of experts, including that of the Science and Technology Committee.

At a time when just 6.5% of all crimes lead to a prosecution, the charge rate has halved and 1.3 million victims walked away from an investigation last year, public confidence in the justice system is at rock bottom. There can be no excuses. The Government say that tackling crime is a priority. They must put their money where their mouth is and stop the delays.

The use of biometrics has become an increasingly important and contentious issue, and it is only growing more so. My hon. Friend the Member for Bristol North West attempted to include clauses related to biometrics in his private Member's Bill, but the Government refused to support them, and they were removed. With new biometric systems being developed more rapidly than the police are able to keep up with, it is vital that the Government develop a proper evidence base for the use of these new technologies.

In his evidence to the Select Committee, Professor Wiles noted

"the continuing failure of the Home Office to update the crucial databases that hold both biometric data and general information about offenders, convictions, arrests and so on."

The current legislation covering biometrics is a complicated patchwork quilt of Acts, difficult to grasp and to follow. We are clear that proper, fit-for-purpose regulation is needed. As in the forensics field, the stakes are high. It is crucial that the use of biometrics—undoubtedly powerful tools—does not infringe on civil liberties.

As we have heard, despite repeated assurances, the Government have still not delivered an automatic deletion system for custody images of unconvicted individuals whose data remains stored in a database. That is very worrying and, as the biometrics commissioner put it, unlawful. It cannot be right that an unconvicted individual would have to apply to have images of themselves deleted.

In the Conservative party manifesto for the last election, the Government said they would

"empower the police to safely use new technologies like biometrics and artificial intelligence".

In evidence to the Committee, Baroness Williams noted that it was

"the legal framework that allows the police use"

of biometric technology that is both "necessary and proportionate" that is necessary in this sphere. There have so far been no legislative proposals from the Government on this front. I wonder when we might see a White Paper or similar setting out the Government's plan to regulate this rapidly changing field.

The power of these new technologies is very great indeed. With regard to assets such as live facial recognition, voice recognition and gait analysis, Professor Wiles noted that the current framework

"has not kept up with the development of new biometrics; nor has the Government responded to judgments by both domestic courts and the European Court of Human Rights about the inadequacy of that current framework."

Even companies such as Microsoft—truly one of the great tech giants—support regulation.

When will the Minister act and commission a proper, UK-wide, independent review of the use and retention of biometrics and biometric data not covered by the Protection of Freedoms Act 2012? Surely, with criminals utilising technology at a speed never seen before—I point to the sale of drugs online, which I have spoken about in this place before, as well as the criminal exploitation of children online—it is more important than ever that the Government get to grips with both forensics and biometrics, and absorb both into their plans to tackle crime.

The Minister believes that

"both of these biometrics and forensics are completely critical to the future success and...consent model of the police."

We agree. There must be a clear, balanced and effective national decision-making structure for forensic science. This complex and complicated area deserves to be governed on a national basis, with policy decisions and implementation properly overseen. The Government must ensure that the 2021 Act is implemented, they must come up with a proper biometrics strategy, and they must deliver regulation, implementation and accreditation. That is crucial for the public and for victims.

2.26 pm

The Minister for Crime and Policing (Kit Malthouse):

It is a great pleasure to appear before you, Dr Huq. I am grateful to you, and I thank my right hon. Friend the Member for Tunbridge Wells (Greg Clark) and the hon. Member for Blackley and Broughton (Graham Stringer) for securing this debate and giving up the chance to commune with their constituents on a one-line-Whip Thursday to consider this important matter.

Before I start, I want to make it clear that, as far as I am concerned, forensics, biometrics and the use of technology in policing—and, indeed, the confluence of all three—has been for the last decade, and will be for the foreseeable future, the most important development in the prevention, detection and prosecution of crime, and represents the possibility of a great leap forward for policing generally, not just in this country but across the world. It is my determination that we should harness the capability that these three strands give us as much as we possibly can within a framework of public trust. All our work at the Home Office, and indeed at the Ministry of Justice, is focused on that key objective.

While there has been criticism during the debate of the system that we currently have—I think my right hon. Friend called it a mixed picture, which is fair—I do not think we should beat ourselves up too much. We see significant results in the courts and detection day in, day out from our ability to wield forensics and biometrics—my right hon. Friend has seen a result in his constituency just recently—and we have some of the best forensic scientists in law enforcement in the world operating in this country, in the private sector and elsewhere.

[Kit Malthouse]

However, as hon. Members have said, forensic science in particular has faced challenges in recent years. Constrained resources, allied with a huge growth in the volume of sources of evidence, have put a strain on the system, particularly where digital material is concerned. We have taken steps to address that. As I hope Members will know, we are investing £25.5 million this year and a further £25.5 million next year to strengthen forensic services for policing, particularly digital forensics. We have set up the forensic capability network, which is bringing much-needed stability to the commercial market through co-ordination activity. I will get the updated numbers for my right hon. Friend after the debate.

When it comes to quality, Dr Tully did enormous amounts of work in this area previously, with partners, to make sure that there were standards of collection, analysis and presentation of evidence. However, hon. Members are quite right to push for more, and that is why we were so pleased to support the Bill to put the regulator on a statutory footing that recently went through at the second attempt. Although the hon. Member for Bristol North West (Darren Jones) was successful this time, my hon. Friend the Member for Bolton West (Chris Green) had a go in the previous Session, but unfortunately his Bill fell before the end of the Session. It has been a long-term objective of ours to get the regulator on to a statutory footing so that her or his standards are enforceable. We are working closely with the regulator to commence those new powers as quickly as possible. I do not have a date, but we will do it as fast as we can.

There is of course much more to do, which is why we are working closely with the regulator's office, the Attorney General's office and other partners to push out the forensic science reform programme, which, as I hope Members will know, is organised around four pillars. The first pillar is police capabilities. It is about ensuring that the police have all the skills they need through the Forensic Capability Network and the Transforming Forensics programme.

We want to ensure that there is proper regulation, hence the Forensic Science Regulator Act, which we think is a major landmark in levelling that playing field. Also, the Police, Crime, Sentencing and Courts Bill, currently going through the Lords, strengthens the law to ensure a consistent approach, for example for requesting information from phones and other electronic devices, and it will ensure that in all cases requests to victims and witnesses are necessary, proportionate and made only as a last resort. Guidance on that will appear quite soon.

Among other things, the code of practice will address how information may be obtained using other, less obtrusive means, and how to ensure that agreement is freely given and that the device user's rights are understood. It is a good example of the way we have to address specific developments in forensics within an overall framework of regulation and public trust. One of our priorities is to ensure that law enforcement has access to all the evidence necessary for its investigations and to put behind bars those criminals who need to be put there, so we will also look at the legal framework for suspects to make sure it stands the test of time, and enables timely, thorough and fair investigations.

The third pillar of our strategy is criminal justice system capabilities. We have developed a model to measure the impact that forensic disciplines can have on the investigation and prosecution of crime throughout the criminal justice system, to make sure that evidence is fairly and properly presented in court and that it is robust and, crucially, presented properly to the court's practitioners. That strand of work will also increase the transparency of expert witnesses' credentials and ensure that defendants have equal access to those experts. The Crown Prosecution Service and the Judicial Office, again with other partners, are also helping to oversee and deliver that important strand of work. I would be happy to provide my right hon. Friend the Member for Tunbridge Wells with more information on that, as he requested.

The fourth pillar, of course, is research and development. We want to ensure that we are ahead of the game, particularly on development in forensics, making sure that we direct our research and capabilities towards those strands of work where we believe there will be most value for policing, and to make sure that we are not constantly playing catch-up with new technology, as we perhaps have been in the past. For example, we have work under way to enable crime scene investigators to capture fingerprints digitally at the scene and then transmit them instantly to where they are needed, as well as research into innovative ways to locate and recover microscopic body fluids, advancements in DNA techniques, and the role forensic intelligence plays in high-harm crimes such as county line gangs and drug violence.

In addition, Transforming Forensics and the FCN held a research and innovation festival week in 2021, with significant policing and industry engagement. Guidance for research and development stakeholders to access funding opportunities has been produced, and discussions with UKRI to identify options for future dedicated funding for forensic science needs are ongoing.

Taken with the legislation to give the Forensic Science Regulator those statutory powers, I hope that our reform programme represents a joined-up and concerted effort to address the issues facing forensic science in England and Wales. As I said earlier, we absolutely recognise the critical importance that forensics plays in the criminal justice system, and we will continue to work closely with the sector and other relevant partners to drive progress across these disciplines.

Police use of biometrics, such as DNA and fingerprints, plays a huge part in protecting the public. Last year, DNA linked more than 21,000 people to crimes, including 588 to murders and 491 to rapes. But biometrics are not without their challenges, and a number of hon. Members have referred to the challenge of facial recognition technology. We recognise that we have an overriding responsibility to keep the public safe and, where we can, we should equip the police with the techniques to do that.

We do believe that facial recognition will improve, or has the possibility of improving, public safety very significantly. Generations of police officers have used photographs of people to identify suspects, and more recently CCTV images have been a vital tool in investigations. There are many examples where suspect images have been matched to wanted known individuals, ensuring that they cannot evade justice when they cross

force boundaries. What is changing is the ability to use computers to match images with increasing confidence and at speed, as well as to combine technologies such as surveillance cameras and facial recognition to greater effect.

As I hope Members know, live facial recognition trials have produced a significant number of arrests; we are up to 70 now, including for a double count of rape, robbery and violence, false imprisonment, breach of a non-molestation order, and assault on the police. My favourite story is that of the concert by a particular rock band in Cardiff that had been plagued by dippers—pickpockets and others stealing phones and wallets. Just advertising and notifying people that facial recognition was being used at that concert meant that the number of offences fell to zero. Indeed, South Wales police, which has been at the forefront of adopting this technology, produces about 100 identifications a month through retrospective facial recognition, reducing identification time from 14 days sometimes to hours, which is obviously critical when a dangerous criminal is at large.

Carol Monaghan: I thank the Minister for his comments. The issue is not the use of these images—I think we all understand the importance of using the images—but their long-term storage. That is where people start having some difficulties.

Kit Malthouse: I will come on to that in a moment. I just want to address the question of a legal framework. There is already a comprehensive legal framework around the operation of this technology. As Members will know, it has been tested through the courts. The police have broad common-law powers around the detection and investigation of crimes, including the use of technology, but there are other bits of interlocking legislation that need to be borne in mind.

Obviously, there is PACE—the Police and Criminal Evidence Act 1984—the Human Rights Act 1998, the Equality Act 2010 and, indeed, data protection legislation, all of which gives a framework in which the police must operate. They are also subject to regulation through the Information Commissioner's Office on the retention and use of data, and through a range of oversight bodies—happily, some external and some internal. As Members will know, a number of forces have, for example, ethics panels that are looking at the use of this technology. I will point Members who are interested to my appearance last week in front of the House of Lords Justice and Home Affairs Committee, which is looking at exactly this issue—the ethics and regulatory regime around the use of biometrics in particular.

We helped the police to appoint a chief scientific adviser, and forces have access to further support from their own ethics committees, as I said, as well as the Police Digital Service, the College of Policing and others. We have been working with the police to clarify the circumstances in which they can use live facial recognition and the categories of people they can look for, and I am told that the College of Policing will be publishing national guidance soon. That is a word that I have come to love in this job—"soon", "soonest", "shortly".

It is of course an important part of our democratic process that people can raise and debate, including here in Parliament, legitimate concerns about police use of

new technologies, and that legal challenges can be made in the courts, as has been referred to. *Bridges v. South Wales police* is an example.

I know that Members will recognise the importance of the police holding a bank of custody images for the potential identification of suspects and, often, witnesses. However, it is important that the public understand their rights in relation to the biometric data of all kinds that is held on them, and in particular their images. Last year, the National Police Chiefs' Council established a new working group to develop further guidance on the retention of custody images. Through that group, the Home Office has worked with the police to issue new guidance stressing that people have the right to request deletion of their custody images. The police will communicate that guidance through various means to complement the existing information that is already available online and elsewhere. However, it remains the Government's ambition to deliver an automatic deletion system for these images. We hope to do that during this Parliament, and I would be happy to supply the Science and Technology Committee with more details when I have them in due course.

Graham Stringer: I do not disagree with anything the Minister is saying, but would it not be easier if, when people are taken into the custody suite after an arrest and have their photograph taken, there were a simple sign next to the camera saying, "If you are found not guilty, or you are not guilty or the charge is not sustained, you have the right to have these images deleted"?

Kit Malthouse: I certainly think it would be a good idea to provide people with that information at as early an opportunity as we can. Whether they would read a notice on the wall at that moment of particular stress is something that I would have to think about, but it should be possible to provide them with that information as they exit the police station, having been released with no further action. That does not necessarily suppose that they are not going to be subject to further investigation at that point, but they can at least be informed of their right to request the deletion. Whether the police force complies will depend on other factors.

I told the Committee last June that we would make an announcement about further reforms to empower the police to use technologies while maintaining public trust. As I outlined earlier, we believe that a comprehensive legal framework and a range of regulatory and oversight bodies are in place, but we are always seeking improvements. We have already appointed one person to carry out the previously part-time roles of the biometrics commissioner and the surveillance camera commissioner to reflect the increasing convergence of those technologies.

The Department for Digital, Culture, Media and Sport consulted last year on further consolidating biometrics oversight arrangements, recognising that the current arrangements are complex and confusing for the police and public alike, and that they potentially inhibit confident adoption of new technologies. We have also consulted on a power to create a code of practice to set out the principles for police adoption of new technologies, such as biometrics, to ensure greater consistency while maintaining the flexibility to allow the law to keep up with rapidly developing technology. We will respond to that and to the DCMS consultation in the spring.

[Kit Malthouse]

As I hope I have outlined, the Government recognise right hon. and hon. Members' aspiration that this should be a critical stream of work for the Home Office, and for policing more generally. We also recognise that there is the possibility to undermine public trust in the use of technology if we do not get the framework of accountability, supervision and regulation correct. For these technologies to be successful, they need to be successful in court, which requires standardisation and quality. We recognise that there are capacity issues that need to be addressed, and we are working with partners to fill those gaps. I hope that my right hon. Friend the Member for Tunbridge Wells will take comfort, for example, from the fact that the Forensic Capability Network, the National Police Chiefs' Council and the private sector are, as we speak, working together on a workforce strategy to plug exactly the capability and capacity holes that he identified.

Finally, as I said at the start of my remarks, we believe that the use of forensics, biometrics and technology together, as they converge, presents an enormous prospect for a great leap forwards in our collective safety in this country—not just in the prosecution of crime, but in its prevention. The critical thing to remember about fighting crime is that the greatest deterrent to any crime being committed is the perception by the person who would commit it of their likelihood of being caught. The better we get at catching those people and putting them behind bars, the less likely they are to offend.

2.44 pm

Greg Clark: Thank you, Dr Huq, for chairing this important debate. I hope that the contemplation by Members of your prospective arrest has not given you too much cause for alarm. God forbid that that should happen, but at least you know your rights when it comes to custody images as a result of the debate.

I thank the Minister for his response, and my colleagues for joining in the debate. Let me emphasise three points to the Minister. First, I was pleased that he recognised

the importance of technology for the future. He is a serious individual with a long record—including as London's Deputy Mayor for Policing—of making a difference in reducing crime and protecting victims. Of all the things that he can do in office, getting this right could have the greatest impact, not only in detecting crimes and securing convictions but in preventing crime in the first place, as he pointed out in his example from south Wales. I hope that he will give this matter the immediate priority that I think is necessary, without prejudice and without being hidebound by past decisions, as the hon. Member for Blackley and Broughton (Graham Stringer) said.

My second point is about funding, which the hon. Members for Blackley and Broughton and for Glasgow North West (Carol Monaghan) mentioned. The integrated review emphasised that our ambition is to be a world-leading figure in science and to deploy it to drive our national influence. Forensics, interest in which is exploding around the world, is an area in which we have had a leading position, but we cannot maintain that if we are losing money and putting up barriers to accessing research funding. I hope that the Minister will, with his new scientific adviser, look seriously at how we can correct that.

Thirdly, on the question of custody images, I am grateful for the Minister's assurance that measures will be put in place by the end of this Parliament. In that and the other issues, my Committee will continue to take an interest—as I hope he will—and we look forward to making great progress, for the safety of all our citizens, during the remainder of this Parliament.

Question put and agreed to.

Resolved,

That this House has considered the Nineteenth Report of the Science and Technology Committee, Session 2017-19, The work of the Biometrics Commissioner and the Forensic Science Regulator, HC 1970, and the Government Response, Session 2019-21, HC 1319.

2.47 pm

Sitting suspended.

BACKBENCH BUSINESS

UK-Israel Trade Negotiations

[IAN PAISLEY *in the Chair*]

3 pm

Ian Paisley (in the Chair): Before we begin, I remind Members that they are expected to wear a face covering when they are not speaking in the debate. This is in line with the current guidance that the House of Commons Commissioners would like to be enforced.

I also remind Members that they are asked by the House to take a covid lateral flow test before coming on to the estate. Please also give each other and members of staff space when seated, and when entering and leaving the room, where possible.

Bob Blackman (Harrow East) (Con): I beg to move,

That this House has considered UK and Israel trade negotiations.

It is a pleasure to serve under your chairmanship, Mr Paisley, which I think is for the first time.

I declare my interest up front: I am the chairman of the all-party parliamentary group on Israel. In the last year, we released an excellent report, which I commend to my hon. Friend the Minister, on the health tech part of our industries. It is a very good read, which demonstrates the importance of Israel-UK negotiations and having them set up. Moreover, we are just about to release a report on research and innovation, which I also commend to him.

Israel and the UK's partnership on the technology front extends to the fact, of course, that we have the Israel tech hub in the embassy in Tel Aviv. This morning, I was talking to the all-party parliamentary group on Romania, which wants to mirror that tech hub, demonstrating that the relationship between the UK and Israel is not only good for the UK and Israel but means that we can set up similar arrangements for like-minded countries across Europe and across the world. So I welcome the Government's commitment to further strengthening the ties with Israel, which of course is a close friend and ally of the United Kingdom.

It is of course timely that we are having this debate, because I know that very shortly we will embark on new trade talks to enhance the UK's trade relationship with Israel still further, which is extremely welcome.

I also thank the Backbench Business Committee, on which I sit, for granting this debate. I am not sure whether my sitting on the Committee had anything to do with it; I suspect that possibly it did. And I note that the hon. Member for Strangford (Jim Shannon) is here in Westminster Hall today; he has a season ticket to the Backbench Business Committee, as well. [*Laughter.*]

Israel is not just the sole democracy in the middle east; it is also a true global high-tech start-up powerhouse, with huge prowess in the fields of high-tech energy, medical science, fintech and cyber-security, to name but a few areas. The UK is Israel's largest trade partner in Europe and its third largest trade partner in the world. That gives us something to aim at; we want to be Israel's largest trade partner in the world.

Given the strength of our relationship, it is perhaps little surprise that Israel was among the first countries with which the UK agreed a free trade agreement in

principle, in January 2019, on our departure from the EU. After successive record-breaking years, UK-Israel trade has remained healthy, even during the pandemic, with an estimated value of £5 billion. Whether it involves pharmaceuticals, plastics, fintech or agri-tech, the UK-Israel trade relationship covers all our major industries and has a natural focus on the technology and services of the future. That is a key reason why there are boundless opportunities for improvements in the UK-Israel trade relationship. The signing of a strategic agreement with Israel last November was an important point in the process. In our ever-strengthening bilateral relationship, that is the next step towards negotiating the full post-Brexit trade deal with our friends in Israel that we want to see.

So we are natural trade partners. As progressive liberal democracies, our nations share the same values and the same commitment to the open and free market. Israel's business community regards the UK as the gateway to Europe. The UK is an appealing market. We have a shared language, as an estimated 85% of Israelis speak English as their first language. We are also obviously in close proximity to Israel and have an enterprising business culture.

Israeli businesses hold the UK market in the highest regard. We have seen many of them achieve great success here. I will mention one or two of them shortly. Israel's tech ecosystem does not just provide economic benefits to our two great nations. Every day, Israeli businesses will be enriching and improving the lives of British citizens and making them healthier. A cab driver or parent on the school run uses Israeli sat-nav app Waze to efficiently complete their journey. A water engineer will be alerted to a leak in the network by Takadu, a start-up based in Tel Aviv. The cherry tomatoes that a shopper buys in the local supermarket are an invention from Israel. I could go on. Many constituents of mine are issued generic prescription drugs from their local GP surgery. These drugs are manufactured by Israeli pharmaceutical giant Teva, which produces an extraordinary one in six prescription drugs used in the NHS. That fails to scratch even the surface of Israeli companies operating in the UK.

There are 500 Israeli companies operating in the UK, employing thousands of our constituents. A number of UK companies have major operations in Israel, including Barclays, Rolls-Royce, GlaxoSmithKline and Unilever. Rolls-Royce was responsible for the UK's largest ever export deal to Israel back in 2016 when it signed a £1 billion agreement with Israeli airline El Al to provide Trent 1000 engines for El Al's new fleet of Dreamliner aircraft. A British visitor to Israel could not fail to notice the ever-growing number of UK-manufactured cars in the Jewish state.

In terms of high tech, the rapid expansion of UK-Israel trade over the last decade has closely followed Israel's emergence as one of the world's leaders in high tech. Israel is now home to the highest density of start-ups anywhere in the world. That impressed me, because I thought India was. Clearly, Israel is more dense in that respect. It deservedly earns its title as the start-up nation. It is also home to the world's major technology powerhouses, including Google, Microsoft, Intel and Motorola. I have had the privilege of visiting Israel on a number of occasions with the Conservative Friends of Israel, and the dynamism and forward-thinking nature of its high-tech sector and young entrepreneurs is palpable.

[*Bob Blackman*]

I particularly remember visiting an early electrical vehicle pioneer back in 2011. Remember 2011? That was 11 years ago. As is often the case, the Israeli company was many years ahead of the market. The only thing holding it back was battery technology at the time.

Israel has achieved this success with intellectual power in the face of geographic and geo-political disadvantages, conflict and a lack of natural resources. Another reason behind Israel's success story is that the country is an investor in research and development, spending as much as 4.9% of its GDP on R&D in 2018. That is more than double that of the UK—something else we should think about. It offers us very serious food for thought.

Increasing trade with Israel has been a long-standing UK objective. The UK-Israel tech hub, which was established at the British embassy in 2011, was the first of its kind to promote partnerships in technology and innovation between the UK and Israel. It has successfully generated hundreds of tech partnerships between the UK and Israel and is so far worth more than £85 million. It has led to the additional tech hubs in India, Indonesia, Kenya, South Africa, Nigeria, Brazil and soon Romania.

Brexit has presented us with an exciting opportunity to negotiate a bespoke UK-Israel free trade agreement. Our two nations are closer than ever and share the same values and outlook on international trade. There are endless possibilities for the UK and Israel to work together to become the world's leading tech centres. I encourage my hon. Friend the Minister to be ambitious in the forthcoming negotiations. The trade continuity agreement, which was signed in February 2019, ensured the continuation of the trade terms covered by the EU-Israel association agreement. That should be the bare minimum we seek to negotiate in the new UK-Israel trade deal.

The International Trade Secretary said last month that her Department would be opening a public consultation on this important free trade agreement this January. We do not have long to go, so I am looking to the Minister, and I do not want to hear “soon” as an answer. Given the importance of the UK-Israel bilateral deal, I wonder whether the Minister can shed some light on the commencement date. I very much hope that the starting gun will be fired in the forthcoming days.

I know many colleagues in this place are looking forward to the UK hosting a joint innovation summit with Israel in March this year, but I wonder whether the Secretary of State has any plans to visit Israel in the near future to see for herself the many trade opportunities emerging from this tech powerhouse. I trust that she will visit and that that can kick off the negotiations properly.

My hon. Friend the Minister has spoken of the UK's desire to expand opportunities in financial services, infrastructure and technology. Can he provide an update on the progress of these sector-specific ambitions?

The UK and Israel can boast the world's two most successful covid-19 vaccination programmes, which is a source of great personal pride to both countries. Our beloved NHS has delivered a vaccination programme at a speed and scale that is truly the envy of the world. Israel's digitalised healthcare system played an instrumental role in that success. The Department for International Trade has previously expressed the desire to seek a trade

deal with a chapter focused on advanced digital data and technology, including med-tech. Can my hon. Friend the Minister assure me that that remains the plan? What discussions has he had with his counterpart in Israel on the subject?

Israel's success in R&D is commendable. Will the Minister consider using free trade negotiations to explore a binational research and development programme to the mutual benefit of both countries? Israel has such a programme in place with the United States, known as BIRD—Israel-US Binational Industrial Research and Development—and cumulative sales of products co-developed by Israeli and American companies through BIRD have exceeded \$10 billion. Given the immediate strategic challenge posed by disruptive actors on the international stage, it is more important than ever that we work with trusted allies to produce the technologies of the future.

As we move to deliver on our net zero commitments, I call on my hon. Friend the Minister to work closely with Israel. The country has been known as the superpower of sustainability. While we will not be able to recreate here the solar tower that harnesses Negev sunshine to generate electricity, we can certainly learn much from Israel's world-leading water reuse programme to avoid future droughts. The UK and Israel boast sector-leading green-tech and agri-tech start-ups, and there are many opportunities to expand on that.

With this ambition in mind, I call on the Minister to seize the opportunity of the historic Abraham accords, which have ushered in a ground-breaking new chapter for peace in the middle east, between Israel and her neighbours in Bahrain and the United Arab Emirates. While the accords have been in effect for less than two years, they have already had a seismic effect on the region in terms of trade and investment, which has rapidly expanded.

The breakthrough water-for-energy deal between Jordan and Israel, brokered by the UAE, demonstrates that the peace is far-reaching and gives us, tentatively, an opportunity for proper peace in the middle east. I hope the UK will actively consider the ways in which we can support these new links, and use our own strong relationships in the region to further build on the Abraham accords.

There are challenges. The Government have prioritised the relationship with Israel and have put in place frameworks to stimulate collaboration, but there is much more we can do to ensure that Israeli companies make the UK their natural first stop internationally to trial and scale their products.

I had the pleasure of releasing “A shot in the arm: Israel and UK healthtech innovation”, a report from the all-party Britain-Israel parliamentary group and UK Israel Business. The report identified several impediments that face Israeli health-tech companies seeking to enter the UK market. Many of the proposals would also work across different sectors. For example, the report recommends creating new UK-based landing pads to assist Israeli companies touching down in the United Kingdom, which should include advice on how best to position their value proposition and achieve adoption at pace and scale in the UK.

Another challenge facing Israeli start-ups is the constraints imposed by short-term visas. We contend that as part of the Israel-UK landing pad, start-ups selected and incubated through the scheme should be

automatically awarded a start-up visa as part of the scheme. A visa awarded to landing pad companies would be time-bound by the landing pad programme horizon—a scheme that already takes into account other critical factors such as capital requirements, pilot testing and scale horizons. Will the Minister take the time to read the report, consider its recommendations and, I hope, act upon them?

While there is much to celebrate in our burgeoning trade relationship with Israel, it would be remiss of me not to quickly touch on the so-called Boycott, Divestment and Sanctions movement—or BDS, as it is more commonly known. Simply put, BDS is a harmful, politically-motivated campaign that seeks to delegitimise Israel. BDS does nothing to advance the Palestinian cause; in actuality, it is anti-peace. I applaud the Government for their rejection of BDS and their clear commitment to ever-greater trade with Israel.

The fact that many of those targeting Israel with economic boycotts also actively seek to extend their harmful boycotts to those in the cultural and educational spheres says everything we need to know. It is unthinkable to me that anyone could seek to minimise collaboration between UK and Israeli scientists tackling some of the greatest health challenges facing our societies, such as Alzheimer's, covid-19 and Parkinson's disease.

It is deeply regrettable that Ben & Jerry's—the ice cream makers owned by British company Unilever—has engaged in its own recent boycott of Israel; the controversial move rightly provoked strong condemnation. I call on Unilever to challenge such harmful measures.

The Government's forthcoming legislation to stop public bodies across the UK discriminating on grounds of country and territory of origin must feature provisions to prevent procurement policy being used as a tool of foreign policy or an attempt to regulate international trade. Legislating on this important manifesto commitment will be warmly welcomed by many of my constituents, and I call on the Minister to work closely with colleagues in the Department for Levelling Up, Housing and Communities to counter discriminatory policies that are harmful not only to community cohesion here in the UK but to the UK's trade interests and foreign policy goals. I commend the UK Government's response to BDS, which has been to seek ever-closer economic relations with Israel. Now is the time to go one step further and ensure that the principles of fairness and non-discrimination are enshrined at the heart of the UK's public procurement regime.

Having experienced a decade of record-breaking growth in trade, the United Kingdom and Israel are natural partners across a wide range of innovative fields—from financial to agricultural technology, spanning government, the private sector and higher education. We therefore have before us an invaluable opportunity to reshape our trading relationship for the future. The UK-Israel trade deal is much anticipated for its many important economic benefits, but it also presents an opportunity for the UK to expand its ever-tightening relationship with a close ally. Given Israel's status as a world-leading tech power, it is important for the UK to make the most of the many advantages of the trade deal by taking an ambitious approach to trade negotiations.

Done right, this deal could serve as a model for UK partnerships with other advanced, innovation-intensive states, including South Korea, Singapore and Taiwan. My colleagues and I stand ready to support work on an

enhanced trade agreement. I hope that the Minister can assure me and my hon. Friends that the call for input is about to begin, and that we can look forward to an excellent free trade deal with our friends in Israel.

3.19 pm

Jim Shannon (Strangford) (DUP): It is always a pleasure to serve under your chairmanship, Mr Paisley, and to be in your company—I want to have that on the record. We are close friends and colleagues, having come into this House at the same time.

I congratulate the hon. Member for Harrow East (Bob Blackman) on setting the scene. We missed him this morning at International Trade questions. I figured if he was not there, something must be seriously wrong, but he was there later on—he was alright. His question was still asked—I do not know how he did that. He is always very helpful to me when I go to the Backbench Business Committee to ask for a debate. I am not aware of any occasions—touch wood—when I have been refused a debate by the Backbench Business Committee, and the debates have always been on topical issues, so it is good to have them. Today's issue is very close to my heart, and the hon. Gentleman outlined it incredibly well.

I see that the hon. Member for Hendon (Dr Offord) has a debate scheduled for Westminster Hall under a slightly different topic heading; we will probably repeat the points that we have addressed today. If God spares me until then, I will be here at 9.30 on Wednesday morning to support the hon. Gentleman in the debate, as will others.

The hon. Member for Harrow East often raises the importance of securing a trade deal with Israel, and I agree. In 2017, Israel was voted the fifth most innovative country in terms of technology and cyber-security. There is absolutely no doubt that we need to increase our co-operation, business and economic growth alongside Israel, so that both countries can benefit. It is imperative that we continue to improve trade relations with our friends and partners.

When I was at the Northern Ireland Assembly—I was there for 12 years—I was a member of the Northern Ireland Friends of Israel group. When I came here, I continued that relationship with the Friends of Israel. I am keen to see relations between the United Kingdom and Israel continuing and, indeed, increasing. The hon. Member for Harrow East said that, too. We should appreciate that that is for everyone's benefit. Figures from the year 2017 show that UK exports to Israel were £2.3 billion, making it the UK's 42nd largest export market—accounting for 0.4% of all UK exports. UK imports from Israel were £1.6 billion, making it the UK's 47th largest import source, accounting for 0.3% of all UK imports. Most recent figures from 2020 also show that the UK had bilateral trade with Israel amounting to £5.1 billion. It is clear that we have a good relationship, but we always want to do better; that is the reason for this debate. It is what the hon. Member for Harrow East is looking for.

There is certainly evidence that there is a need for progressive trade relations with Israel in regard to security—that is an important factor for us all and a key one for me. The Foreign Secretary stated back in November, along with her Israeli Counterpart, that, “there is a need for a new strategic plan for the next decade, spanning cyber, tech, trade and defence.”

[Jim Shannon]

The opportunities are enormous. It was also mentioned that the two countries would work night and day, 24/7, to prevent the Iranian regime from ever becoming a nuclear power. That would be to the benefit of everyone, and to the benefit of world peace, not just the UK and Israel. That is brilliant and we should all try and achieve that. Even the couple of Members here who do not have active participation with Israel should want to make sure that Iran does not achieve nuclear power.

It was former Secretary of State William Hague who labelled science and business ties

“one of the cornerstones of the relationship between Israel and the UK.”

The strategic agreement signed with Israel is the starting post for a series of activities that will deepen our trading relationship. I understand a public consultation on our enhanced bilateral free trade agreement will be opened this month, and there will be further trade strategies in March, as the hon. Member for Harrow East said. It is crucial that we do all we can now to progress this trading relationship. It is important to remember that our trade connections help to strengthen our relationships not only with Israel, but with the rest of the world. It is only right that trade connections benefit every one of us, and Israel is a key friend and trading relationship.

The Minister says that there will be a joint innovation strategy. With that in mind, will there be discussions with Education Ministers? There is the possibility that we can do things in that area, such as combining specialised research through our universities. We have been very good at that with other countries, so maybe the Minister could tell us what could be done in relation to that with Israel.

Israel has proven successful through some of the world's leading companies, such as Teva Pharmaceuticals, which is worth over £57 million, and computer specialist Intel, which is worth over £27 million. Combined, both of those companies employ over 53,000 people. In addition, UK exports to Israel amounted to £2.6 billion in the four quarters to the end of 2021, which represents a slight decrease—I find that hard to comprehend, but it was probably due to the pandemic and other factors. Could the Minister give us an explanation of why there was a small decrease? Total UK imports from Israel amounted to £9.1 billion at the end of 2020, which was also a decrease of 10.8% from 2021. Again, was the pandemic the reason for that? If it was, then we know that those numbers can only go one way, which is upwards. We must do all we can to ensure that those figures do not decrease any further. I am sure the Minister will respond to that point.

Israel was the UK's 40th largest trading partner at the end of 2020. I encourage the Foreign, Commonwealth and Development Office to do all it can to ensure that we continue to show interest through trade. I understand that trading figures may have decreased due to the covid-19 pandemic, but it is essential that we do not continue to let this become a problem. Our economy is essential to our success, for jobs and for the benefit of all of us in the UK, Israel and, of course, the world.

I understand that other Members want to speak, so I will conclude my remarks. It is crucial that we prioritise our trading links with other countries. More discussion

must take place between the Minister and his counterparts to expand our products' scope, and how we can build on what we have and perhaps even develop it more. When it comes to trade deals, our Government have been very successful so far, so we look to see where we are with Israel. We all welcome the prospect of an enhanced trade deal with Israel, as well as strong support from UK Export Finance to help finance exports into Israel. With that in mind, I very much support what the hon. Member for Harrow East has said, and look forward to the Minister's response. It is good to see him in his place: he has been missing for a while, but wherever he has been, it is good to see him back.

Ian Paisley (in the Chair): The Minister will be able to explain those sleepless nights very soon.

3.27 pm

Damien Moore (Southport) (Con): As always, Mr Paisley, it is a pleasure to serve under your chairmanship, and I congratulate my hon. Friend the Member for Harrow East (Bob Blackman) on securing this important and timely debate. The bilateral relationship between the UK and Israel runs deep, from intelligence sharing and security co-operation to our trade ties, which have flourished over many years. For example, the Britain-Israel research and academic exchange partnership has brought together scientists from both countries to tackle some of the world's most challenging medical conditions and diseases, including cardiovascular and liver disease, diabetes and Parkinson's. That cutting-edge research and co-operation benefits citizens in the UK, Israel, and further afield.

Israeli innovations benefit the British people, and our close partnership keeps us all safe. I will take this opportunity to reflect on those ties in my contribution today, and I urge the Minister to explore further areas for collaboration in our ongoing trade negotiations with Israel. To list a few examples, we have the Israeli pharmaceutical company Teva, which has been mentioned, and which is a leading provider of medicines to the NHS. With over 200 Teva tablets or capsules taken on average by patients in the UK every second, not only does Teva improve the health of millions of people in this country every day, but it employs hundreds of British workers at sites across our country. There is also the Israeli-designed PillCam, a capsule camera that patients swallow painlessly to get checked for cancer that is currently being trialled across the NHS, and the Israeli-developed phone app that reads the results of urine tests by using AI and colour metric analysis, sharing the results instantly with the individual's GP practice. These home testing kits, which detect early stage chronic kidney disease, have already started shipping to half a million UK patients.

The brave men and women of our armed forces also benefit greatly from Israeli technology, which protects our soldiers on the battlefield. Israeli-developed virtual reality training scenarios have prepared British soldiers for a range of hostile battle situations, and Israeli intelligence-collecting drones help to keep our troops safe. The list goes on. However, there remain those who seek to dismantle our close ties with Israel and call for a trade embargo, as mentioned by my hon. Friend the Member for Harrow East. Boycott campaigns that seek to undermine this important cooperation, and to make peace harder to achieve, must be opposed. Boycotts of Israel harm the Israeli and Palestinian people, and they

threaten our close collaboration in defence, science and medicine. I warmly welcome the Government's commitment to stopping public bodies from imposing needless boycotts on foreign countries. All too often, these aggressive campaigns target the state of Israel and single out the world's only Jewish state for criticism.

I am sure that the Minister will reiterate the importance of our close ties with Israel in his remarks. I urge him to do everything possible to oppose needless boycotts and sanctions against Israel, including introducing the legislation committed in the manifesto on which we were both elected, and I urge him to continue working to further strengthen the bilateral relationship between Israel and the United Kingdom.

3.31 pm

Greg Smith (Buckingham) (Con): It is a pleasure to serve under your chairmanship, Mr Paisley. It is an equal pleasure to follow my hon. Friend the Member for Southport (Damien Moore), who delivered a powerful speech that I entirely endorse, particularly those parts towards the end of his remarks about the dangerous nature of those who seek to boycott Israel in trade, which has a knock-on impact on peace, people's jobs and prosperity. I also congratulate my hon. Friend the Member for Harrow East (Bob Blackman) on securing the debate and on setting out the case so eloquently and powerfully at the start of it. The facts and case studies that he outlined speak for themselves.

Israel has cemented itself as a major economic partner of our United Kingdom and is on an upward trajectory, and a more extensive trade deal between two of the world's most technologically advanced economies will reap enormous benefits for both nations as well as the wider world. We have heard how omnipresent Israeli-made technology is in our day-to-day lives in the United Kingdom, and I was interested to learn recently that many of the banking transactions made by customers online or via smartphones are protected by Israeli-made software running in the background. From digital printers to USB sticks—they might seem like old hat now—and car safety cameras, Israelis have played a huge role in the rapid advancement of our digital economy and digital society in recent decades. Tesco recently opened its first fully autonomous store in London after partnering with the Israeli company Trigo, which uses computer vision technology and advanced artificial intelligence algorithms to enable shoppers to choose their items and leave without having to stop at the tills, providing a seamless experience and saving time. I look forward to visiting Israel in the near future to see for myself more of the exciting technologies and the companies, scientists and innovators behind them.

Now that we are free of the European Union, the opportunity afforded to us to become a proud free-trading nation, with one of the world's largest and most forward-thinking economies, must not be wasted. I join hon. Members of different parties who have spoken in the debate—I notice that the hon. Member for Strangford (Jim Shannon) has left the room, but I endorse his speech as well—in urging the Government to make concerted efforts to secure the much-anticipated deal with Israel as early as time affords.

Tourism should be an important consideration for the trade talks ahead. Prior to the pandemic, Israel was establishing itself as a go-to destination for many Brits,

and the UK remains ever popular with tourists from Israel. Travel between the countries has become so popular in recent years that we have seen the likes of Virgin Atlantic open a route, Wizz Air about to expand its number of flights to Israel, and Israel become one of easyJet's busiest routes.

I join other speakers in welcoming the important work of the UK-Israel tech hub, which connects businesses in both countries, but there is so much more that can be done to support British companies seeking to increase their presence in Israel. As I conclude my remarks, I ask the Minister what action he is taking to explore those further ways to expand this market and to support British businesses in my constituency and beyond to partner with Israeli companies. I am extremely optimistic about this unique opportunity for our two countries to negotiate an ambitious and wider free trade agreement that looks to the future. I look forward to hearing from the Minister when he expects the consultation to begin.

3.36 pm

Dr Matthew Offord (Hendon) (Con): It is a pleasure to serve under your chairmanship, Mr Paisley. It is custom and practice in a Westminster Hall debate to pay tribute to the hon. Member who proposed the debate, so I thank my hon. Friend the Member for Harrow East (Bob Blackman) for his promotion of his UK-Israel trade negotiations debate. However, as the hon. Member for Strangford (Jim Shannon) pointed out, I too had a debate on UK trade with Israel, hence the word "negotiations" not being part of my title. I have to disappoint the hon. Member by saying that I have decided there is no need for my debate to go forward, and I can only wish that he is able to have a more leisurely breakfast next Wednesday. Indeed, other hon. Members may decide to go for an early morning run instead of coming to hear probably the same speech that I will give now.

On a serious note, I welcome the growing collaboration between our two countries, including the new UK-Israel bilateral road map, which will extend and deepen our relationship over the next decade. In recent years, the UK Government have worked to build on our existing ties with Israel, securing a multitude of agreements in cyber-security, academia and medicine, as well as Israeli investment bringing more jobs to the United Kingdom. Israelis see the United Kingdom as an ideal place to trade, as they are attracted by our culture, language and institutions.

I was pleased to see the former International Trade Secretary visit Israel last year for meetings to discuss the forthcoming trade agreement and to increase bilateral ties. Many people in the Chamber have visited Israel and I look forward to my hon. Friend the Member for Buckingham (Greg Smith) being able to visit the country. Colleagues who have travelled to Israel will no doubt agree that visiting the start-up nation is an eye-opening experience. I repeat the call of my hon. Friend the Member for Harrow East for the current Secretary of State to visit Israel in the near future.

The relationship between the United Kingdom and Israel is one that dates back to Israel's creation, but it has certainly accelerated at a remarkable rate in the last decade. I hope that, in some small way, I have played my part in that. In 2013, I asked David Cameron on the Floor of the House of Commons if he would be the first serving British Prime Minister to visit the country,

[Dr Matthew Offord]

and I was very pleased that the following year he did so, and I was able to accompany him on that visit. It was a great opportunity for him to not only see the workings of the country, its culture and its history, but his remarks in the Knesset were equally prescient. There was a small dispute going on between Members and he said, on this particular Wednesday afternoon, that it was quieter than he would usually experience in the House of Commons.

While others may reflect on the expansion of Israel's tech scene, it is important to note that this Conservative Government and those of the last 11 years have made Israel a real strategic priority. The UK's high regard for Israel was evidenced by the fact that it was one of the first countries to agree a free trade deal in principle following the referendum. The ever-strengthening trade relationship is to be welcomed, and it has clearly paid dividends, with over 500 Israeli companies operating in the United Kingdom. Thousands of people, including many in my own constituency of Hendon, are directly benefiting from that employment. Those companies are creating wealth and encouraging growth between our two countries.

Importantly, strong ties are also being forged between our two countries by non-governmental organisations in both the UK and Israel. Accordingly, I pay tribute to UK Israel Business and the Israel British Chamber of Commerce, which in 2017 was recognised with an award of excellence by the Council of British Chambers of Commerce in Europe. It is worth noting that that was the first time that an Israeli chamber of commerce has won such an award from a European organisation.

Given the scientific and engineering excellence of our two countries, I repeat the calls for the Minister to explore establishing bilateral centres and incubators to enable British and Israeli companies and scientists to come together and tackle the great challenges of the day. One of those issues may be covid, which we are now passing by, but there are many more that we can work on. A trade deal will enable us to work jointly to tackle climate change, strengthen cyber-security against some of the malign actors that have been mentioned—mainly Iran—and produce the next generation of med-tech, which my hon. Friend the Member for Southport (Damien Moore) mentioned, to keep us all healthier and improve our wellbeing. All that would come of a good trade deal.

There are several barriers to address, however, before we can take advantage of the opportunity before us. To better facilitate the important opportunities that I have outlined, I encourage the Minister to review visa and entry requirements to enable Israelis to work more easily in the UK. In my humble opinion, the Minister should also review the existing regulations, such as on opening a bank account, which can make it difficult for Israelis to start businesses in the UK. There is also an opportunity to consider tax tariffs on a range of goods, including food and beverages and medicines. I am sure the Minister also recognises the importance of reaching an agreeable position on data protection matters so that organisations are not unduly burdened—although I welcome the fact that the UK has deemed Israel one of the countries that provides adequate levels of data protection.

I will make two points further to those made by my hon. Friend the Member for Harrow East. First, Israel spends about 5% of its gross domestic product on research and development, which is more than most developing countries around the world. However, there is large, untapped potential for UK investment in research and development in Israel. Does the Minister agree that there is more work to be done in that area? It would be a great opportunity for people in this country to benefit financially.

Secondly, boycotts do not work—I am sure the Minister can accept that. When the SodaStream factory in the west bank was forced to close following pressure from the BDS movement, more than 500 Palestinians lost their jobs. Those people were all in employment, with a wage and a standard of living higher than people in other employment in that part of Israel. All that does is force those Palestinian people into the arms of Hamas and Hezbollah. We all want peace and security in the middle east—we certainly want a two-state solution—but the divisive actions of the BDS movement will not allow that to happen. Will the Minister bring forward as soon as possible legislation to prevent such divisive activities in the UK?

Although it is not strictly the subject of this debate, I also think it is important that the Government restate their commitment to the religious practice of shechita, which is very important to my constituents and which contributes to the economy of both the UK and Israel.

My constituents and I are fully supportive of the Government in their ambition to secure a comprehensive trade deal with Israel, and we look forward to the formal process beginning in earnest in the coming days. I am sure that the Minister has listened closely to what colleagues have said and that he will take this opportunity to ramp up and lead the way on trade deals. Israel would certainly be a good place to start.

3.44 pm

Ms Anum Qaisar (Airdrie and Shotts) (SNP): It is a pleasure to serve under your chairmanship, Mr Paisley. I congratulate the hon. Member for Harrow East (Bob Blackman) on securing this debate. He brought a significant amount of knowledge to the House. The hon. Member for Strangford (Jim Shannon) spoke passionately, as he always does. The hon. Members for Southport (Damien Moore) and for Buckingham (Greg Smith) both gave interesting contributions, providing a lot of food for thought. It was a delight to hear from the hon. Member for Hendon (Dr Offord); I was due to speak in his debate next week, but I appreciated the opportunity to hear his contribution today.

The UK and Israel have only recently signed a strategic plan that is entirely devoid of human rights demands on Israel, and it is a real concern that this free trade deal will be similar. The UK Government will open a call for input on an enhanced bilateral free trade agreement with Israel this year, and the Scottish Government will provide a submission. However, there is no substitute for ongoing, meaningful engagement with Scottish Government officials on FTA negotiation matters—something that was not there in the talks with New Zealand and Australia.

We in the SNP are neither anti-trade nor anti-free trade. We recognise that there are many avenues for more trade co-operation, such as in the spaces of digital, data, science and technology.

Once we gain independence, the SNP will seek for Scotland to rejoin the EU. In doing so, it would rejoin the EU's deal with Israel. That deal, of course, makes it categorically clear that trade with the Occupied Palestinian Territories should not be treated as if it were trade with Israel.

Until Scotland gains her independence, we in the SNP urge the UK Government in the strongest possible terms to use every opportunity—indeed, this rare opportunity of trade negotiations—to end the persecution of the Palestinian people. As with any negotiation, there are trade-offs, but turning a blind eye to persecution should not be one of them. It must remain a priority for the UK Government, and a red line throughout every single stage of the negotiations. If human rights demands are not met, a free trade deal must come off the table. A life free from persecution and, to quote Human Rights Watch, “apartheid conditions”, and a decent standard of living—something we all deserve as human beings—are worth much more than a few tariff reductions between two already incredibly rich countries.

There is no doubt that trade relationships can lead to wider relationships and can often be used as a way of influencing—for good and sometimes for ill—the actions of other countries and Governments. The safety of the Palestinian people and their freedom from an illegal occupation should be a condition for any UK-Israeli free trade deal. Human rights concerns must be consistently raised throughout every stage, including at the inaugural UK-Israel joint committee to be held in the UK this year and the joint UK-Israel innovation summit in March. If previous free trade deals are anything to go by, it is no surprise that the Department for International Trade has not yet published its objectives and scoping assessments for this set of negotiations. I would appreciate clarification from the Minister on when they will be available.

Israel accounts for much less than 1% of UK exports. Anything it does will not fix the huge absence of trade caused by Brexit, which, I remind the House, Scotland did not vote for. The UK's total bilateral trade relationship with Israel stood at £5 billion in 2020. In comparison, UK exports to the EU were £251 billion, representing 42% of all UK exports. We could increase exports to Israel by a factor of 10 and it would still be only a relatively minor trading partner compared with the EU and others. This deal will not compensate for what we have lost because of Brexit.

In 2019, Scottish exports were growing consistently in all directions—to the rest of the UK, the EU and the rest of the world. We now have clear evidence that that is no longer the case, as Scottish goods exports fell by 25% in the year to June 2021, compared with the equivalent period in 2019-20.

An industry that has a significant number of farmers contributing to it, including in my constituency, is the food and drinks industry. House of Commons research found that Brexit is costing the industry £62 million a week. That is £62 million a week that farmers and producers cannot afford to lose, but I do not remember seeing that figure on the side of a bus.

We seek assurances that nothing will be done to land a deal with Israel that will make it easier for goods that have been produced in the illegally occupied territories to be marked, sold and exported as produce of Israel. These goods should be regarded as the proceeds of

crime. We know that a free trade deal solely benefiting Israeli products and not products that have been produced in illegally occupied territories will reduce the competitiveness of Palestinian produce, put Palestinian producers at a disadvantage and potentially distort the comparative prices of similar goods from both sides of the wire fence for UK consumers.

I would therefore appreciate clarification from the Minister on two points. First, so that customers across the four nations can decide for themselves where to buy from, we seek assurances that the Department for International Trade will follow a policy of non-divergence from our European partners when it comes to labelling. The possible free trade deal must include clauses that mandate accurate labelling of Israeli goods and settlement goods, so as not to mislead the consumer.

Secondly, we urge the Department to engage in every effort to improve the competitiveness of Palestinian products and the trade links between the UK and the occupied territories. That should include redoubling diplomatic efforts to see the end of the blockade of the Gaza strip—an embargo that covers trade. It should also include looking at the merits of advising UK businesses against trading with illegal settlements, as a disincentive to Israeli settlement-building in the Occupied Palestinian Territories. It must be remembered that aid cuts by the Conservative Government have hit the occupied territories hard and badly impacted livelihoods, and they are hampering trade growth. Improving trade with Palestine is also a way out of poverty.

I will make a final point about the UK arms trade with Israel. Over the last three years, £76 million of arms sales have been exported to Israel. The Minister must categorically state today that offensive arms and small weapons—the weapons most commonly used against civilians—will be outside the free trade agreement negotiations.

Ultimately, what cannot happen is that these trade negotiations decouple Israel's behaviour in the occupied territories—behaviour that is categorically illegal under international law.

3.53 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): It is a pleasure to serve under your chairship, Mr Paisley. I congratulate the hon. Member for Harrow East (Bob Blackman) on securing this debate. I hope he will pass on our thanks to his fellow members of the Backbench Business Committee for allowing us to have this debate. I thank the hon. Member for Hendon (Dr Offord) for graciously saying that we do not all have to come back here again next Wednesday morning. Otherwise, I would be reusing, rather than recycling, my speech. I also thank the other speakers we have heard so far, and I will try to refer to them all during my speech. I refer Members to my entry in the Register of Members' Financial Interests, as I have previously visited Jerusalem, the west bank and the Knesset as part of a parliamentary delegation.

Successive Israeli leaders, from Golda Meir to Yitzhak Rabin, were proud members of the Israeli Labour party and proud socialists. In the case of Yitzhak Rabin, he was murdered because of his historic work and commitment to peace through the Oslo accord. The British Labour party has strong and historic links with Israel through the Israeli Labour party.

[Ruth Cadbury]

It is in that spirit that we welcome and support increasing and improving the UK's trade links with Israel. Of course, we welcome any trade deals that support jobs here in the UK and British businesses. That is why our Government should be taking advantage of trade with countries such as Israel—to ensure that UK exporters and businesses can do well and that British business can bounce back after the pandemic.

Speakers today have pointed out that the UK and Israel are two of the world's most high-tech economies. That is surely a benefit, and a key issue, as speakers have said, in future negotiations with Israel.

The total trade in goods and services with Israel was worth £4.6 billion in the last available figures. I thought that Israel was the UK's 40th largest partner, but the hon. Member for Strangford (Jim Shannon), who has temporarily left the room, said it was 42nd. Either way, as the hon. Member for Airdrie and Shotts (Ms Qaisar), the SNP Front-Bench spokesperson, said, this is a proportionately small amount of the UK's total trade. Let us get these things in proportion.

UK exports to Israel are, however, worth more than £2 billion and support about 37,000 jobs in the UK, including, as speakers have said, many in skilled manufacturing industries, such as the car industry, but also technology, health-tech, security, data and so on. According to Her Majesty's Revenue and Customs, 6,600 VAT-registered businesses currently export goods to Israel. I would welcome the Minister's providing further information about what targets the Government want to reach for the number of businesses exporting to Israel in the future. I am talking about both the level of jobs and the level of investment. Is that a target for any future trade negotiations? There are also a number of important areas where Israel provides crucial imports for consumers here in the UK. That is especially the case, as others have said, in relation to pharmaceuticals and companies such as Teva, whose largest customer is of course the NHS.

There are other business links. The hon. Member for Harrow East mentioned the tech hub run through the UK embassy and the importance of technology and data in the economy. The hon. Member for Southport (Damien Moore) told us about the trials of the very interesting camera that people swallow for cancer checks and about VR training. The hon. Member for Buckingham (Greg Smith) mentioned digital security, which I did not know about. It is very important for any of us—all of us—who have bank accounts and do our banking online and on our phones. He also mentioned tourism, which is of course an important source of business for Israel, and of course for Palestine, because in and around Jerusalem we have the holiest sites for the three largest monotheistic religions in the world. Also, the world centre for the Baha'i faith is in Haifa, I think.

Additionally, more than 300 Israeli high-tech companies have bases in the UK, with 100 of those having been established in the last decade. Those firms bring jobs and investment to the UK. I look forward to hearing from the Minister about what steps the Government are taking to support our tech industry and to build strong partnerships between UK and Israeli tech hubs.

The Government have recently signed a further deal with Israel, which builds off the continuity FTA signed in 2019. This road map commits to further action around issues ranging from cyber-security to improving business links through the UK-Israel innovation summit in March of this year. We welcome these steps and hope that our Government continue to work with the Israeli Government on these important bilateral issues. The memorandum of understanding says that the UK and Israel will work on the

“development of a new, higher ambition free trade agreement.”

I look forward to hearing more details from the Minister about this and the benefits it could bring to so many sectors of our economy in the UK. We want trade deals that support well-paid and skilled jobs here, and we will support those that do so, as an Israel trade deal would.

It is equally important, however, that the Government ensure that human rights issues are considered and addressed when any trade deal is being struck. Trade should not happen in a vacuum, and British values are important in our trade deals. Around the world there has been a worrying pattern of the Government seeming to adopt an “any deal will do” approach, with key issues being jettisoned and ignored. We have already seen evidence of this in the Government's recent deal with Australia, with British farmers thrown under the bus. I am extremely concerned that in future negotiations, such as those with the Gulf Council, human rights and rule of law issues could be cast aside. The Minister for Trade Policy did not take the opportunity this morning to answer my question about the Gulf Council deal.

The SNP Front-Bench spokesperson, the hon. Member for Airdrie and Shotts, made a number of key points about human rights and illegal settlements. Illegal settlements are possibly the top human rights issue, and they are in breach of international law. We have seen their continued expansion at a rapidly increasing pace, especially since the start of the Trump Administration in the US. Our Government must object in the strongest possible terms in all relevant forums, not least in trade negotiations, to the expansion of illegal settlements.

We know that settlements in the occupied Palestinian territory are illegal in international law, and that includes settlements in East Jerusalem, as well as in the west bank. United Nations Security Council resolution 2334 states that

“the establishment...of settlements in the Palestinian territory occupied since 1967...has no legal validity and constitutes a flagrant violation under international law”.

These settlements entrench divisions, and I know from meeting Palestinians when I visited the west bank that these settlements make a just and lasting peace deal even harder to achieve. I was told that around five years ago, and I fear the prospects have only got worse since then.

The recent change of Government in Israel offers an opportunity for a change in approach, especially as the previous Government's formal proposal in which they threatened to annex the west bank has been stopped after widespread and near universal opposition, including from parliamentarians across all parties here in Westminster. Although the formal annexation has been stopped, the expansion of illegal settlements continues, and Palestinian families in East Jerusalem and the west bank continue to experience eviction from their homes and even demolition of their homes and property.

Both the EU's agreement and the subsequent continuity agreement between the UK and Israel mandated that goods from illegal settlements would be excluded from the preferential terms of any UK-Israeli trade agreements. On this issue, I have a few questions for the Minister. First, will he confirm that the UK Government still support the principle of non-preferential trade for goods from illegal settlements, and will the Government uphold that non-preferential treatment in any future FTA or deal with Israel? Secondly, are the Government aware of the current level of known UK trade with Israeli settlements? Additionally, will the Minister make it clear that British companies have an obligation to ensure that their products and services are not used in grave breaches of international law?

I know that some people have called for the UK to block all trade with Israel, but that is not an action that we support. Such an indiscriminate measure would hurt millions of ordinary Israelis and Palestinians, both in Israel and in the west bank and Jerusalem, and it is not a policy applied to other countries. We do not support a ban on goods from the state of Israel, nor do we support the policy of boycott, disinvestment and sanctions, which is often known as BDS. The hon. Member for Hendon explained how the boycott has affected Palestinian businesses. They already suffer from a lot of difficulties, and this boycott could make things even worse. I therefore share the concerns about BDS that were raised by the hon. Members for Harrow East, for Southport, for Buckingham and for Hendon and others in this debate.

In the wider context of our overall relations with Israel, the Labour party insists on a renewed focus on negotiating a two-state solution that ensures a viable and sovereign Palestinian state alongside a safe and secure Israel. We welcome the Government taking this step towards a new free trade agreement with Israel, which we hope will benefit UK businesses and consumers, but we also want to ensure that the Government address the key issues around human rights and specifically those relating to settlements. I look forward to the Minister's response.

4.5 pm

The Parliamentary Under-Secretary of State for International Trade (Mr Ranil Jayawardena): It is a pleasure to serve under your chairmanship for the first time, Mr Paisley, and I welcome the hon. Members for Brentford and Isleworth (Ruth Cadbury) and for Airdrie and Shotts (Ms Qaisar) to their places. I should also like to thank my hon. Friend the Member for Harrow East (Bob Blackman) for securing this important debate and all Members who have been present this Thursday afternoon and made important contributions.

The hon. Member for Strangford (Jim Shannon) raised the question of why I had been away from the House in recent weeks. In his absence, but for the record, I should say that I have been away for a couple of weeks due to the birth of my son. [HON. MEMBERS: "Hear, hear."] Thank you.

That explains why the hon. Gentleman has not seen me in the Palace, but I am delighted to be back and discussing this important topic, because Britain is strongly committed to her trade and investment relationship with Israel, one of the middle east's most dynamic and innovative economies. Israel is a key ally and friend to the United Kingdom. We share the same values and are

key strategic partners in the middle east. The bilateral trade relationship is very strong, and we want to continue to work with Israel to strengthen our relationship as we emerge as an independent trading nation for the first time in 50 years.

Let me be crystal clear at the outset: we are strongly opposed to boycotts. Open, honest conversations best support peace efforts. The United Kingdom is very clear about this—always has been and always will be. We have also made clear our commitment to supporting the Abraham accords and to working with Israeli and Arab partners to promote our shared prosperity and regional security.

The continuity agreement that we signed on 18 February 2019 was one of Britain's first. It replicated the scope of the EU-Israel agreement, with key provisions covering tariff liberalisation, customs, regulation and public procurement. This trade and partnership agreement, which entered into force on 1 January last year, secured the future of our bilateral trade relationship. Anglo-Israeli trade was worth £4.6 billion in the four quarters to the end of Q2 2021, making Israel—I am pleased to say that I agree with my counterpart, the hon. Member for Brentford and Isleworth—the United Kingdom's 40th largest trading partner globally. The United Kingdom is Israel's second largest trading partner, behind only the United States.

While it is difficult to disaggregate trade figures, it is certainly true—to respond the comments by the hon. Member for Strangford—that covid has depressed trade around the world, but that makes trade with Israel all the more important. Co-operation between us in sectors such as science and technology—and particularly medical science, which we have heard a lot about this afternoon—is already very strong, with Israel's status as a start-up nation and the United Kingdom's as a science superpower going hand in hand.

We have heard some great examples from so many colleagues, including my hon. Friend the Member for Harrow East. I was also particularly drawn to the examples given by my hon. Friend the Member for Southport (Damien Moore), which showed the huge scale of imports that we benefit from here in Britain, but we export to Israel too. We should not lose sight of that benefit to both countries. The London Electric Vehicle Company, for example, makes taxis in Warwickshire—I am sorry to say that to my hon. Friend the Member for Harrow East, although I am sure Members from Warwickshire will be pleased with that news. LEVC vehicle exports totalled something like £1.46 million in 2021—a year when trade was depressed because of covid—and the company anticipates purchases of something like £730,000 a month this year. That is just one example but, to the point made by the hon. Member for Brentford and Isleworth, as far as I am concerned, the sky is the limit.

As my hon. Friend the Member for Hendon (Dr Offord) said, around 500 Israeli firms operate in the United Kingdom. That investment from overseas is creating thousands of jobs in high-value sectors, and over 20 Israeli firms are listed on the London Stock Exchange or AIM—its alternative investment market—demonstrating the benefit and strength of capital markets in the City of London. Of course, we can always do more to assist the relationship, and I know that Ministers across

[Mr Ranil Jayawardena]

Government will look carefully at the comments made by Members, including their suggestions on changes to the visa regime.

We can always do more to help businesses succeed, and the Department for International Trade is doing that right now. We have a dedicated team of trade advisers in Tel Aviv, and UK Export Finance has a risk appetite for Israel of at least £4 billion, which is helping firms operating from the United Kingdom to win contracts, insure their operations and obtain trade financing. The United Kingdom and Israel share a world-leading culture of entrepreneurial, tech-savvy and innovative businesses, which will be celebrated in an innovation summit later this year—a clear opportunity to highlight our ambitious trade, science and innovation relationship, and a chance to showcase the shared talents and skills of world-leading British and Israeli businesses. My hon. Friend the Member for Harrow East asked about what more we could do to enable binational approaches to research and development, and I am pleased to say that the UK Science and Innovation Network is already making great strides in that direction.

Outwardly, the stock of foreign direct investment from the United Kingdom to Israel was £1.4 billion as of 2019. We trade across a huge range of sectors, as I have said, but both our economies are also highly oriented towards services, which represent over 70% of GDP for each country. After the United States, we are Israel's second-largest collaborator in pharmaceuticals and medical products, and the pandemic has catapulted the need for digital health solutions, with Israel already being the world's leader in this area. It has therefore become even more important. Beyond that, we seek opportunities in business services, research and development, and professional and management consulting services—the biggest traded services between our countries, making up 12.5% of the overall trade relationship. Although our trading relationship continues to be predominantly goods-based, at around 65% of our trade, our economies are highly services-oriented, and I believe that huge scope for the future lies in our trade in services.

As two like-minded partners, with expertise in areas such as technology, innovation, data and digital, we are confident that the United Kingdom and Israel can agree an ambitious deal that will complement both our economies. On 29 November, the Prime Minister announced that we would begin talks with Israel this year on an enhanced free trade agreement. Given both the political and economic importance of our trading relationship with Israel, we expect the FTA to form a substantial part of our bilateral trading relationship. I should emphasise that Her Majesty's Government are committed to scrutiny and openness in our FTA negotiations. We aim to be transparent, consultative and accountable throughout our trade agenda, and we believe we compare favourably with other parliamentary systems around the world.

On 2 December, the Secretary of State for International Trade announced that the United Kingdom would open our formal call for evidence very shortly. This call for input will allow the views of businesses, the British people, civil society and others—not only parliamentarians—to be fully heard during the mandate development process, helping us shape the negotiations for our comprehensive FTA. The specific coverage of the objectives

for an FTA, as asked for by the hon. Member for Airdrie and Shotts, will be concluded following this call for input, to ensure that we have fully listened to the views of all British people, businesses and civil society. It simply would not be appropriate to speculate on the contents of such a call for input—and, indeed, on our objectives—before completing that work. However, I am pleased to be able to say that the Secretary of State plans to travel to Israel in early February.

We will publish our strategic approach, an initial scoping assessment and a Government response to the call for input before starting negotiations, giving the House the means to scrutinise our negotiation approach, its projected impact, what we have been told by British people and businesses and our response to their views. We will, of course, update the House in the usual manner after each negotiation round and when requested to appear before the relevant parliamentary Committees.

Jim Shannon: I must apologise for not being present when the Minister mentioned me. I have a private Member's Bill tomorrow and the Minister responsible has been trying to catch me, so I had to speak to her. I just wanted to ask if, when those meetings are held with the Minister's counterparts in Israel, we could have some indication of the input of Northern Ireland companies in that process? Obviously we want every part of the United Kingdom—all the regions—to benefit.

Mr Jayawardena: The hon. Gentleman can be absolutely assured that the views of every part of our United Kingdom will be fully taken into account. In fact, the Board of Trade recently visited Belfast to demonstrate our commitment to ensuring that the Department for International Trade works for every corner of our United Kingdom. The timings of the negotiations will very much depend on the readiness of both sides, which, of course, means agreement with the Israeli Government.

My hon. Friend the Member for Harrow East and the hon. Member for Strangford raised the potential opportunities that a future FTA might provide. While British businesses already benefit from our existing trade and partnership agreement and we would not, of course, want to prejudice the call for input, I believe the potential to take our trading relationship to the next level through an enhanced and improved FTA is very clear. There is the opportunity to remove or significantly lower tariffs for major British exports, such as in the food and drink sector. We see opportunities to give easier access for all British companies—whatever corner of the country they are from, and including small and medium-sized enterprises—to set up, do business and access the Israeli market.

There is significant scope to expand our trade in services, including digital services, which grew a remarkable 73%, albeit from a low base, between 2010—remember 2010?—and 2020. Co-operation in this area is, frankly, very limited in the existing trade and partnership agreement, and we see real opportunities for an enhanced FTA to supercharge the trade in services, which would complement our services-based economies, as we have discussed during the debate, and cement the United Kingdom as the international services hub.

My hon. Friend the Member for Harrow East and the hon. Member for Strangford asked how such an agreement would fit into the United Kingdom's wider

trade agenda. Of course, our potential FTA with Israel is just one component of our ambitious wider international trade strategy. As an independent trading nation, the United Kingdom has the freedom to forge new bonds of trade with partners, friends and like-minded souls worldwide, based on British interests and shaped by British priorities. We will continue to carefully plan and sequence our negotiation programme to ensure that it delivers the maximum benefits for the United Kingdom. No longer restricted by anti-competitive and protectionist one-size-fits-all regulation from the EU, the United Kingdom will pursue prosperity through free and fair trade with sovereign nations, based on our shared interests and underpinned by the agreements we are forging worldwide.

We have signed deals covering 70 countries, plus the EU, that account for more than three quarters of a trillion pounds-worth of trade, and we intend to continue that record of success in 2022. We have a clear and ambitious goal that will put global Britain in pole position to pursue new opportunities to connect British businesses to the most dynamic economies of the decades ahead.

The International Trade Secretary recently kicked off negotiations with India, one of the world's largest and fastest-growing economies. We are looking to accede to the trans-Pacific partnership, one of the world's largest free trade areas, and we have launched our consultation on a potential deal with the Gulf Co-operation Council. Of course, Members will already know that we have secured an agreement in principle with New Zealand and have finalised our agreement with Australia. Those deals are aimed at unlocking growth in every corner of our United Kingdom.

The hon. Members for Brentford and Isleworth and for Airdrie and Shotts raised the matter of the Occupied Palestinian Territories and their status in a potential FTA. The United Kingdom has an interim political, trade and partnership agreement with the Palestinian Authority, which entered into force on 1 January 2021, which we are committed to implementing. That will help protect our bilateral trade relationship, which was worth £24 million in the four quarters to the end of Q2 2021. We value our bilateral trade relationship with the Palestinian Authority and will continue to work closely together to build on our trade continuity agreement.

Dr Offord: Is the Minister aware that the Palestinian Authority themselves do not agree with any kind of boycott? In December 2013, the Palestinian Authority President, Mahmoud Abbas, stated:

“We don't ask anyone to boycott Israel itself. We have relations with Israel, we have mutual recognition of Israel.”

Mr Jayawardena: I am delighted to have that contribution on the record. Just as we stand clearly against boycotts and support the Abraham accords, the United Kingdom's position on the settlements is clear. Settlements are illegal under international law, damaging to peace efforts, and call into question, I am sorry to say, Israel's commitment to the two-state solution. We have urged Israel to halt its settlement expansion, which threatens the physical viability of a Palestinian state. Britain's view is that the settlements in the Occupied Palestinian Territories are illegal under international law, so they are not covered within the scope of our trade agreement. This means that goods imported from illegal settlements are not

entitled to the benefits from trade preferences, and we remain committed to that approach. This shows that more trade need not come at the expense of our values.

The hon. Member for Airdrie and Shotts raised the matter of arms exports to Israel. Her Majesty's Government take their arms export responsibilities very seriously. We do not want any British equipment to be misused, and we aim to operate one of the most robust arms export control regimes in the world, complying with all our international obligations. We consider all export licence applications thoroughly against a strict risk assessment framework, and keep all licences under careful and continual review as standard.

The Government will not grant an export licence if to do so would be inconsistent with the strategic export licensing criteria. Those criteria provide a thorough risk assessment framework for assessing export licence applications, and require us to think hard about the impact of providing equipment and its capabilities. These are not decisions we take lightly. We continue to monitor the situation in Israel and the Occupied Palestinian Territories closely and keep relevant licences under review. If necessary, we will take action to suspend, refuse or revoke licences in line with the criteria, but only if circumstances require.

The economic relationship between Israel and the United Kingdom is strong, based on the trade and partnership agreement that allows British and Israeli businesses, exporters and consumers to buy and sell freely and with confidence. Israel is a friend and ally in the middle east, with an innovative and dynamic economy. Tech, science and innovation co-operation between businesses of both countries continues to grow, with real benefits for consumers across our United Kingdom. Through an ambitious, forward-looking and comprehensive free trade agreement, founded on the strength of the Israeli and British economies, we look forward to developing and improving that relationship even further in the future as an independent trading nation.

Ian Paisley (in the Chair): Mr Blackman, you have some time for your winding-up speech. You do not need to take it all.

4.24 pm

Bob Blackman: I will try not to abuse your offer, Mr Paisley. I thank colleagues across the Chamber for their contributions on this important debate. I thank the Minister for his replies to some of the questions. The one that he did not answer was when these trade negotiations would actually begin. We look forward to those beginning and bearing fruit as we come forward.

To update the hon. Member for Strangford (Jim Shannon), I was stuck in a tremendous traffic jam on the way to the House. That is why I was not there for the beginning of International Trade questions, but I got there in the end. I put that on the record.

I thank my colleagues and friends who have made contributions. We have highlighted, in many aspects, the opportunities for trade. I say to the hon. Member for Airdrie and Shotts (Ms Qaisar) that one of the issues here is that we are not seeking to replace trade anywhere else, but to enhance trade. By expanding trade, everyone gains. The fact is that Israeli businesses and Palestinian businesses gain from trade agreements

[*Bob Blackman*]

that we have with both Israel and the Palestinian Authority. Those individuals in Palestine who work for different companies—some work for Israeli companies—actually benefit directly as a result of free trade being created and enhanced.

I thank the hon. Member for Brentford and Isleworth (Ruth Cadbury) for her contribution. I noted, of course, that she referred to the historical ties between the British Labour party and the Israeli Labour party. Of course, the Israeli Labour party is currently in the coalition Government, and has agreed to further settlements in the west bank, so I am not sure quite where that fits with the hon. Lady's speech.

I thank everyone here for this debate, my colleagues on the Backbench Business Committee for allowing it to take place, and my hon. Friend the Member for

Hendon (Dr Offord) for enabling everyone to have a morning off next Wednesday—in preparation, presumably for Prime Minister's Question Time, so we can hone our skills. I look forward to the Secretary of State for International Trade, my right hon. Friend the Member for Berwick-upon-Tweed (Anne-Marie Trevelyan) visiting Israel and hopefully announcing on her visit the start of those trade talks, so that we can look forward to that free trade agreement being in place by the end of this calendar year.

Question put and agreed to.

Resolved,

That this House has considered UK and Israel trade negotiations.

4.27 pm

Sitting adjourned.

Written Statements

Thursday 20 January 2022

FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE

NATO Parliamentary Assembly

The Minister for the Middle East, North Africa and North America (James Cleverly): The hon. Member for Gosport (Dame Caroline Dinenage) has replaced the hon. Member for South Derbyshire (Heather Wheeler) as a Member of the United Kingdom delegation to the NATO parliamentary assembly.

[HCWS546]

TREASURY

Public Service Pension Scheme Indexation and Revaluation 2022

The Chief Secretary to the Treasury (Mr Simon Clarke): Public service pensions continue to be among the very best available. This technical update sets out the rates of indexation and revaluation that will be applied to public service pensions in April 2022.

Legislation governing public service pensions requires them to be increased annually by the same percentage as additional pensions (state earnings related pension

and state second pension). Public service pensions will therefore be increased from 11 April 2022 by 3.1%, in line with the annual increase in the consumer prices index up to September 2021, except for those public service pensions which have been in payment for less than a year, which will receive a pro-rata increase. This will ensure that public service pensions take account of increases in the cost of living and their purchasing power is maintained.

Separately, in the career average revalued earnings public service pension schemes introduced in 2014 and 2015, pensions in accrual are revalued annually in relation to either prices or earnings depending on the terms specified in their scheme regulations. The Public Service Pensions Act 2013 requires the Treasury to specify a measure of prices and of earnings to be used for revaluation by these schemes.

The prices measure is the consumer prices index up to September 2021. Public service schemes which rely on a measure of prices, therefore, will use the figure of 3.1% for the prices element of revaluation.

The earnings measure is the whole economy year-on-year change in average weekly earnings (non-seasonally adjusted and including bonuses and arrears) up to September 2021. Public service schemes which rely on a measure of earnings, therefore, will use the figure of 4.1% for the earnings element of revaluation.

Revaluation is one part of the amount of pension that members earn in a year and needs to be considered in conjunction with the amount of in-year accrual. Typically, schemes with lower revaluation will have faster accrual and therefore members will earn more pension per year. The following list shows how the main public service schemes will be affected by revaluation:

<i>Scheme</i>	<i>Police</i>	<i>Firefighter</i>	<i>Civil Service</i>	<i>NHS</i>	<i>Teachers</i>	<i>LGPS</i>	<i>Armed Forces</i>	<i>Judicial</i>
Revaluation for active member	4.35%	4.1%	3.1%	4.6%	4.7%	3.1%	4.1%	3.1%

[HCWS548]

NORTHERN IRELAND

Petition of Concern Mechanism: Northern Ireland Assembly

The Secretary of State for Northern Ireland (Brandon Lewis): I am today laying before both Houses of Parliament the fourth report by the UK Government on the use of the petition of concern mechanism in the Northern Ireland Assembly.

As part of the New Decade, New Approach deal upon which devolved Government was restored in Northern Ireland on 11 January 2020, the UK Government committed to undertaking such a report every six months.

This report covers the period from 12 July 2021 to 11 January 2022 during which no petition of concern has been lodged against any motion in the Assembly.

The fact that there have been no uses of petitions of concern since the restoration of the political institutions is a positive reflection of the conduct of business within

the Assembly. However, I want to take this opportunity to reinforce the importance of a stable, mature, functioning Executive and Assembly that is focused on addressing the issues that really matter to daily lives.

The UK Government are standing by their commitment to bring forward legislation that provides the necessary reforms to the petition of concern mechanism. The Northern Ireland (Ministers, Elections and Petitions Of Concern) Bill has completed report stage in the House of Lords. Once this legislation has completed its passage through Parliament and received Royal Assent, it is crucial that the Assembly reflects the detail of these reforms in its Standing Orders to ensure the full implementation of these aspects of the New Decade, New Approach deal.

This is the final report of this Assembly mandate under the UK Government's commitment to report on the use of the petition of concern. As there have been no uses of the petition of concern mechanism since the restoration of the Northern Ireland Assembly, we conclude that no further reform is necessary at this time.

[HCWS550]

SCOTLAND

Civil Partnership (Scotland) Act 2020 and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Modifications) Order 2022

The Parliamentary Under-Secretary of State for Scotland (Iain Stewart): I wish to update the House on the Civil Partnership (Scotland) Act 2020 and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Modifications) Order 2022.

The Government consulted within the House and this statement is to ensure that the House is aware of the circumstances of the order's approval, and to set out the UK Government's approach in bringing forward the order.

The order was laid on 16 November and considered by the Joint Committee on Statutory Instruments. The motion for approval was agreed at the end of the day's business on 5 January 2022, having been tabled to the Order Paper just before the rise of the House for the Christmas recess.

Due to an administrative error in the orders tabled by the Government, which was not picked up by the House of Commons authorities, the order was listed for decision under Standing Order No. 118(6) even though the previously planned Delegated Legislation Committee debate had been postponed until early 2022. The order therefore appeared on the Order Paper ahead of its debate in Committee, and was agreed by the House without objection on Wednesday 5 January. The debate in the House of Lords took place as normal on 14 December 2021.

The Secretary of State for Scotland is due to make this order next week.

The Order

The aim of this order is to make consequential amendments to legislation in view of the Civil Partnership (Scotland) Act 2020. This legislation was brought forward by the Scottish Government and introduces opposite sex civil partnerships to Scotland. The changes made through the Civil Partnership (Scotland) Act 2320 reflect

that civil partnerships in Scotland are no longer just an option for same sex relationships and they are now open for opposite sex relationships too.

The Civil Partnership (Scotland) Act 2020 and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Modifications) Order 2022 amends the Equality Act 2010 to add further protection for individuals, such as religious and belief celebrants, who do not wish to take part in the registration of mixed sex civil partnership. The Gender Recognition Act 2004 is also amended to reflect that because opposite sex civil partnership is now recognised, it is possible for civil partners to apply for gender recognition and stay in the civil partnership.

The Human Fertilisation and Embryology Act 2008 is also amended to ensure equal treatment for children of marriages, and children of civil partnerships, in cases of assisted reproduction. The order also makes changes to legislation concerning the registration overseas, through UK consular officials and armed forces, of marriages and civil partnerships.

The order is made under the Scotland Act 1998 and extends across the United Kingdom, although some provisions only extend to certain parts of the UK. It demonstrates devolution in action, and the UK Government is pleased to support the Scottish Government in introducing opposite sex civil partnerships to Scotland.

[HCWS549]

TRANSPORT

Dartford-Thurrock Crossing Annual Accounts 2020-21

The Parliamentary Under-Secretary of State for Transport (Trudy Harrison): My noble Friend, the Parliamentary Under-Secretary of State for Transport (Baroness Vere of Norbiton) has made the following ministerial statement:

Under regulation 3 (1) (d) of the Trunk Road Charging Schemes (Bridges and Tunnels) (Keeping of Accounts) (England) Regulations 2003, annual accounts for the Dartford-Thurrock Crossing Charging Scheme are published today. The accounts relate to financial year 2020-2021 and will be placed in the Libraries of both Houses.

[HCWS547]

Petition

Thursday 20 January 2022

OBSERVATIONS

LEVELLING UP, HOUSING AND COMMUNITIES

South Warwickshire Mega-Council

The petition of residents of the United Kingdom,

Declares that the proposal to merge Warwick and Stratford district councils will dilute local power; further that, if the proposal is approved, the number of councillors serving residents in south Warwickshire would be reduced from 80 to 60; further that residents need to feel more connected and less detached from political decision-making, and that could only be achieved if councils are more in touch with residents; further that Warwick District Council was prepared to stage a referendum to decide whether to adopt a climate change levy in Spring 2020 and so is open to referendums in theory; and further that before any decision is made, a citizens assembly

should be set up to outline arguments for and against the merger and that this should be followed by a referendum on the final verdict.

The petitioners therefore request that the House of Commons urge the Government to make it a requirement for a range of options to be put to local residents in the form of a referendum in the event that local councillors propose any changes to local governing structures.

And the petitioners remain, etc.—[*Presented by Matt Western, Official Report, 8 December 2021; Vol. 705, c. 531 .*]

[P002702]

Observations from The Minister for Levelling Up Communities (Kemi Badenoch):

The Government will not impose any top-down Government solutions for restructuring of local government. We will continue, as we have consistently done, to follow a locally-led approach for reorganisation where councils can develop proposals which have strong local support. In this way any reform of an area's local government can most effectively be achieved.

I received a merger proposal from Stratford Upon Avon and Warwick District Councils on the 17 December 2021 which we will carefully consider together with all other relevant information available to us and any representations that we receive before deciding whether or not it would be appropriate to implement the proposal.

Ministerial Corrections

Thursday 20 January 2022

CABINET OFFICE

Government Contracts: Underperforming Suppliers and Legislative Proposals

The following is an extract from Cabinet Office questions on 13 January 2022.

4. **Bob Blackman** (Harrow East) (Con): What steps he is taking to ensure that underperforming suppliers do not receive Government contracts. [904975]

5. **Daniel Zeichner** (Cambridge) (Lab): When the Government plan to bring forward legislative proposals to reform public procurement. [904976]

7. **Nick Smith** (Blaenau Gwent) (Lab): When the Government plan to bring forward legislative proposals to reform public procurement. [904978]

16. **Nia Griffith** (Llanelli) (Lab): When the Government plan to bring forward legislative proposals to reform public procurement. [904993]

19. **Kate Osborne** (Jarrow) (Lab): When the Government plan to bring forward legislative proposals to reform public procurement. [904996]

The Paymaster General (Michael Ellis): In December 2020, we published the Government's response to the consultation on the Green Paper on "Transforming Public Procurement". We intend to bring forward these detailed and ambitious legislative proposals when parliamentary time allows.

[Official Report, 13 January 2022, Vol. 706, c. 631.]

Letter of correction from the Paymaster General:

An error has been identified in my response to these questions.

The correct information should have been:

The Paymaster General (Michael Ellis): In December 2021, we published the Government's response to the consultation on the Green Paper on "Transforming Public Procurement". We intend to bring forward these detailed and ambitious legislative proposals when parliamentary time allows.

HEALTH AND SOCIAL CARE

Covid-19 Testing Infrastructure

The following is an extract from Health and Social Care oral questions on 18 January 2022.

Maggie Throup: As we look at policy and amend it like we did last week, it is right that we make sure that we can fill those requirements. I reassure the hon. Gentleman that we can, and we have increased the procurement of lateral flow devices. This month, we will get another 750 million lateral flow devices into the UK for January and February.

[Official Report, 18 January 2022, Vol. 707, c. 184.]

Letter of correction from the Under-Secretary of State for Health and Social Care, the hon. Member for Erewash (Maggie Throup).

An error has been identified in my response to the hon. Member for Strangford (Jim Shannon).

The correct response should have been:

Maggie Throup: As we look at policy and amend it like we did last week, it is right that we make sure that we can fill those requirements. I reassure the hon. Gentleman that we can, and we have increased the procurement of lateral flow devices. **We** will get another 750 million lateral flow devices into the UK **in** January and February.

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**not later than
Thursday 27 January 2022**

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