

**Friday**  
**4 February 2022**

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**HOUSE OF COMMONS**  
**OFFICIAL REPORT**

**PARLIAMENTARY**  
**DEBATES**

**(HANSARD)**

**Friday 4 February 2022**

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# House of Commons

Friday 4 February 2022

*The House met at half-past Nine o'clock*

## PRAYERS

[MR SPEAKER *in the Chair*]

**Jonathan Gullis** (Stoke-on-Trent North) (Con): I beg to move, That the House sit in private.

*Question put forthwith (Standing Order No. 163)*

9.34 am

*The House divided: Ayes 0, Noes 45.*

**Division No. 184]**

**[9.34 am**

### AYES

**Tellers for the Ayes:**  
Jo Gideon and

**Greg Smith**

### NOES

Amesbury, Mike  
Anderson, Stuart  
Baillie, Siobhan  
Bhatti, Saqib  
Buchan, Felicity  
Clarke-Smith, Brendan  
Coffey, rh Dr Thérèse  
Cunningham, Alex  
Donelan, rh Michelle  
Eastwood, Mark  
Edwards, Ruth  
Harris, Rebecca  
Harrison, Trudy  
Hollobone, Mr Philip  
Jones, Gerald  
Jones, Ruth  
Jones, Sarah  
Kyle, Peter  
Levy, Ian  
Malthouse, rh Kit  
Mayhew, Jerome  
Mohindra, Mr Gagan  
Mordaunt, rh Penny  
Morden, Jessica

Morris, James  
Nici, Lia  
Perkins, Mr Toby  
Pincher, rh Christopher  
Prentis, Victoria  
Pursglove, Tom  
Quin, Jeremy  
Rees-Mogg, rh Mr Jacob  
Rodda, Matt  
Rosindell, Andrew  
Rutley, David  
Saxby, Selaine  
Smith, Nick  
Smyth, Karin  
Stevenson, Jane  
Tami, rh Mark  
Throup, Maggie  
Timpson, Edward  
Tomlinson, Michael  
Vickers, Matt

### Tellers for the Noes:

**Gareth Johnson and  
David T. C. Davies**

*Question accordingly negatived.*

**Sarah Jones** (Croydon Central) (Lab): On a point of order, Mr Speaker, I want to raise comments made on Monday by the Prime Minister, who I believe inadvertently mislead the House. On Monday 31 January, the Prime Minister said in this place that

“we have been cutting crime by 14%”.—[*Official Report*, 31 January 2022; Vol. 708, c. 24.]

Again on Monday, he said:

“What we are actually doing is cutting crime by 14%”.—[*Official Report*, 31 January 2022; Vol. 708, c. 50.]

The Prime Minister was referring to the national crime statistics, which were published on 27 January.

In a letter to the right hon. Member for Orkney and Shetland (Mr Carmichael), the UK Statistics Authority said that

“the Prime Minister referred to a 14% reduction in crime, which is the change between the year ending September 2019 and the year ending September 2021. This figure also excludes fraud and computer misuse, though the Prime Minister did not make that clear. If fraud and computer misuse are counted in total crime as they should be, total crime in fact increased by 14% between the year ending September 2019 and the year ending September 2021.”

The ministerial code states:

“It is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity.”

It seems clear that the Prime Minister inadvertently mislead the House, and I would be grateful for your advice, Mr Speaker, on how he might at the earliest opportunity correct the record.

**Mr Speaker:** First, may I say I am grateful to the hon. Lady for giving notice of her point of order? She may be aware that the issue was raised by the hon. Member for North East Fife (Wendy Chamberlain) yesterday. I repeat what was said in response to that point of order. Although the Chair is not responsible for the content of contributions made by Ministers, I am sure that the concern was heard by those on the Treasury Bench. If an error has been made in this instance, I am sure that the Prime Minister will seek to correct it as quickly as possible. She will no doubt also be aware of paragraph 8.15 of the ministerial code, which deals with the use of statistics. I am sure she will find ways of pursuing this issue, should she wish to do so.

## **Animals (Penalty Notices) Bill**

*Bill, not amended in the Public Bill Committee, considered.  
Third Reading*

9.49 am

**Andrew Rosindell** (Romford) (Con): I beg to move, That the Bill be now read the Third time.

I thank you, Mr Speaker, and all Members in the House who have joined me today to help me bring my Bill to its remaining stages on the Floor of the House. I also thank the Public Bill Committee, which considered the Bill in detail on Wednesday 8 December last year. The discussion was insightful, and I appreciate the careful and detailed consideration that has gone into the process so that the Bill can today reach this point.

It is clear that we are truly a nation united by our love of animals, and my Bill has attracted strong support from all parties in this House and, most especially, from animal welfare organisations across the country. I am pleased that it has progressed through the House without a single amendment and that Members on both sides of the Chamber value not only its spirit but its content.

I am delighted by the energy shown by so many in ensuring that we get the Bill absolutely right so that it has the best possible impact on animal welfare across the country. Important conversations have been ongoing throughout its passage involving all parties in the House and key organisations outside. Ultimately, that has allowed the Bill to arrive at this final stage.

As you will know only too well, Mr Speaker, I have, like you, been an advocate for the protection of animals my entire life, and particularly during my 20 years as a Member of Parliament. My own dogs were Staffordshire bull terriers called Spike and Buster and they were the best companions anyone could have wished for. They campaigned for me in every general election, sporting their famous Union Jack waistcoats. I have fond memories of my hon. Friend the Member for Buckingham (Greg Smith) looking after Spike during the 2001 general election, and I am delighted that he is in the Chamber to support my Bill.

As we love our country, we also love our animals. From my experience of speaking to constituents and working closely with animal welfare charities, I know the joy that animals can bring. Protecting animals should unite us all. We have a duty of care to the animals that we are privileged to live alongside—household pets, wild animals, farm animals and all creatures of land, sea and sky.

**Greg Smith** (Buckingham) (Con): My hon. Friend mentions farm animals. I do not know of any farmers who deliberately mistreat their animals, but sometimes false accusations are made against them. There is some concern in the farming community about the appeals process if they are given a penalty charge notice. Will he assure the House that there is a robust appeals process in his Bill?

**Andrew Rosindell:** There absolutely has to be, and my hon. Friend is right to raise that point. The purpose of the Bill is to deal with fairly minor offences and act almost as guidance. It is not there to deal with serious offences, which would still be handled through the usual process. I take on board his point that when false accusations are made there must be a robust appeals

process, and I know that the Minister will take that on board in dealing with any secondary legislation. I thank my hon. Friend for his intervention.

Our dearly missed friend and departed colleague, Sir David Amess, shared my view on the Bill. He shared all my views on animal welfare and was the greatest champion of the issue among Members of Parliament. He dedicated his life to that. We think of David today, on the first day of a new Member, my hon. Friend the Member for Southend West (Anna Firth). We wish her all success as David's successor, but no one could replace David. He was unique, and we think of him all the time. His stance on animal welfare never changed throughout his 38 years in Parliament. In fact, he introduced a private Member's Bill in 1998 that strengthened protections for horses tethered by the roadside, and through his tireless campaigning inspired so many others to continue the fight for strengthened protection for animals. We remember him as we carry on the fight to defend and protect animals throughout the United Kingdom.

It has been an honour to have the opportunity to introduce a Bill that I believe will make a real difference to the lives of animals and help promote greater understanding of welfare. This Bill will directly benefit the health and welfare of this country's farmed and kept animals and will increase accountability when our country's biosecurity is put at risk. The Bill introduces enabling powers so that we can apply penalty notices to the appropriate offences and establishes the framework crucial to introducing these penalties through statutory instrument. Penalty notices will bolster our existing enforcement measures and give enforcement authorities more options to influence positive behaviour when it comes to caring for our farmed and kept animals, including companion animals and zoo animals.

As chair of the zoos and aquariums all-party parliamentary group, I recognise that this is a welcome development for that sector. Having worked very closely for so many years with the excellent British and Irish Association of Zoos and Aquariums, which does so much for zoos and the care of animals in zoos and aquariums across the country, I know that it agrees that penalty notices are the right way forward. The debate in Committee highlighted the wide support for the Bill and what I believe it will achieve. I have held ongoing discussions with various non-governmental organisations, and I am delighted that there is a strong consensus that penalty notices will benefit this country and should be introduced. I share the same enthusiasm and excitement for this legislation, which I truly believe will be a gain for animal welfare across this country.

I am also grateful to the organisations that have already invested their time in engaging with myself and the Department for Environment, Food and Rural Affairs to consider the Bill and how it will work for them in practice, and sharing their views so that we can make the Bill as effective as possible. The support of the Royal Society for the Prevention of Cruelty to Animals, Battersea Dogs and Cats Home, the National Farmers Union, Blue Cross, Cats Protection, the National Sheep Association and the National Pig Association, as well as many other animal welfare groups across the country, has been invaluable.

I once again thank hon. Members here today for supporting this landmark Bill, and for the many contributions made at its previous stages. I hope we can

agree that this important Bill should progress today, so that it may continue its journey in the House of Lords under the stewardship of the right hon. Lord Randall of Uxbridge, who has agreed to champion my Bill in the other place. The wellbeing and safety of animals is something that I know matters to us all, so as a nation of animal lovers, let us continue to lead the world in enhancing the cause of animal welfare.

I would like to place on record my sincere thanks to the Minister who is not here today, the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Bury St Edmunds (Jo Churchill). She has done so much to support my Bill, and has been very dedicated in helping to ensure that the Bill has reached this stage. It has been my pleasure to work with her to ensure that this new legislation has arrived in this place today, and I thank the Minister in her place—the Minister for Farming, Fisheries and Food, my hon. Friend the Member for Banbury (Victoria Prentis)—for standing in and leading in today's debate.

I would also like to thank those organisations and Members who have provided such valuable care to animals for vocalising their support for this Bill and giving me full confidence that penalty notices will be a welcome addition to the enforcement of animal welfare when they become available.

**Lia Nici** (Great Grimsby) (Con): I thank my hon. Friend for bringing forward this very important Bill. I think members of the public listening or watching might be surprised that this kind of Bill needs to be brought in. What changes will it make to improve the situation and assist us in making sure that people are not being cruel to animals?

**Andrew Rosindell**: My hon. Friend makes a really important point, because we need to understand the purpose of this Bill. At present, enforcing breaches of animal welfare laws means having to prosecute, so it takes a long time, and involves going to court and all those processes. However, many offences are very minor—mistakes that individuals may have made inadvertently—so, a bit like a parking ticket, the penalty notices are a way of informing people, when they have not done something very serious, that they need to do things better in future. The Bill will give the enforcement authorities greater powers to deal with minor offences speedily, rather than having to go through long processes. Of course, some of those cases will never be prosecuted, because in effect time runs out; there is not enough time to deal with the issue. This Bill will be really effective as a way of dealing with such cases quickly. That is really the nub of the Bill; it will increase the powers in animal welfare laws and make them a lot more effective. I thank my hon. Friend for her intervention, and hope I have explained the background clearly to her.

This Bill will fundamentally reform how we enforce animal welfare, biosecurity and welfare across farmed and kept animals in England. I hope other parts of the United Kingdom will follow suit when this Bill becomes legislation. I believe it will improve this country's response to offences and strengthen our position as a world leader in the welfare of animals, with whom we are privileged to share this planet. I sincerely hope that we will see it placed on the statute book in the very near future. This is a good Bill that will improve the lives of

animals and guide the people of this nation towards better protection and welfare of the animals we all care so much about, and I commend it to the House.

**Mr Speaker**: I must congratulate the hon. Member in charge of this Bill.

10.3 am

**Stuart Anderson** (Wolverhampton South West) (Con): Thank you, Mr Speaker, for calling me so early in the debate. I think we can all agree that my hon. Friend the Member for Romford (Andrew Rosindell) has brought a hugely important Bill to the House. It shows that cruelty to any animal will face serious consequences, and he should be commended for such a worthwhile Bill. If my hon. Friend will bear with me, he is, if I have got this right, the chairman of the all-party parliamentary group on zoos and aquariums, a former shadow Minister for animal welfare, and a committed advocate for the care and protection of animals. He speaks with great experience and authority, so I will be delighted to support this Bill, which will crack down on animal offenders and establish a more consistent, targeted approach to protecting all animals from harm.

I need to be clear that animal cruelty has no place in our society, and I am so delighted that this Bill will close the gap that is being exploited by cruel animal abusers. The Bill has received significant backing from key stakeholders, as my hon. Friend has said, including the RSPCA, which has said that the measures would help to combat the suffering of farmed animals, horses and animals kept in zoos. I welcome the assurance that the animal cruelty offences will always be prosecuted and that penalties will be used in conjunction with tougher sentences to provide better safeguards for all animals. This Bill will provide a welcome powerful additional enforcement tool, providing authorities with an extra measure that could be used alongside warnings and criminal prosecution. I support this Bill, because it builds on the Government's decisive actions to improve our already world-leading animal welfare standards, including raising the maximum prison sentence for animal cruelty.

Just months after being elected, I met, as did many other Members, Finn, a former police dog who was attacked while pursuing a suspect. Finn's story convinced me—not that I needed much convincing—of the need to increase the maximum sentence from six months to a more respectable five years. I met many service animals in my time in the armed forces, and I know that they not only work hard but that their actions have saved many lives. I remember when serving in Northern Ireland in the troubles doing 5 metre and 10 metre checks: when walking along a street, every time we stopped we had to look around to check for improvised explosive devices and command wires. We were always nervous doing that and when we had sniffer dogs with us that could smell any explosives a mile away we felt safer straight away.

In 1999, I deployed to Kosovo for the conflict. We were living in very harsh conditions, working 20 to 22 hours a day on average and living in derelict buildings at the start. We were shattered for much of the time. I remember my patrol coming back in one day and meeting one of the attack dogs—war dogs—in the operation rooms. Most of my blokes were too tired to eat, but as we walked in and came face to face with one of the

[*Stuart Anderson*]

British Army's finest attack dogs, who certainly made us aware that we had got too close to him, we were all wide awake straight away.

More seriously, a friend of mine who was serving in the British special forces in Afghanistan was, unfortunately, shot in the neck and killed. As a result, the Special Air Service decided to use dogs as members of their team, so they have become an extra member of their team in operations. From knowing some of the people who have used these dogs on operations I can say that they have saved countless lives. Those are some of my personal experiences, where I have seen the love for animals and where they have saved human lives.

I also support this Bill because it provides an important educational tool that can be used before offences become more severe and can prevent offenders from repeating their mistakes—let us educate people on this issue. As a local MP, I want to do all I can to ensure that Wolverhampton becomes a safer place to live, work and visit for everyone, and that includes all the animals that co-inhabit it.

10.8 am

**Matt Vickers** (Stockton South) (Con): I pay tribute to my hon. Friend the Member for Romford (Andrew Rosindell) for doing so much to further the case for animal welfare: as a former shadow Minister for animal welfare and the chair of the all-party group on zoos and aquariums, he is an advocate like no other. They say that dogs are a man's best friend; it is no stretch to say that my hon. Friend is one of the UK animal population's best friends.

One of my best friends is a sassy little bitch called Karen, a pomeranian chihuahua, or pomihuaha. She is a very small dog with a very big personality—the ultimate companion who can cheer me up at the end of a long day and bring a smile to my face in the toughest of times. Through my time with Karen I am reminded of the special place our pets and animals have in our homes and hearts, why Britain is a proud nation of animal lovers, and why it is so important that we protect our furry friends.

I am very proud that our Government are striving to ensure our animal welfare standards continue to be world leading. We have had the Animal Welfare (Sentencing) Act 2021, or Loder's law, which has increased the maximum prison sentence from six months to five years for those who harm animals, and a new offence of pet abduction to tackle the sick and depraved individuals who would steal someone's cherished pet and deprive them of an often-priceless relationship. We also have the Animal Welfare (Kept Animals) Bill tackling puppy smuggling and the export of live animals for slaughter. My hon. Friend's Bill will bridge the gap between criminal prosecution and warning letters so that action can be taken and sanctions issued straightaway to protect our animals' health and wellbeing.

In this country, we have an incredible farming community who go above and beyond to care for their livestock. We also have an amazing network of zoos that delivers incredible educational opportunities for youngsters and protects and cares for exotic and rare species to high standards. In our own homes, we are a nation of animal

lovers. People across Britain love, cherish and adore their furry friends and family members, but how do we deal with the small minority who do not provide that level of care?

There is currently a gap in the powers available to deal with those people and in some cases we fail to provide a fair, firm, proportionate and prompt response before reaching the threshold for prosecution. It is devastating that last year the RSPCA received 57,000 complaints of animal cruelty. The Bill will provide the penalties and the means to tackle that behaviour at an earlier stage as well as an educational tool to prevent bad situations from getting worse. Our pets are family members and friends who deserve protection. We should give the authorities all the powers they need to tackle those who would do them harm.

10.11 am

**Siobhan Baillie** (Stroud) (Con): I commend my hon. Friend the Member for Romford (Andrew Rosindell). It is quite an achievement to secure a Bill with no amendments and cross-party support, and with everyone smiling here today. He is right that this country is united by a love of animals. I have had that reinforced in particular when campaigning on the pet theft laws that the Government are bringing in. It matters a lot to people in Stroud, where we have an amazing rural crime team. The police in particular have asked for increased protections, and the Bill will help with that among the array of tools that the Government are providing. The Government have an excellent track record in protecting animals and increasing welfare standards, and I look forward to hearing from the hard-working Minister—this is my second debate with her this week, so I know that she is always on her feet.

Stroud has an excellent track record on animal welfare and taking care for animals. We have a range of well-loved organisations set up to care for animals, including: Teckels; Cotswolds Dogs and Cats Home; Wild Hogs Hedgehog Rescue; Help a Hedgehog Hospital; Nailsworth Donkey Sanctuary; and Scrubditch Care Farm, just outside my patch, with which I have worked a lot. They are all fantastic organisations, and there are many more.

Yesterday, I was at SGS Stroud College with the skills Minister—the Under-Secretary of State for Education, my hon. Friend the Member for Brentwood and Ongar (Alex Burghart)—where we met animal welfare students busy bathing guinea pigs, which was a complete novelty for the Minister. When we talked to the students and apprentices, we learned that they want to take these qualifications so that they can go on to university and become vets or perhaps go into rescue centres. They will certainly welcome the early intervention measures offered by the Bill.

I am a cat person—my brother bought me a mad cat lady action figure—but my marriage and this job stop me from having a house full of cats. I love all animals, and I know that if I ever lose this job, I will have a house full of animals—that keeps my husband campaigning to keep me in the job.

It is clear from listening to colleagues that we need the steps that the Bill brings, because relying on prosecutions, the police and the courts will not be enough—we know about the delays and pressures on our courts—and it will also not be a deterrent for people who cause problems for and are cruel to our animals. The Bill will speed up

penalties for issues relating to animals and should act as a deterrent. We should all be focused on preventive action and early intervention, so I welcome that. I also note that leading lights and trusted charities such as Battersea Dogs and Cats Home have said that they broadly support the contents of the Bill and that they really welcome using fines for technical and low-level breaches. The Bill is good enough for organisations such as Battersea Dogs and Cats Home, and brilliant for my local amazing charities and organisations in Stroud: it will protect our furry friends; it has cross-party support; and I am incredibly pleased that the Government are supporting it. Well done to my hon. Friend the Member for Romford (Andrew Rosindell).

10.14 am

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): I congratulate my hon. Friend the Member for Romford (Andrew Rosindell) and join him in his glowing tribute to David Amess, who I am sure would have been in this place today to witness the Third Reading of the Bill.

My hon. Friend has worked hard to champion animal penalty notices and to bring this debate before the House. The Bill is concerned not just with pets, but with zoo animals and livestock. My beautiful constituency is approximately 65% agriculture and I always enjoy seeing the variety of livestock grazing the fields as I travel through it. I have not had the benefit of having a pet myself, but I am fully aware of the love and care that families have for their pets. Indeed, that is part of the reason why I have not taken on that additional responsibility. They really do become a member of the family.

Pets are sentient beings and we must do all we can to protect animals from cruelty. I am pleased to see Government support doing just that. In June last year, the Animal Welfare (Sentencing) Act 2021 raised the maximum prison sentence for animal cruelty from six months to five years. That is a welcome step towards increasing animal welfare and protection, but going to court is not always the most effective measure against animal cruelty, hence the need for the Bill.

I recently had a discussion with David Bowles, head of public affairs at the RSPCA, about its work to keep animals safe. In 2020, the RSPCA had over 1 million calls to its cruelty line and over 140,000 welfare incidents were dealt with by the inspectorate. This issue affects all our constituencies, including my own where there were 24 investigations in 2021. However, in 2020, only 1,743 people were prosecuted for animal cruelty and only 908 were convicted of animal cruelty offences.

Those statistics demonstrate a gap in the legal system to correctly charge people with animal cruelty offences. In the current system without fixed-penalty notices, people have to be taken to court over animal cruelty offences, putting pressure on the court system and increasing the length of time taken. The Bill creates a system of financial penalties of up to £5,000 for animal health and welfare officers, including on-the-spot fines. Fixed-penalty notices are an out-of-court disposal and they serve as an important education tool to help to prevent animal cruelty.

I will leave it at that and I look forward to the contributions of other right hon. and hon. Members. I congratulate my hon. Friend the Member for Romford on getting the Bill to this stage.

10.17 am

**Jerome Mayhew** (Broadland) (Con): I join all other hon. Members in congratulating my hon. Friend the Member for Romford (Andrew Rosindell) on introducing the Bill and getting this far. There is a worrying sense of unanimity in the House, which always gives me cause for concern. I will not breach it, save to highlight one or two slight concerns I have about the drafting of the Bill.

There is much to welcome in the Bill, and chief among them is the immediate impact that the levelling of a fixed-penalty notice has on both the individual who receives it and the wider community. There is a direct relation between cause and effect. We all know that speed in justice is enormously important. One of the great problems we have in society today is the delay that has bound up the criminal justice system, particularly in the Crown court but also in the magistrates court.

I also like the direct link between the severity of the offence and the penalty notice amount, with the factors, aggravating and mitigating, set out in clause 4. I recognise that there is also provision for the Secretary of State to give guidance on how those should be properly applied. That is a very important factor that needs to be taken seriously by the Secretary of State for the Bill to be properly applied.

However, the reasons behind the Bill's benefit also give me some grounds for caution as we seek to apply fixed-penalty notices as a mechanism for bypassing the normal course of the criminal justice system. One of the reasons my hon. Friend the Member for Romford gave for why it is so important to have fixed-penalty notices was the delay in the magistrates courts. Surely, the best way to deal with delay in criminal justice is not to bypass it with fixed-penalty notices but to adequately fund magistrates courts and the criminal justice system that serves all of our country.

There is a requirement in clause 1(1) for the enforcement authority to be "satisfied beyond reasonable doubt", but there is no requirement in the Bill for them to obtain or secure sufficient evidence to be satisfied. I query whether there is a risk that a prosecuting authority may see this as a shortcut past obtaining sufficient evidence to create a proper prosecution, and that fixed-penalty notices may be given more readily than a decision to prosecute otherwise would be. If that were the case, it would be a cause for concern for us all.

That leads me to who those enforcement authorities are. We see from clause 1(4) that the Bill does not tell us who they are; we are told that that will be provided by regulation. There is nothing wrong per se in secondary legislation providing further detail, but in this instance I start to get a little concerned. In clause 1(5), we are told who the Secretary of State might consider to be an enforcement authority. It says that that may be the Secretary of State himself or herself—fair enough—a local authority or, in paragraph (c),

"any other person that the Secretary of State considers appropriate."

It would be impossible to draft that definition more widely. I respectfully highlight that issue to the Minister and invite her at least to consider it in responding to the debate, because this is the very definition of a blank cheque for the Secretary of State.

I wonder whether enforcement authorities might include, for example, private prosecutors such as the RSPCA. If that were the case, it would run counter to the current

[Jerome Mayhew]

considerations of the Law Commission, which is interested in considering the future for all kinds of private prosecutors. We have a recent history of significant miscarriages of justice where private prosecutors have acted. I have only to pray in aid the biggest criminal justice scandal in our nation's history—the Horizon scandal, where the Post Office acted in the role of private prosecutor—to demonstrate why the Law Commission may not be keen to continue to allow private prosecutors right across our criminal justice system.

The reason I know that is that I approached the Law Commission myself in relation to the Care Quality Commission and its powers as a private prosecutor in the health sector because of a scandal at Cawston Park Hospital in my constituency, where three patients with mental ill health and autism, as well as Down syndrome, died over a 27-month period because of neglect and, certainly in one case, physical abuse. I therefore raise a serious concern about whether private prosecutors could amount to enforcement authorities under clause 1(4).

Finally, I turn to clause 5(2). Enforcement authorities can apply a fine of up to £5,000. Most of that money will return to the central funds, but clause 5(2) gives enforcement authorities the ability to deduct their own costs of prosecution from any fines. That is a clear financial incentive to issue fixed-penalty notices, because it pays for their own operations. I hope we will all be naturally concerned to ensure that we do not apply a parking fine company approach to this area of law. That would be wholly not what my hon. Friend the Member for Romford, or any of us, intends. It is important that the Secretary of State, when coming to the secondary legislation and regulation on this matter, thinks hard about that potentially poisonous mix of financial incentive and private prosecution.

In conclusion, I thank my hon. Friend the Member for Romford again for getting behind this legislation and bringing it to the House and, I hope, to a happy conclusion, but I ask the Minister to think carefully about potential unintended consequences. We have heard about Staffordshire bull terriers and about Spike and Buster, but let us not forget that we need to look after John Bull as well, as he is persecuted by the heavy hand of the state. We want to give him protection too, and we must ensure that our legislation is well drafted.

10.25 am

**Jonathan Gullis** (Stoke-on-Trent North) (Con): It is a pleasure to speak today and to congratulate my hon. Friend the Member for Romford (Andrew Rosindell) on bringing forward this piece of legislation. He is a Member of this House who has long been a passionate advocate for his love of animals—as well as, I like to think, spotting Conservative talent, because when he saw me before I was elected to this place he thought I had a chance of winning. He may regret that now, having seen what I am like in the Chamber, but I appreciate his kind words. I also appreciate what he is doing for animals across the United Kingdom.

I did not have a Spike or a Buster before I got elected; I now have a Bella and a Bailey. I like the idea of Union flag waistcoats, and I will try to replicate those as I go around Stoke-on-Trent North, Kidsgrove and Talke at the next general election. Perhaps I will get a few nice

tweets rather than the ones I have been receiving recently for being overly zealous in the Chamber in my support of the Prime Minister.

Coming back to the Bill, this is exactly the type of legislation that organisations such as Greyhound Gap, which works in the Kidsgrove area, or Baddeley Green Hedgehog Rescue, which also does fantastic work in the constituency, want to see: showing respect for our beloved animals and ensuring that those who seek to persecute, take advantage of or simply be cruel to an animal are held to account. There is no excuse, as a human, to ever be cruel to an animal. Those people who think that that is right or is something they can do should absolutely feel the full force of the law.

I could not agree more with my hon. Friend the Member for Broadland (Jerome Mayhew), who said, accurately, that by introducing fixed penalty notices we will free up court time, speeding up the process of punishing those who have clearly and evidently broken the law and ensuring that they feel the wrath financially—which is often where animals are mostly taken advantage of. I am proud to support this fantastic piece of legislation.

We should not forget that this affects not just our pets, but our zoo animals and livestock. I know my hon. Friend the Member for Buckingham (Greg Smith) will talk passionately, as he has in the past, about those farmers who do a lot of really good work and look after their animals appropriately, and the tiny minority who sometimes bring a slur on the wider profession. It is important that we remember that many of our farmers do the right thing, but those who do not should be held to account, because they are ultimately profiteering from the animals they keep.

The fact that the fixed penalty notice

“may not exceed whichever is the lesser of—

(a) £5,000, and

(b) the maximum fine for which a person convicted of the offence is liable on summary conviction”,

is fantastic. I like to see big, hefty fines for such people. I have introduced my own private Member's Bill, relating to rogue landowners who destroy history and heritage, and I want to see that fine go from a £1,000 cap to being unlimited, to allow a judge to use their discretion and expertise to determine the seriousness of the damage done. This case is similar, and that hefty fine will be a deterrent to those who seek to break the law.

I am also delighted to see the partisan—[*Interruption.*] Apologies, I am used to being partisan—the bipartisan way the House is approaching this issue, as has been the case with many animal welfare and animal rights issues, as well as the issue of waste. I note the hon. Member for Newport West (Ruth Jones), the shadow Minister, has talked passionately about north Staffordshire and Walleys Quarry and many other issues. I know she is backing the “Stop the Stink” campaign and I am grateful for her support, as the issue also affects my constituents. It is good to see that we are all working together.

It is a shame that what my hon. Friend the Member for Romford has done over his career has never been rewarded with a ministerial post. Perhaps the rumoured great reset will finally put him on the Treasury Bench, where he belongs. He is a fantastic advocate for animals and for our United Kingdom, and I am proud to support his Bill today. I look forward to hearing the following contributions.

10.30 am

**Brendan Clarke-Smith** (Bassetlaw) (Con): I thank my hon. Friend the Member for Romford (Andrew Rosindell) for his excellent Bill and for moving Third Reading today. I have been looking forward to speaking on it, although I must admit that I have very little experience of working with or owning animals. They tell us never to work with animals or children, and I failed miserably on the latter as a secondary school teacher. I suppose that is where the comparison should end, before I get myself into trouble.

Most of my experience with animals is from being out and about delivering leaflets on the campaign trail. I tend to step around driveways like Fred Astaire, trying to avoid various things. This brings back happy memories of the time I lived in Sweden and went on an expedition in the Arctic circle. I was pulled in a sled by dogs, and there were reindeer. My phone suddenly rang with a call from the now Secretary of State for Transport, which I was not expecting. He said, “Brendan, it is very nice to speak to you. Can I ask what you have been doing for the Eastleigh by-election?” There was very little signal and it was quite cold, as Members can imagine, so I said, “I am currently in the Arctic circle being pulled along on a dogsled.” He replied, “Okay, I believe you”—I tried to take a selfie to send to him—“but you could make some phone calls.” That was my job during one of my animal experiences.

Since being elected, I have seen the great success of Westminster dog of the year, about which my hon. Friend the Member for Romford is very passionate. It was a pleasure to see Sir David’s dog there this year. I was lobbied quite heavily, especially by my hon. Friend the Member for Ashfield (Lee Anderson) for his dog Alfie. I am afraid I must confess that I did not support his dog this year, but he is not here today, so I feel safe in relaying that story.

I have a cat, which is a new thing for me. I am very fond of my cat, and pet owners are attached to their animals. It is an experience I would recommend. My first experience of owning an animal was when I had a white rabbit with pink eyes. If the legislation were reversed, the rabbit would have received many on-the-spot fines for attacking me. My second pet was a terrapin called Gary, who had a red band across his head. He was very similar to a ninja turtle.

Finally, I have the cat. We had to decide a name, and my son, who is five years old, decided on Jerry, supposedly after “Tom and Jerry”. I had to explain that Jerry was the mouse, not the cat, but one cannot argue with a five-year-old, so we called the cat Jerry, who is now one of my best friends. We regularly sit together to watch “Match of the Day”. He sits on my lap, and we discuss the issues of the day such as taking the knee or Gary Lineker’s salary. We have not had a single disagreement, which is fantastic.

Of course, the landmark Animal Welfare (Sentencing) Act 2021 has come along and introduced five years’ imprisonment, and it is something of which we can be incredibly proud. I remember the fabulous Finn coming to this very building with Dave Wardell, his handler. It was one of our most popular events, which shows how well it went down with the public and with Members, too. The snaking queue was so long that at one point I thought it was an attempt to recreate the

“Labour Isn’t Working” poster. I hope that my friends on the Opposition Benches will forgive me for mentioning that.

I am delighted that the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Bury St Edmunds (Jo Churchill), has taken such a supportive approach to the Bill, as has the House of Lords. Opposition Members have also made some excellent contributions to the debate. Chris Sherwood, the chief executive of the Royal Society for the Prevention of Cruelty to Animals, has said

“Fixed penalty notices are... useful to...combat suffering of farmed animals, horses and animals kept in zoos.”

The RSPCA, he said, was pleased about the proposals for powers of enforcement and tougher sentences. It supports the Bill wholeheartedly, as do I. I think that the United Kingdom can be world-leading in animal welfare, not just through the Bills that we have already introduced, but through excellent Bills such as this. Once again, I congratulate my hon. Friend the Member for Romford and wish the Bill well.

10.35 am

**Ruth Edwards** (Rushcliffe) (Con): I join my hon. Friend the Member for Bassetlaw (Brendan Clarke-Smith) in congratulating our hon. Friend the Member for Romford (Andrew Rosindell) and thanking him for all the work he has done over his career to further the cause of animal welfare. I also echo his remarks about our late colleague Sir David Amess and all the hard work that he did to protect animals during his many years in this place.

I am delighted to welcome the Bill back to the Chamber, because it is an important part of our reforms to strengthen the protection of animal welfare across the full spectrum of offences. At the most serious end, the Animal Welfare (Sentencing) Act 2021 has increased the maximum sentence for animal cruelty from six months to five years. That covers, for instance, dog fighting, illegally cropping a dog’s ears, and gross neglect of animals. This Bill addresses offences at the other end of the spectrum, toughening penalties for less serious offences by creating a system of fining offenders up to £5,000. I welcome that approach: I welcome the toughening of laws at the less serious end of the spectrum, and hope that those tougher laws will serve as both a deterrent and an educational tool for many.

As the common agricultural policy payments wind down and cross-compliance is phased out, we have opportunities to improve and strengthen enforcement mechanisms by introducing a range of proportionate enforcement measures and by providing new, more consistent penalties by extending penalty notices to all kept animals—or, rather, to all those who keep animals. As I mentioned last time the Bill was debated in the House, it does not address the issue of errant animals. On that occasion, I recounted the escapades of our pig Andrew and our donkeys Sergeant Wilson and Godfrey, who staged a break-in at the chicken run. I am sorry to say that, in the month since we last debated the Bill, things have not improved.

Just a few weeks ago, we had another break-out. This time it was the alpacas, Florence, Vera and Wilbur. It was a lovely, peaceful, sunny Saturday morning, we had just enjoyed a nice breakfast and we were sitting down for coffee when my husband looked out of the window,

[*Ruth Edwards*]

did a double-take and said, “Where are the alpacas?” I said, “I don’t know—perhaps they have gone out of that gap in the hedge that you confidently assured me they would never escape from.”

So into the car we piled, still in our pyjamas, now in our wellies too, and bombed down our drive at about 100 miles an hour in our Land Rover—which is shaking and falling apart—scanning the horizon and the fields for a ginger head, a black head and a white head grazing peacefully, but no, we could not see them anywhere. On to the main road we went; there was no sign of them. In the village we accosted the startled-looking postman, asking, “Have you seen our alpacas?” “No, not since I came to deliver the mail; they were in the paddock then.” “Great! They can’t have gone far.” So back we went. We tried going the other way, and drove around a few more fields. Finally we found them, munching happily away, completely unaware of the drama and excitement they had caused to our Saturday morning. Life would be so dull without them, Madam Deputy Speaker. I am proud to support this excellent Bill, which offers the protections that they deserve.

I know that the Bill is welcomed by the NFU, the RSPCA, Battersea Dogs and Cats Home and Blue Cross. It is fantastic to see that huge spectrum of support. I appreciate that the NFU has raised some questions about the appeal mechanisms, as flagged up by my hon. Friend the Member for Buckingham (Greg Smith). I am interested to hear from the Minister what recourse there is for appeal in the case of genuine misunderstanding or misinterpretation of the facts.

Our country is a world leader on animal welfare. There is no place for those who mistreat animals and I welcome the part this Bill will play when it becomes law.

10.40 am

**Jo Gideon** (Stoke-on-Trent Central) (Con): I thank and congratulate my hon. Friend the Member for Romford (Andrew Rosindell) on bringing forward this really important legislation, which fills a gap; a suite of legislation is coming forward to help to safeguard and strengthen our animal welfare.

Animal welfare is close to my heart and it is one of the top issues that my constituents raise with me. That is not surprising given the statistics locally. RSPCA figures reveal that about 3,000 complaints about animal cruelty are made in Stoke-on-Trent and Staffordshire every year. Sadly, the west midlands has been one of the 10 animal cruelty hotspots over the past five years, which is why animal welfare is among my top priorities.

Animal cruelty horrifies our society, and figures tell us that there are suffering animals in Staffordshire that need help every day. It is shocking that people can be capable of such deliberate brutality towards animals. Equally, it drives us on to ensure that appropriate action is taken on animal welfare and related offences. In particular, I am grateful for the work being done locally by RSPCA staff and volunteers, who transform the lives of thousands of animals in Staffordshire every year.

I fully support the aims of the Bill, which will mean that penalty notices can fill the enforcement gap between taking no action and seeking criminal prosecution. I am

delighted that today’s debate provides us with the opportunity to discuss how we can go further to improve animal health and welfare in this country.

Several of my constituents selflessly volunteer at Animal Lifeline in Stoke-on-Trent. It is a fantastic charity that has cared for dogs for more than 40 years, with approximately 100 dogs in care at any one time. Each year, the charity rescues and rehomes around 300 dogs and puppies and it has saved more than 11,000 over the years.

A volunteer recently shared with me concerns that have arisen as a result of covid. The pandemic has hit animal charities hard financially due to charity shops having to close and kennels not being able to hold their usual open day fund-raising events. Animal charities across Stoke-on-Trent and the county have had to take in more animals than usual due to owners passing away. Having a reduction in income means that they can no longer afford to keep them. Couples who are separating have not been able to cope during this time. Many people, we know, looked to animals during lockdown. Many people acquired pets and then were not able to look after them. That has been compounded by the fact that animal charities have not been able to have visitors to view dogs suitable for adoption and by the inability to complete home checks of people who ring in inquiring about adopting.

I praise local animal charity staff, who have been amazing. Many have taken cuts in wages and found innovative ways to reduce costs. The cost of living challenges are also pushing up the cost of essentials such as dog food, vet bills, utility bills, fuel and wages. With all that in mind, we should all consider the options to provide sufficient support to charities to ensure that they can continue to provide a vital service to our local communities.

I have been involved in the national food strategy. Within that, we look at a range of recommendations for improving animal welfare with regards to food production. The Government are looking at that at this time. Thankfully, the UK already leads the world in animal welfare and livestock husbandry. The same cannot be said of many of the countries that we import from. Allowing cheap imports from such countries not only undermines our own standards, but undercuts our farmers. This is an issue that many people feel strongly about, with 94% of the public wanting existing food standards to be maintained in future trade deals.

The national food strategy argues that, when making new trade deals, the Government should only agree to cut tariffs on products that meet our core standards. As such, I am pleased that the Government recently launched a new Trade and Agriculture Commission, which will inform parliamentarians and the public about how new free trade deals are consistent with UK laws on animal welfare. The Government must go further, however, and draw up a list of core minimum animal welfare standards that they will defend in future trade deals. I am pleased that when they announced the Australian deal, they said that they would include measures to protect our standards. It is reassuring that the deal contains a chapter on animal welfare, and I urge the Government to come forward with more details as soon as possible to allow Parliament to sufficiently scrutinise that part of the deal.

Again, I congratulate my hon. Friend the Member for Romford on bringing forward the Bill, which I am delighted is fully supported by the Government and the Opposition. I look forward to continuing my support for this legislation as it passes through the House, in addition to championing animal welfare causes in years to come, whether by calling for more support for local animal charities or for more animal welfare protection in future trade deals.

10.45 am

**Jane Stevenson** (Wolverhampton North East) (Con): I rise to speak briefly in support of the Bill. I pay tribute to my hon. Friend the Member for Romford (Andrew Rosindell), who shares my enthusiasm for animal welfare. His commitment to the cause is valuable and appreciated by many hon. Members on both sides of the House. It has also been a great pleasure to listen to many hon. Members share experiences of their pets of various shapes and sizes.

It is valuable for children and adults to have and care for a pet to learn an appreciation and love of animals. For many hon. Members on both sides of the House, it informs our choices in this place and advances the cause of animal welfare. I should mention my two Cavalier spaniels, Cromwell and Bertie, who appreciate everything I do in this place on animal welfare. I am sure they look forward to seeing me later and congratulating me.

**Jerome Mayhew:** I rise not to talk about Cavalier King Charles spaniels, but to ask whether my hon. Friend agrees that the direct impact of the fixed penalty notice being applied as soon as the relevant authority considers that there is evidence beyond reasonable doubt adds a powerful deterrent to people causing cruelty or neglect to animals.

**Jane Stevenson:** I absolutely agree. Education and those low-level interventions will be important. At the moment there is not a good enough safety net on animal welfare, because only the most serious cases are likely to be investigated and only the most serious abusers are ever likely to be fined or prosecuted.

The Bill will do a valuable job of introducing low-grade fines and of providing the opportunity to give advice to pet owners, which is key. Some people are unintentionally not creating the best environment for their pets, but we can have a culture where they might get a warning and advice on animal welfare from an appropriate officer. That is what I most like about the Bill: it is pragmatic, it is not heavy-handed, but it will certainly raise standards broadly in animal welfare across the United Kingdom. I thank my hon. Friend the Member for Romford again for bringing forward such a useful and important Bill as part of the Government's commitment to improve animal welfare.

10.48 am

**Ruth Jones** (Newport West) (Lab): I add my voice to the tributes paid to our friend Jack Dromey earlier this week. I was unable to speak during the tributes, but I want to acknowledge the strength and inspiration of the Mother of the House, my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), and say how much I will miss Jack and all he did and meant to us all.

I will not detain the House any longer than necessary, because the hon. Member for Romford (Andrew Rosindell) has almost got his Bill through the House. At times, I wondered whether the Government were waiting in the wings to pounce, but obviously not. It can only be a matter of time before his hard work, tenacity and diligence is rewarded by ministerial office, so I just ask that he does not forget us on the way up the pole.

The Bill is important. Hon. Members will know that Opposition Members, particularly my hon. Friend the Member for Cambridge (Daniel Zeichner), have sought at all times to be a critical friend and to provide a wise and objective view. The Bill enables the potential use of penalty notices, such as fixed penalty notices, for a wider range of primary and secondary legislation related to animal health welfare offences.

The Bill encompasses two pieces of primary legislation that affect dogs and cats: the Animal Welfare Act 2006 and the Dangerous Dogs Act 1991. It is a cross-party attempt to deliver improved health, safety and welfare conditions for animals. Like the excellent Battersea Dogs and Cats Home, we on these Benches broadly support the Bill, because it will enable statutory enforcers to take early action and provide them with the tools to deal with infringements of a technical nature.

I have been a Member of Parliament for almost three years now, and I have to admit that not all legislation has provided a clear and common focus and target, but this Bill does. I congratulate the hon. Member for Romford and all involved. I would like to acknowledge the hard work and commitment of all those involved in getting the Bill through the House and wish it well as it goes to the other place. I thank the staff of the House, the Clerks, the Committee staff and the parliamentary staff in the offices of all Members involved. I also thank the campaigners, the stakeholders, the animal rights charities and the organisations who are fighting for decency and progress. It is great to see consensual politics in action and actually achieving results.

I acknowledge the hon. Members for Romford, for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), for Newcastle-under-Lyme (Aaron Bell), for Brecon and Radnorshire (Fay Jones), for Wolverhampton North East (Jane Stevenson), for Crawley (Henry Smith), for Gedling (Tom Randall) and for South East Cornwall (Mrs Murray), and my hon. Friends the Members for Rotherham (Sarah Champion), for Denton and Reddish (Andrew Gwynne), for Hammersmith (Andy Slaughter), for Canterbury (Rosie Duffield) and for Bristol East (Kerry McCarthy), who all served on the Bill Committee. That is a broad coalition of the willing from across the country. I gently urge them all to maintain their interest in animal welfare issues and support the Glue Traps (Offences) Bill and the Animal Welfare (Sentience) Bill, which are working their way through the parliamentary process. I know that Labour peers stand ready to act now.

10.51 am

**The Minister for Farming, Fisheries and Food (Victoria Prentis):** I wonder whether it might be in order to wish my hon. Friend the Member for Halesowen and Rowley Regis (James Morris) an extremely happy birthday. It is good to see him in his place.

I join everyone in thanking my hon. Friend the Member for Romford (Andrew Rosindell) for his tremendous and attentive work on this excellent Bill, and congratulate

[*Victoria Prentis*]

him on steering it through the House. As he and other hon. Members have mentioned, this is an occasion when we feel the loss of David Amess very sharply, although of course we also look forward to welcoming the new MP for Southend West following her election last night.

We have heard some excellent speeches this morning. My hon. Friend the Member for Wolverhampton South West (Stuart Anderson) spoke about service animals, including Finn, and his personal experience of serving with animals on the frontline. My hon. Friend the Member for Stockton South (Matt Vickers) mentioned the “sassy little bitch” Karen, and pointed out that the Bill is a way to prevent bad situations from getting worse. That is exactly the purpose of the Bill. My hon. Friend the Member for Stroud (Siobhan Baillie) pointed out that everybody in the Chamber was smiling as we consider the Bill, as was everyone in the photographs I saw of the Minister’s visit to the guinea pigs in her constituency yesterday.

My hon. Friend the Member for South West Hertfordshire (Mr Mohindra) made the point that going to court is not always the most effective way to deal with the problem, and my hon. Friend the Member for Broadland (Jerome Mayhew) made some serious comments about the Bill. I can reassure him that we will go into further detail in secondary legislation and, if necessary, guidance on who will enforce the penalty notices. To give him some idea, we envisage that the Rural Payments Agency, the Animal and Plant Health Agency and local authorities will be the bodies most likely to be charged with doing this. I share his concerns about incentivising the issuing of fixed penalty notices, but I would ask him to look at the Treasury guidelines on that very point. I reassure him that that will always be at the forefront of my mind.

My hon. Friend the Member for Stoke-on-Trent North (Jonathan Gullis) told us about Greyhound Gap and the hedgehog rescue centre, and made an unexpectedly bipartisan speech, which was good to hear. My hon. Friend the Member for Bassetlaw (Brendan Clarke-Smith) meets animals on the campaign trail, but I was also glad to hear about Jerry the cat’s enjoyment of “Match of the Day”. I would not have thought that such activity would be subject to the issuing of a penalty notice. My hon. Friend the Member for Rushcliffe (Ruth Edwards) made an important speech, although she did sadly refer to her extremely badly behaved animals. I was delighted to visit her constituency last Friday and eat some Cropwell Bishop stilton with her for lunch.

My hon. Friend the Member for Stoke-on-Trent Central (Jo Gideon) rightly makes animal welfare a priority of hers, because of the sad record of her constituency in this regard. Recognising that is in many ways the best way of dealing with the problem, and I applaud her for her work in this area. My hon. Friend the Member for Wolverhampton North East (Jane Stevenson) understands the value of pets to us all. We are about to hear a great deal more from her, and I would like to add that I enjoyed meeting Cromwell and Bertie on Zoom—they certainly hold their own in her household.

I associate myself with the comments of the hon. Member for Newport West (Ruth Jones). It was an honour to attend Jack’s funeral earlier this week. Although

he was not always bipartisan, he was a model of how cross-party working can take matters forward, so I think he would be pleased with what we are doing today.

This Bill is just one of a series of animal welfare reforms being supported by the Government, building on our action plan for animal welfare. Penalty notices will be an important tool in encouraging animal keepers to follow the rules and to discourage those who break them from committing more serious offences. The Bill was in Committee on 8 December. It introduces a new financial penalty system and gives us tools that we can use against those who commit offences against animals. We will not tolerate threats to the health and welfare of animals, the quality of our animal products or the biosecurity of our nation.

I acknowledge the time and effort given by the animal charities listed earlier by my hon. Friend the Member for Romford. The Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Bury St Edmunds (Jo Churchill), is avidly looking forward to continuing the engagement she has had with those charities and to working with them constructively as we put the flesh on the bones of the Bill in secondary legislation. That will ensure that penalty notices meet the needs of animals and help those who enforce them to change the behaviour of people who are not quite doing the right thing.

My hon. Friend the Member for Buckingham (Greg Smith) in an intervention and my hon. Friend the Member for Rushcliffe made some serious points about the appeals process. That point has been raised by the NFU, and I know that my officials have been working with it on this issue. It might help Members if I give a bit of an overview as to what will happen in enforcement terms in the farm animals space. The inspector will visit or identify the fault. He will then identify and discuss with the farmer what sort of fault has occurred. It might well be one of record keeping or lateness in organising a TB test, for example. The farmer will then have two weeks to rectify that fault, and only then would a penalty notice be issued. If the farmer disputes that penalty notice, the best thing to do is simply not to pay it and explain why not. If the authorities continue to wish to enforce that penalty notice, the farmer would be able to have his day in court.

**Greg Smith:** I am delighted that the Government are supporting this Bill and about the commitment my hon. Friend has just made. Can she give me an assurance that within the secondary legislation that the Government intend to bring forward, instead of someone who disputes a penalty charge notice simply not paying it, there will be a channel locked in for them to give the reasons why they are disputing that, so that the inspector can consider those reasons?

**Victoria Prentis:** I am very happy to continue to work with my hon. Friend and the NFU as we take the secondary legislation forward. I would like to reassure him that this process is intended to have discussion built in at its very core. It is there to guide people towards compliance, not penalise them for non-compliance, so we will be able to achieve the outcome that he wants.

I take this opportunity to extend gratitude once again on behalf of my hon. Friend the Member for Bury St Edmunds to those who so avidly engaged with the passage of the Bill. Their support is really appreciated,

and their expertise has been invaluable to the robust consensus we have built. In this country, we pride ourselves on our high standards of animal welfare, and we have powerful laws to maintain them. I reiterate the Government's unwavering support for this important Bill. I wish it well under the stewardship of Lord Randall in the other place. I add my thanks to all those mentioned by the hon. Member for Newport West (Ruth Jones), and I also add my thanks to Claire Ingham, who has managed this Bill so well to date. I hope we are able to see it on the statute book soon.

11 am

**Andrew Rosindell:** With the leave of the House, I will say a few words of thanks. I particularly thank the Minister for leading on behalf of the Government today and for her support and the reassurances she has given about how the Bill will be implemented. I thank the hon. Member for Newport West (Ruth Jones) for her support and the enthusiasm she showed for the Bill. I echo her words about Jack Dromey, who was a real gentleman. We disagreed politically, but my goodness, he was a very kind and genuine person. We will all miss him, and our sympathies go to the right hon. and learned Member for Camberwell and Peckham (Ms Harman), who has served this place so well for so long.

I thank all Members who have spoken in the debate, including my hon. Friends the Members for Wolverhampton South West (Stuart Anderson), for Wolverhampton North East (Jane Stevenson), for Stroud (Siobhan Baillie), for Stockton South (Matt Vickers), for South West Hertfordshire (Mr Mohindra), for Broadland (Jerome Mayhew)—he made a lot of valid points that I completely take on board—for Stoke-on-Trent North (Jonathan Gullis), for Stoke-on-Trent Central (Jo Gideon), for Bassetlaw (Brendan Clarke-Smith), for Rushcliffe (Ruth Edwards) and for Buckingham (Greg Smith). My hon. Friend the Member for Buckingham made a superb intervention. I thank all Members for their comments.

I also put on the record my thanks to my hon. Friend the Member for Bury St Edmunds (Jo Churchill) for her work helping me to ensure that the Bill reached its final stages in this House. I also thank Lord Goldsmith of

Richmond Park. We have enjoyed a strong working relationship over many years, particularly over the issue of protection of animals and conservation. I am honoured to have had the opportunity to work with him on the Bill. Lord Randall of Uxbridge has my deepest gratitude for kindly agreeing to take my Bill forward in the House of Lords. I have no doubt that he will ensure that it passes all the necessary stages before—hopefully—it receives Royal Assent.

I am also eternally grateful to the team at DEFRA for their advice and guidance throughout this process, especially Claire Ingham and Kirsty Groves for their tireless efforts and regular engagement with me.

I thank very much indeed my hon. Friend the Member for Castle Point (Rebecca Harris), who has given me great advice and guidance during the passage of the Bill and is always there when I need her.

Finally, I could not possibly fail to thank the staff in my parliamentary office, who have worked so hard, especially Elliot Keck and Stephen Reed, who unfortunately have both now left. They have been replaced working on the Bill by Scott Sherlock and Daniel Burden. I thank them for their valued and unwavering support and hard work. No Member is successful without the support of their staff, and mine have gone above and beyond the call of duty. A huge thank you must also go to the Clerks of the House of Commons, who have supported me from day one and made sure that I kept things properly on track, to ensure that we get to the successful place I hope we are reaching today.

Madam Deputy Speaker, thank you. In this historic year of the Queen's jubilee, let this Bill ensure that the animals that inhabit our cherished land and islands will be the winners under this new legislation.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

**Madam Deputy Speaker (Dame Rosie Winterton):** Congratulations.

## Glue Traps (Offences) Bill

*Consideration of Bill, not amended in the Public Bill Committee*

### Madam Deputy Speaker (Dame Rosie Winterton):

Before we get on to the proceedings, I want to remind Members of the difference between Report and Third Reading. The scope of the debate on Report is determined by the amendments that Mr Speaker has selected. The scope of the Third Reading debate to follow will be the whole Bill as it stands after Report. Members may wish to consider these points and then decide at which stage they want to try to catch my eye.

### Clause 1

#### OFFENCES RELATING TO GLUE TRAPS IN ENGLAND

11.5 am

**Mark Tami** (Alyn and Deeside) (Lab): I beg to move amendment 1, line 3, after “rodent” insert “or any other vertebrate animal”.

*This amendment, and Amendments 2 and 3, would create an offence of setting of a glue trap capable of catching any vertebrate animal, removing a potential defence of a user claiming that a trap had been set to catch a non-rodent vertebrate.*

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

Amendment 2, line 6, after “rodent” insert “or any other vertebrate animal”.

*This amendment, and Amendments 1 and 3, would create an offence of setting of a glue trap capable of catching any vertebrate animal, removing a potential defence of a user claiming that a trap had been set to catch a non-rodent vertebrate.*

Amendment 3, line 11, after “rodent” insert “or any other vertebrate animal”.

*This amendment, and Amendments 1 and 2, would create an offence of setting of a glue trap capable of catching any vertebrate animal, removing a potential defence of a user claiming that a trap had been set to catch a non-rodent vertebrate.*

Amendment 4, in clause 2, page 2, line 24, leave out paragraph (a).

*This amendment would require that licences for glue traps be issued at a class or individual level only, in order to minimise their use only to exceptional and specific circumstance.*

Amendment 5, page 2, line 25, leave out “all pest controllers”.

*See the explanatory statement for Amendment 4.*

Amendment 6, page 3, line 29, leave out from “provides a” to end of paragraph (a) and insert “pest control service, or”.

*This amendment would clarify that individuals whose businesses may “involve” pest control, but who are not pest controllers by training and trade, cannot be licensed to use glue traps.*

**Mark Tami:** First, I would like to put on record my thanks to the hon. Member for Wolverhampton North East (Jane Stevenson) for bringing in this Bill. Particularly as she is a new Member, I hope she will get the Bill through. That would be more than I have done in 20 years in this House, so she will have done incredibly well.

Following other Members, I feel I must very quickly, before I upset you, Madam Deputy Speaker, mention Muffin, Bobby and Mrs Skittles, who are my cats. I

would advise Members to look at the House calendar, because Mrs Skittles features in this month’s photograph. That was organised by the late David Amess, who organised the competition for many years. We certainly miss him in this place.

My amendments cover two key areas. The first area looks at where a trap is laid and an animal other than a rodent is caught. At present, the wording in the Bill is:

“A person who sets a glue trap in England for the purpose of catching a rodent commits an offence.”

I am sure Members of the House are well aware that it is not just rodents that are caught in glue traps—even though that practice, to me, is barbaric in itself. Birds are caught too. They are also probably aware of the tragic situation in which a pet cat was trapped for some time on a glue trap or a number of glue traps and had to be put down. I hope this provision is not a loophole; I am looking at the Minister. I am sure, as we have heard previously, that that is covered in other legislation and that there is not a problem with any loophole in this Bill. Clearly, if people look to get around the legislation by claiming that they are laying traps for a different purpose, that defeats what we are trying to achieve.

The second area looks at dealing with regulation. Pest control is not a very well regulated industry, and the concern I and a number of others have is that we cannot have a situation in which anybody can designate themselves as a pest controller. I would certainly want some assurances that that is not the case, so that a porter in a hotel or a restaurant—or the owner, or anybody else—could not suddenly describe themselves as a pest controller and have access to glue traps. It is important that the industry is regulated, or at the very least that there are some assurances that this is a person’s profession rather than something they have just decided to do for a period of time.

I would like those assurances, and if I receive them I will wish the Bill swift progress and will not push the amendments to a vote.

**Jane Stevenson** (Wolverhampton North East) (Con): I want to speak briefly to the amendments, as it gives me a chance to thank the right hon. Member for Alyn and Deeside (Mark Tami) for all his work on glue traps. He has tabled an early-day motion on these barbaric traps and we share the aim of stopping the cruelty and suffering that, sadly, they cause. I want to reassure him: I have also been contacted by animal welfare charities and believe that clause 1(2) closes the loophole:

“A person who sets a glue trap in England in a manner which gives rise to a risk that a rodent will become caught in the glue trap commits an offence.”

I cannot think of a location where a trap could be set even if someone said they were setting it for parrots or for cats; I cannot think of an occasion when another animal could be in a place that could be guaranteed to be free of rodent access. For that reason I did not think that the amendments were necessary, but I appreciate the right hon. Gentleman’s efforts.

The other points the right hon. Gentleman raises in the amendments give me the chance again to plead with the Minister to make the licensing enforcement regime watertight. I share the concern that people given licences should have to prove a very high level of competence in

the ability to dispatch quickly and humanely any animal stuck on a glue trap. I thank the right hon. Gentleman again for his contributions.

**The Minister for Farming, Fisheries and Food (Victoria Prentis):** I hope I will be able to reassure the right hon. Member for Alyn and Deeside (Mark Tami), and indeed Muffin, Bobby and Mrs Skittles along the way.

I understand the concern expressed through the amendments on glue traps, as we do want to prevent other small vertebrate animals and indeed birds from falling victim to the traps. The Bill already addresses that in its current wording, however, so the amendments are unnecessary.

The Bill refers specifically to rodents as they are the primary target of glue traps, which are marketed with catching rodents in mind; however, it would not be a defence for a user to claim that a trap had been set to catch a vertebrate that was not a rodent. If a trap is set in a manner which gives rise to a risk that a rodent will become caught, that is an offence regardless of the intent. It does not matter what was the target or intended target of the trap; if a trap is set outdoors to catch another vertebrate animal, that in itself is an offence, so other vertebrate animals at risk from a glue trap would still be protected by this Bill. It is also important to note that it is already an offence under the Wildlife and Countryside Act 1981 to set a glue trap in any place where a wild bird could be caught.

Again, I understand the reasoning behind amendments 4 and 5, but the Bill already covers what they seek to address. They might also create difficulties for a future licensing regime. The Bill is drafted to allow a range of licences to be granted in order to ensure that the Secretary of State has the flexibility to grant the most suitable type of licence for the intended use or pest controller. The precise details of the licensing regime will only be worked out following extensive discussions with stakeholders, who will include pest controllers, animal welfare organisations and the licensing body. We do not want to prejudge the outcome of these discussions; however, whatever the form of licence granted, the Bill makes it explicit that licences can only be issued to pest controllers on an exceptional basis.

The Bill sets out clear limits on the Secretary of State's power to grant licences to ensure that any licence can only be granted once the Secretary of State is satisfied that the licence is necessary to preserve public health or safety and there is no other satisfactory solution available to meet this purpose. It would not be appropriate further to restrict the type of licence that could be granted, as that might need to reflect a number of variables such as their intended use, the pest controller to whom the licence is to be granted, and the measures that can be taken to safeguard the welfare of any rodents or other animals that might be caught in a licensed glue trap.

Finally, I turn to amendment 6. Again, I fully understand what the right hon. Member for Alyn and Deeside is trying to get at in the amendment, but I think it is unnecessary, as it would not change the effect of clause 2 and his concerns will be addressed through the licensing regime. The amendment seeks to ensure that the definition of pest controller is worded to apply to a business that provides a pest control service. The current wording—  
“a person...who, in the course of a business, provides a service which consists of, or involves, pest control”—

amounts to the same thing. I know that he is concerned that a restaurant owner could class themselves as a pest controller. However, we cannot see that a court would agree with that interpretation; indeed, no one would like to think of a restaurant business providing its customers with a service that included pest control.

11.15 am

Concerns have been raised about the training of those who are granted pest control licences. The Bill will allow licences to be granted only to those pest controllers who can demonstrate the relevant training or competence. We plan for the licensing regime to require that, and we plan to engage with stakeholders in the pest control industry and in animal welfare organisations on how to implement that effectively. I believe these amendments to be unnecessary.

**Mark Tami:** Having heard what the Minister has said, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

*Third Reading*

11.16 am

**Jane Stevenson:** I beg to move, That the Bill be now read the Third time.

I am delighted to present the Bill for its Third Reading. I thank all hon. Members who have supported it to this stage, as well as animal welfare groups and members of the public who have contacted me in support of it. The Bill has broad support. I should also like to take a moment to thank my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory). Unfortunately, at the time of the Bill's Second Reading, I was struck down by covid-19 and propped up on a sofa, so my hon. Friend very capably presented the Bill. Sadly, she cannot be here today for me to thank her in person, but it is good to put that on the record.

The Bill would ban the use of glue traps for catching rodents in all but the most exceptional circumstances. The important thing is that members of the public will no longer be able to use these traps. We heard distressing evidence while the Bill was being drawn up from people who had no idea that they would come down after setting a trap the night before to find a screaming, live, distressed rodent attached to a board in their kitchen in a small flat. They had no idea how to dispatch the animal humanely. They had no idea that they would have to deal with such a distressing situation. I received correspondence from people who urged others not even to consider using these traps because of the significant distress it had caused them to feel that they had to dispatch a suffering animal.

Glue traps cause immense suffering. The British Veterinary Association reports that trapped animals can suffer from

“torn skin, broken limbs and hair removal and die a slow and painful death from suffocation, starvation, exhaustion and even self-mutilation.”

Many other animals are caught on the traps, with over 200 incidents reported to the Royal Society for the Prevention of Cruelty to Animals over five years, involving cats, garden birds, hedgehogs, squirrels and even a parrot. The right hon. Member for Alyn and Deeside (Mark Tami) mentioned Miles the cat, who was stuck to four glue traps. He had a large infected wound where

[Jane Stevenson]

he had tried to free himself from the traps, and his back legs had been stuck together. The RSPCA took him to a hospital to try to save him, but sadly his injuries were too severe and he had to be euthanised.

It is therefore not surprising that a 2015 survey found that 68% of the public support banning glue traps. While the Bill applies only to England, I note that since I introduced it in June last year, the Welsh and Scottish Governments have announced their intention to ban glue traps. I send my thanks to Members of the Welsh Assembly and the Scottish Parliament for the work they are doing to move in step with this Bill in the name of animal welfare.

I would like to give some reassurance about the concerns raised on Second Reading by my hon. Friend the Member for Christchurch (Sir Christopher Chope)—he is not in his place today—that this is a rat protection Bill. It is not. There is no evidence to suggest issues in dealing with rodent infestations in Ireland and New Zealand, where such traps have been banned. There are so many other, better methods available. Effective rodent-proofing is the best solution and, when used with live capture and release traps, is the method that I would recommend. I used that method when I had a mouse visitor to my house in the past. There is no distress and no need to deal with a dead animal, which most members of the public do not have the stomach for at the best of times. Break-back traps are also available and, while they seem cruel, they do kill instantly in most cases, so they are much more humane than glue traps.

I have brought the Bill before the House because where we need to prevent rodent infestations, we have a duty kill animals in the most humane way possible, and that is at its core. It is right that glue traps will not be available for use by the general public.

**Mark Tami:** I raised earlier the availability of these traps on eBay and in other places. When the Bill comes in, we need to be sure that people cannot still access them—this is a problem with all sorts of things—via the internet.

**Jane Stevenson:** I thank the hon. Member for his contribution, and I hope that we will have that education around their sale. Most hardware shops, where they used to be available, have already stopped selling them, but they are still available online. Hon. Members have asked why the Bill does not propose an outright ban on their sale. With devolved Administrations travelling at different speeds, that was not possible. However, he raises a valuable point. It is crucial to educate members of the public that these traps will no longer be legal, and I would like people who sell them—well, they should not be selling them—to advise that they should be used only by licensed pest controllers with a licence to use them.

I hope we can agree that the Bill will provide significant improvements to animal welfare standards. The Government have made real progress in animal welfare over the years, including on puppy smuggling and live animal exports, and I am proud to join the large number of MPs pushing for better animal welfare. At this point, I want to pay tribute to Sir David Amess. The last time I saw him, we discussed the Bill at an event for the Conservative Animal Welfare Foundation at our party

conference where he was promoting Beatrice's Bill: an end to hen caging. I hope that, at some point, we will fulfil his legacy by passing a Bill to that effect.

It has been a great honour to describe the Bill and I look forward to hearing hon. Members' contributions. It is crucial that we end the use of these traps as quickly as possible. There will be a two-year period during which a licensing regime will be put in place, and I hope that that will ensure that licences are given only in exceptional circumstances. In New Zealand, fewer than a dozen are granted each year, and I hope that our use of them will reflect that figure.

11.24 am

**Craig Williams** (Montgomeryshire) (Con): It is a real pleasure to support my hon. Friend the Member for Wolverhampton North East (Jane Stevenson), who has done a terrific job in moving the Bill forward. I know the unfortunate circumstances around Second Reading, so I am delighted to see her in her place today and to support her.

There are a couple of particular points I would like to make. First and foremost, as a Welsh Member of Parliament, I thank her for paying attention to devolution, and for going further and working with parliamentarians from the other Parliaments to ensure we can move at the same speed. I ask the Minister, in pulling together the next steps, about the possibility of using legislative consent motions and the powers afforded to us by the UK Parliament, to ensure that, in terms of timing, we help the other places to move together, so we can get to the education points. It is worth reflecting, as the right hon. Member for Alyn and Deeside (Mark Tami) said, on the availability of glue traps in some DIY shops and, in particular, online. The BVA gave evidence that they were available for about 99 pence, so they are clearly still both cheap and available. We need to do much more to ensure that my Welsh constituency sees the benefits of the Bill.

I was quite taken by the evidence, mentioned by my hon. Friend the Member for Wolverhampton North East and the right hon. Member for Alyn and Deeside, not just about Miles the cat, but the other 200 pieces of evidence from the RSPCA about hedgehogs, wild birds and the unintended consequences of traps. I am heartened that the Government, in their usual way, are looking at licensing as a way to allow their use where all other options have been exhausted. From the evidence, we can see that the aviation sector has a particular problem. While we remove glue traps from as much of the United Kingdom as possible and as quickly as possible, I very much welcome that there will be a licensing regime for the removal of pests where absolutely necessary.

From the licensing regime and the authorised inspector, I want to draw my remarks to a conclusion by returning to where I started: pulling the measures together at the same pace. On most Bills I speak to, especially when they say, "England only", I look over my border constituency and think how great and wonderful it is to be supporting my English colleagues in progressing them. However, we must do more as the United Kingdom. I reinforce the point about legislative consent motions in the Welsh and Scottish Parliaments to bring these measures together at pace and at the same time, especially bearing in mind the complete consensus on this issue across the Government and Opposition Benches, and, I should imagine, all Parliaments of the United Kingdom.

I wish my hon. Friend well—I am entirely jealous that she is managing to effect legislation at a far quicker pace than I seem to have to date—and I wish the Minister well in pulling together the devolved Parliaments.

11.28 am

**Lia Nici** (Great Grimsby) (Con): I congratulate my hon. Friend the Member for Wolverhampton North East (Jane Stevenson) on bringing forward this important private Member's Bill.

We often talk about the love we have for our pets and for animals more generally. I found it concerning that somebody had called the Bill a "rats protection Bill". I grew up at a time when I was told by people who lived in the countryside and in the city, that we are never more than 10 feet away from a rat. That is quite horrifying. However, we must remember that rodents are one of the most successful mammals on the globe because they take advantage of human beings: the way we work and the disgraceful mess we sometimes create. Although there are important issues such as Weil's disease—a terrible curse to anyone who contracts it—we should remember that as human beings we must respect animals and euthanise them, if need be to protect our own safety, in the quickest and most humane way that we can.

It never ceases to amaze me how barbaric human beings can be, and glue traps, I am afraid, are not selective. Someone may wish to catch a rat or a mouse, but my hon. Friend the Member for Wolverhampton North East eloquently described the distressing situation that follows. Rats and mice are highly intelligent creatures, and it must be the most horrendous death for them. Moreover, the UK, in particular the area around my Great Grimsby constituency, is vital for migrating birds; 90 million birds leave the Arctic every year, and the UK is an important area for them to live in. It would be terrible to think that the ongoing use of glue traps might cause the demise of even more of our important wildlife.

Rats in particular are very dangerous, so I welcome the clauses of the Bill that permit the Secretary of State to award licences for glue traps to those professionals who know what they are doing. There are, as we know, some instances where rats and mice, particularly rats, cause serious health protection problems. Environment officers and agencies are a vital part of our local authorities and local councils and ensure that we are protected.

I wholeheartedly thank my hon. Friend for introducing the Bill; it is an important and balanced Bill that ensures not only that we can protect ourselves and our health, but that we are not causing undue stress to other sentient beings. Anybody who has ever caught a rat or seen a rat when it is alive will know what intelligent animals they are. That is why we must ensure that we are not being unduly cruel.

I also stress to people that the best way to reduce rodent infestations is to ensure things are packed away correctly and foodstuffs are not left out—certainly not to throw their takeaway down the road out of the car, as I have seen on many occasions. Rodents are clever creatures and as soon as that food is out there, they will take advantage. If human beings would take a little more care in how we look after our world, we would not need to introduce Bills in this place

to prevent people from doing barbaric things to rodents, even though we do need to control them at times.

11.33 am

**Stuart Anderson** (Wolverhampton South West) (Con): I am delighted to support my colleague and constituency neighbour, my hon. Friend the Member for Wolverhampton North East (Jane Stevenson). As her neighbour, I share the same passion, although she is a great champion of animal rights and animal welfare across Wolverhampton and in many areas that she speaks in. In Wolverhampton, we want to see the right thing done for the whole community, so I welcome this Bill and the Government's support for it.

When people find out I am an MP, family, friends and many constituents will tell me great ideas for Bills that I could introduce. Normally they are very well-meaning; I get everything from jumping on a trampoline to cure covid to other things—

**Lia Nici:** That is disinformation.

**Stuart Anderson:** That is a genuine one I have had. However, when I think of it, it is very hard to bring forward something meaningful that will get the support of the House and change legislation. We have seen my hon. Friend the Member for Romford (Andrew Rosindell) and now my hon. Friend the Member for Wolverhampton North East introduce two great Bills.

As we have heard, the point of this Bill is to ban the use of glue traps to catch rodents in all but the most exceptional circumstances. That is a fair and proportionate policy, which is in line with the Government's own world-leading action plan for animal welfare. The action plan has already introduced a series of reforms providing further protection for the welfare of animals, whether they are on the farm, at home or in the wild. It is also committed to restricting the use of glue traps as a means of pest control; as has already been mentioned today, there are more humane ways of removing rodents from our buildings.

The manifesto on which I was proudly elected states

"High standards of animal welfare are one of the hallmarks of a civilised society. We have a long tradition of protecting animals in this country, often many years before others follow."

Glue traps are inhumane tools which go against that theme. They cause great suffering and painful deaths to animals. Their use is cruel. Animals can remain alive for 24 hours after capture, and my hon. Friend the Member for Wolverhampton North East gave some examples of the unintended consequences involving pets and wildlife.

I agree with my hon. Friend that we have a responsibility to use the most humane methods in order to prevent unnecessary suffering. Levelling up animal welfare standards ought to be a top priority for all levels of Government, and also—as we heard from one of my Welsh colleagues, my hon. Friend the Member for Montgomeryshire (Craig Williams)—for the devolved Administrations. I hope that news about the great progress that is being achieved through this Bill will travel far and wide, and will feature prominently in Ministers' conversations with devolved Administrations.

As we know, however, glue traps are not the only things that animals can find themselves caught up in. Since the introduction of the plastic bag charge, the

[Stuart Anderson]

Government have successfully prevented billions of plastic bags from being sold and ending up in oceans and the environment where they have the potential to harm animals. I am a keen advocate for a safer, cleaner Wolverhampton, and, as my hon. Friend will know, I regularly run “Stuart’s street clean”. In the centre of a huge, built-up area is a beautiful place called Smestow Valley. If you walk down there from Cupcake Lane, you could be in any nature reserve in a country area rather than in the middle of a built-up urban area, and you would absolutely love it. I recently went on a litter pick there, and Members will be pleased to hear that the number of plastic bags has been reduced as a result. The wildlife in the valley is amazing, and it is a great pleasure to walk or run along it, perhaps with the family. Many dog walkers enjoy doing that.

**Jane Stevenson:** I thank my hon. Friend for his regular litter picks, which have become somewhat legendary in my home city. Does he agree that in an urban, industrial centre such as Wolverhampton we need to enjoy what nature we do have? Given that Smestow Valley and the canal network that spreads into my constituency—the canals around Wednesfield—are such a haven for wildlife, should we not do all that we can to protect them?

**Stuart Anderson:** I do agree with my hon. Friend. It is such a beautiful area, and we must indeed do everything possible to ensure that it is preserved. We have many beautiful parks as well. I know that this is not meant to be a Wolverhamptonfest, but it would be remiss of me not to mention, for instance, West Park and Bantock Park.

As I have said, I was proud to be elected on a manifesto which pledged to raise standards in areas such as animal welfare and the environment, and that is why I am delighted to support my neighbour’s Bill.

11.38 am

**Jerome Mayhew (Broadland) (Con):** I believe it was my hon. Friend the Member for Christchurch (Sir Christopher Chope) who, in an earlier debate on the Bill, described it as a rat protection Bill. Were it to be one, I would certainly not be supporting it. I grew up in an old farmhouse; some of my most profound memories of childhood involve rodents, and not in a particularly positive way. I remember lying in bed as a small child in that seemingly interminable period between being put down and actually falling asleep and hearing the scurrying of the mice—I hope they were mice, but we were never sure whether the mice or the rats had the upper hand at any one time. They would go up the wall and I would hear them pitter patter across the ceiling. I was used to it from an early age, so it became rather soothing after a while, which seems odd in retrospect.

We had a mouse in our kitchen for a period that became very bold. They are normally nocturnal, but one lived behind the gap where there should have been a dishwasher. It took to coming out into the kitchen while we were having our breakfast and would wander across the floor. It was rather sweet so we did not take effective action for a week or two, but I am sorry to say that my mother eventually decided that hygiene was the better part of that relationship. I am sure that she did not use a glue trap but an effective means was found to say goodbye.

I mentioned the contest between the ascendancy of the mice and the ascendancy of the rats. It may be an urban myth but I have always assumed that there is only ever one kind in the house—mice or rats. I stand to be corrected on that. I remember that, when my brother was on a rat hunt in the larder with a baseball bat, he effected a clean hit on a moving target, which gave him enormous status, certainly in my eyes—I have looked up to him ever since.

**Lia Nici:** My hon. Friend is telling us a beautiful story of growing up in the countryside, about which I would like to read more in his future memoirs. I may have a sleepless night tonight though because “The Ascendancy of the Rats” sounds like a new horror film. I am concerned that perhaps we should look at banning baseball bats with regard to rodents as well.

**Jerome Mayhew:** I thank, I think, my hon. Friend for her intervention. One thing to be said for baseball bats as a method of controlling rodents is that, although they may not be very effective, and people rarely make contact, when they do, they are decisive.

I reminisce because we need to control rats and rodents, but we share this world. Growing up with the kind of childhood that I had, I instinctively understood how much we share this world with wildlife and I benefited enormously from that. When we need to control animals, therefore, particularly sophisticated animals such as mice and rats, we need to do that quickly and humanely, so I support the Bill almost in its entirety.

I run the risk of sounding a bit like a lawyer this morning, because I made a rather tedious intervention on the previous Bill and I am afraid I will do so again. I made the point on Second Reading, and was punished by being put on the Committee as well, where I took the opportunity to make the same point, for which I received cross-party support and agreement, that there is an issue in clause 1(5) that needs to be addressed.

The Bill has the effect of outlawing the laying of glue traps, but not entirely. It is still perfectly legal for licensed operators to lay glue traps in certain circumstances. Clause 1(4) says:

“A person who knowingly causes or permits an offence to be committed under subsection (1) or (2) commits an offence.”

That has in mind people who perhaps pay someone else to lay a glue trap on their behalf. Clause 1(5) says,

“A person commits an offence if the person—

(a) finds a glue trap in England that has been set in a manner which gives rise to a risk that a rodent will become caught in the glue trap, and

(b) without reasonable excuse, fails to ensure that the glue trap no longer gives rise to such a risk.”

This subsection relates to the passer-by. It is in that context that I have significant concerns about the current drafting, because a bystander will need to know the legal requirements for the setting of a glue trap.

A perfectly innocent bystander or passer-by who sees a glue trap in any situation will have to identify, first, that it is illegal, and then whether it is a licensed glue trap. Either it will put the passer-by at risk of committing an offence or it will be a terrible nuisance to licensed operators who legally lay glue traps for which there is a specific need, as passers-by will throw themselves upon

the glue traps to disable them. I am concerned that the drafting still does not take account of this genuine concern.

**Jane Stevenson:** I thank my hon. Friend for enduring the ordeal of serving on the Public Bill Committee, to which he made a valuable contribution. I understand his concern about these measures, but it is crucial that we close the loopholes. I do not think a member of the public could be expected to know, and it would be a reasonable excuse, because a glue trap is essentially a piece of cardboard that is not recognisable as being very harmful, but a pub landlord might ask a pest controller to put them down, and he would be liable. He could not claim, "It wasn't me, so I cannot be prosecuted."

**Jerome Mayhew:** Actually, my hon. Friend's example would be caught by clause 1(4).

I am also concerned about clause 1(5)(b), because it has the seeming effect of reversing the burden of proof. The defendant, the innocent passer-by, has to prove that they had a reasonable excuse. I would be grateful if the Minister addressed that point to reassure me and other hon. Members that we will not inadvertently create unintended consequences while continuing to support what is, without doubt, a very useful and much-needed amendment to our legislation.

11.47 am

**Matt Vickers (Stockton South) (Con):** I pay tribute to my hon. Friend the Member for Wolverhampton North East (Jane Stevenson) for introducing the Bill. I congratulate her on the constructive and positive discourse and cross-party dialogue she has engaged in and facilitated on this Bill.

As has already been much laboured today, glue traps are a barbaric and gruesome form of pest control that have the potential to cause immense, unnecessary and sustained suffering to the animals they catch.

**Mark Eastwood (Dewsbury) (Con):** We are talking about glue traps being a danger to animals. Can my hon. Friend think of circumstances where they could be a danger to babies and small children?

**Matt Vickers:** I can only imagine. We heard the story of a cat that lost its life to these glue traps, so they are a huge danger and a huge hazard.

This Bill will be a fantastic addition to the Government's efforts to ensure that we maintain the highest animal welfare standards in the world. Although I am a fan of Roland Rat, Remy and Mickey Mouse, I fully appreciate that rodents are a real and significant health issue for businesses, restaurants and homes across the country. I was stunned to learn how many babies the common brown rat can produce in a year. Without proper action, rodents can and do pose a dangerous threat to humans, damaging property and spreading very serious disease.

Although few would argue with the need for pest control, I am sure that nobody would accept that it should be less humane than necessary. We are all aware that the end result of many traps aimed at dealing with pests will often involve death, but we should strive to ensure that that is as quick and painless as possible. Few people, if any, would accept that a slower and more painful death for whichever animal gets stuck to a trap justifies any sort of cost or convenience benefit.

I draw the House's attention to a British Veterinary Association report that pointed out that trapped animals can suffer from torn skin and broken limbs and die a brutal, slow and painful death, often from suffocation, starvation, exhaustion and even self-mutilation. I find that barbarity hard to reconcile, and on researching the traps I was disgusted to see their impact on rodents and other unintended victims. Apart from the fact that glue traps cause unnecessary harm to the rodents that we actually want to deal with, as others have said they also represent a real danger to other animals, creatures and birds. The RSPCA has noted that over five years it has had 200 reports of incidents involving cats, birds, hedgehogs and squirrels that have all suffered horrific and unnecessary injuries.

I do not believe that restricting the use of glue traps will harm our ability to deal with rodents, and I note, as others have, that both the Republic of Ireland and New Zealand have restricted the use of the traps with no significant detriment to pest control. I recognise that this is a devolved issue and ask that we continue to liaise with the devolved Administrations in the United Kingdom to try to secure some parity and co-operation in tackling the traps. I congratulate my animal-loving hon. Friend the Member for Wolverhampton North East on the progress of the Bill and look forward to seeing an end to the use of these barbaric devices, which cause so much unnecessary harm and suffering.

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Dame Rosie Winterton):** Order. May I gently point out that if Members want to catch my eye to speak, it is quite useful to stand and indicate it from the beginning? I recognise that people might be suddenly inspired to speak at the last moment, but even if colleagues have put in to speak it does not mean that they necessarily want to, so it is quite useful if people indicate that wish. I almost went straight to the shadow Minister, so those who have started bobbing now might have been missed out.

11.52 am

**Brendan Clarke-Smith (Bassetlaw) (Con):** I was relatively inspired by my hon. Friend the Member for Stockton South (Matt Vickers), Madam Deputy Speaker, and would like to share my brief experience with rats.

As has been mentioned, rodents are not necessarily the most popular thing. There is the worry of disease, and of course in this very House, in many of the corridors leading towards our offices, we see many and various traps lying around. One job I am given where I live is to put various bits of poison down, as we had a little bit of a problem once upon a time. One morning, I opened the front door and we had been left a surprise gift at the front of the house of a particularly large rat. It did not appear to have any life signs and I was subsequently tasked with removing it with a bag and sending it away. My son ran behind me to see what was happening and I had to use my diplomacy skills to say that the mouse, as I called it, was just sleeping, at which he informed me, "No, Daddy, it's dead." Thanks to his greater knowledge, I disposed of the rat and of course we used poison.

I must say that I was incredibly ignorant of the concept of glue traps. I had never heard of them before, so my hon. Friend the Member for Wolverhampton

[Brendan Clarke-Smith]

North East (Jane Stevenson) introduced me to the concept. When I googled them and clicked on the images, I was genuinely shocked to see these traps that can be purchased for as little as 99p. The images were not of rodents, but of hedgehogs and birds. We saw some quite nasty things.

Although we want to tackle the problem of rodents, there are better ways of doing it. The Bill is a sensible and humane way forward, so I commend it to the House and thank you, Madam Deputy Speaker, for giving me the opportunity to follow the inspiring speech made by my hon. Friend the Member for Stockton South.

11.54 am

**Ruth Jones** (Newport West) (Lab): This is another Bill that will make it through the House this morning and on to the other place. It appears that Friday is the new Wednesday in this House when it comes to productivity and excitement.

I am grateful for the opportunity to speak from the Labour Benches in support of this Bill on Third Reading. I should say that it is good to see the Minister in her place. I feel as if I have seen more this week of her, her fellow Minister the hon. Member for Bury St Edmunds (Jo Churchill) and the hon. Member for North Devon (Selaine Saxby) than I have of my husband, my children and my cat. I suspect the same goes for the Minister, too.

I congratulate the hon. Member for Wolverhampton North East (Jane Stevenson) on raising this important issue and on the constructive way in which she has worked with colleagues on the Opposition Benches. I gently say to the hon. Members for Montgomeryshire (Craig Williams), for Wolverhampton South West (Stuart Anderson) and for Stockton South (Matt Vickers) that devolution is alive and well and working throughout the UK. The Senedd and the Scottish Parliament will work to achieve the same aims in their own way in their respective countries. I gently ask them to remember that when they talk about UK-wide legislation.

**Craig Williams:** I am sure that the hon. Lady will have noted that I talked about legislative consent motions. I not only understand devolution and welcome devolution, but pay due reference and respect to devolution by asking for the Administrations' consent. I gently push back and say to her that I was being quite pro-devolution.

**Ruth Jones:** I thank the hon. Member for his intervention. Of course I take it that you were respectfully in support of devolution, which is a lovely thing—thank you very much.

**Madam Deputy Speaker (Dame Rosie Winterton):** Order.

**Ruth Jones:** Sorry, I thank the hon. Member. I do apologise, Madam Deputy Speaker.

As the Bill now prepares to move to the other place, it is important to note that the banning of glue traps is supported by a range of campaigners, stakeholders and organisations. That support stands today and extends, as it has previous, to those on the Opposition Benches. I feel sure that my friend Baroness Jones of Whitchurch is raring to pick up this Bill and the points around enforcement, scope and language as their lordships

consider the Bill. The Opposition did not table any amendments and will not seek to push to a vote, but I do want to acknowledge the comments and campaigning prowess of my fellow countryman, my right hon. Friend the Member for Alyn and Deeside (Mark Tami). He is right to have raised his important points, and I thank him for his care and interest in these issues.

We wish the Bill well as it travels out of this House, and look forward to the devolved Governments working together to deliver real action, not just hot air. As the shadow Minister for air quality, may I say that all measures to tackle hot air are to be welcomed.

I wish to acknowledge all those involved in the Bill and in ensuring its safe passage. I should say to the hon. Member for Wolverhampton North East that this shows what a Member of this House can do with the support of the Leader of the House and the Government. I asked her for tips on success when the Bill Committee was in session. I think the simple answer for those on the Labour Benches is to ensure that a Labour Government is elected, although I do not expect the Minister to welcome that, but we can always live in hope.

I thank the hon. Members for Orpington (Gareth Bacon) and for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), my hon. Friend the Member for Rotherham (Sarah Champion), the hon. Members for Westmorland and Lonsdale (Tim Farron), for Broadland (Jerome Mayhew), for South West Hertfordshire (Mr Mohindra), for Hartlepool (Jill Mortimer), for West Bromwich East (Nicola Richards), for Romford (Andrew Rosindell), Stockton South (Matt Vickers) and for North Devon, my very experienced and knowledgeable hon. Friend the Member for Bristol East (Kerry McCarthy) and my right hon. Friend the Member for Alyn and Deeside. I give a special thanks to all their staff for their assistance, hard work and commitment. The same, of course, applies to the staff of this House, including the Clerks and the Library staff.

The hon. Member for Wolverhampton North East knows that we on the Labour Benches think that she has done many animals a great service by bringing this Bill to the House. Like her, I also acknowledge the hon. Member for Truro and Falmouth (Cherilyn Mackrory), who so ably stepped in previously, and I thank her for doing so.

I look forward to seeing the Bill's progress in the other place and wish it, on behalf of these Benches, very well indeed.

**Madam Deputy Speaker (Dame Rosie Winterton):** Before I call the Minister, may I just mention that the word “you” has been used quite a lot to address Members directly? Let me remind everybody that, when they say “you”, they mean me. Fortunately, this morning, it means that I have had an awful lot of praise—inadvertently. This is just a reminder, because I know that it is sometimes tempting in these Friday sittings to address each other directly, so please beware.

11.59 am

**The Minister for Farming, Fisheries and Food (Victoria Prentis):** I am extremely grateful to my hon. Friend the Member for Wolverhampton North East (Jane Stevenson) for her tremendous work in introducing this Bill and for navigating it to this stage. It has been a real pleasure to work with her.

We have heard some excellent speeches this morning. First, my hon. Friend the Member for Montgomeryshire (Craig Williams) made the valid point that there are still some sectors in which it may be necessary to continue to use glue traps. One he suggested is the aviation sector, and if there is an area where a mouse or a rat is causing trouble—particularly in gnawing through wiring, for example—and the layout of the area means it is impossible to get in another type of trap to catch the animal, a glue trap might be appropriate. That is why we have left the licensing provisions in the Bill.

My hon. Friend the Member for Great Grimsby (Lia Nici), who normally talks to me a great deal about fish processing, reminded us—I am not sure that we were grateful—how close we are to a rat, probably at this very moment. She also talked about how intelligent they are.

My hon. Friend the Member for Wolverhampton South West (Stuart Anderson) made valid points about how people are working together in Wolverhampton to make animal welfare better across the sphere. He also made the valid point that litter picking is definitely part of the answer to troublesome rodents.

My hon. Friend the Member for Broadland (Jerome Mayhew), who was soothed to sleep by rodents as a child, discussed the truly horrific event—I am not surprised it is seared on his memory—of his brother killing a rat. However, he also made some serious points, which I will address. The offence in clause 1(5) covers a situation in which a person fails to remove a trap set by somebody else. It is really aimed at people, for example, in house purchasing, such as the new owner of a property. The concept of reasonable excuse, as he knows very well, is widely used in criminal legislation. It does not seek to impose the burden of proof on the defendant. If the defence of reasonable excuse were raised, it would be for the prosecution to prove beyond reasonable doubt that the defendant did not have a reasonable excuse. Reasonable excuses would certainly include trespass and the tort of interfering with somebody's property. I am sorry, Madam Deputy Speaker, but occasionally I cannot help behaving like a lawyer.

My hon. Friend the Member for Stockton South (Matt Vickers) talked seriously about the effects of slow death on animals. My hon. Friend the Member for Bassetlaw (Brendan Clarke-Smith) was also keen to share his experiences of rats, and he was right to draw attention to the large variety of traps available in this very building.

I agree with the hon. Member for Newport West (Ruth Jones) that I have seen considerably more of her this week than I have of my family. It is, as ever, good to have her support on this Bill.

If I may, I would like to say a little about the rodents for which glue traps are currently marketed. I think it has been accepted across the House that we do need to control rodents, but in our nation of animal lovers, it is important that we do so as humanely as possible. We think the house mouse arrived in Britain in the iron age. Archaeological evidence indicates that they were present in large numbers by Roman times. The Mammal Society suggests that the availability of food and habitat for mice, and in turn their population, will have reduced—and I, for one, think that is good news—since the 1960s owing to changes in housing construction, the way we keep food, such as in sealed containers, and indeed

developments in agriculture, including more secure grain storage. It is true to say that mice can breed prodigiously. In man-made environments where there is a good supply of food, litters of between five and eight baby mice can be born at roughly monthly intervals. Although house mice can be found out in the countryside, they are poor competitors with other rodents, particularly wood mice. The house mouse is very happy to live side by side with humans, and its movement patterns and current widespread distribution are really because of its ability to adapt to us.

The brown rat is a very adaptable species. They are mainly nocturnal animals, and being able to climb and swim allows them to exploit a wide range of resources. They prefer habitats with dense cover and, of course, an abundance of food: they will eat just about anything. They are prevalent in rural farm buildings, but also occur in other rural habitats, most notably the river environment as we all know from children's literature. Densities vary dramatically before and after harvest. Substantial populations, such as the ones we have largely heard about today, also exist in urban areas, where they frequent sewers and other areas where food waste is available. They also live in buildings, and in many coastal habitats, especially salt marshes and grasslands.

It comes as a surprise to many people to learn that brown rats have only been in this country for around 300 years. They seem to have been introduced to the British Isles as a species in around 1720. Their forerunner, the black rat, has a longer history and, rightly or wrongly, is associated with outbreaks of plague. It is not a native mammal to these islands either. The brown rat has subsequently spread throughout the British Isles and indeed much of the world, often carried in ships. Reproduction is observed all year round, females can begin to breed at three to four months old, and they typically have five litters of between six and 11 baby rats a year.

If I may, I will suggest a few alternatives to the use of a baseball bat, which is not recommended by the Government, as a means for trapping house mice and brown rats. They can certainly both be viewed as pests. That has led to humans persecuting rather than conserving them, often through the use of traps. It is likely that people have trapped mice for as long as people have had houses. The word “mousetrap” dates from at least 1475, and reference to “a mousetrap” is made in “Hamlet”. The world's first produced mousetraps seem to have appeared in the late 19th century. While arguments rage as to who invented it, candidates include a British ironmonger, Mr Atkinson, who in 1897 designed the “little nipper”, which is still the basis of one of the widely used break-back traps today. A wide selection of foodstuffs can be used to catch mice. My husband favours peanut butter, and I am surprised we have not heard more from hon. Members about their preferences for use in break-back traps.

There is a live and wide debate about who was the first to develop the first lethal mousetrap with a spring-loaded cast iron jaw. Various American lay claim to doing so. It is notable that many patents are filed for new mousetraps every year. The Government fully support innovation in this field and the development of more humane means of trapping rodents, which can only be welcomed by us all in this House.

[Victoria Prentis]

I, too, would like to express my gratitude to animal welfare organisation who have helped with the Bill. Although the scope of the Bill is narrow, it is a vital addition to our animal welfare legislation. We have heard about the suffering the traps can cause and it is therefore right to ban their use in all but the most exceptional circumstances. We look forward to working closely with animal welfare groups and pest control organisations to ensure that the licensing regime is appropriate and effective. I also warmly welcome the positive news that, since the Bill was introduced last year, the Governments in Scotland and Wales have both made announcements of plans to introduce similar legislation. We will wait to see how those develop, but aligning legislation to ensure an effective ban across Britain would seem desirable.

I offer my thanks again to my hon. Friend the Member for Wolverhampton North East for introducing the Bill and to all hon. Members who have contributed today and in previous stages. I am pleased to reiterate the Government's support for the Bill and wish it well in its progress.

12.9 pm

**Jane Stevenson:** With the leave of the House, I would like to take a few moments to thank everyone for their interesting and sometimes disturbing contributions to today's debate, including my hon. Friends the Members for Montgomeryshire (Craig Williams), for Bassetlaw (Brendan Clarke-Smith), for Wolverhampton South West (Stuart Anderson), for Great Grimsby (Lia Nici) and for Stockton South (Matt Vickers). I would also like to thank Members who supported the Bill in Committee and its earlier stages.

I could not close without thanking all the animal charities. We had several online roundtables throughout this process. There are too many to mention, but the Humane Society, the RSPCA, the UK Centre for Animal Law, Cats Protection, People for the Ethical Treatment of Animals and the Conservative Animal Welfare Foundation are among them. I again thank the Minister for her reassurance that they will be involved in the licensing regime to make sure that humane options that they have suggested, such as pressure pads or maximum time limits, are looked at.

**Lia Nici:** We had a discussion about this issue, and it is something I am concerned about with animal welfare. There has been lots of discussion about what happens when a rodent or any animal is caught on a glue trap. Often, that animal will be in distress and probably take at least 24 hours to die. I notice in the Bill that it does not stipulate anywhere for a professional pest control organisation or person to act. Could they just lay a glue

trap and it be there for a very long time and we would still be in the same situation with inhumane death, or is there something else that we would expect to see?

**Jane Stevenson:** I reassure my hon. Friend that very strong representations have been made to the Minister, and I do not think her arm needs twisting too hard on this issue. I would like to see pressure pads used with glue traps, because it will be rare that they are used, and the placement of a pressure pad underneath a glue trap could alert a licensed pest controller almost immediately to an animal. I hope that any licences granted would have a responsibility to attend that animal in a very short timeframe. It is an important point, and I thank my hon. Friend for raising it.

I also thank the team at DEFRA, who have been fantastic in helping to draft the Bill. I thank the people in my office, who are all sitting in Wolverhampton, cheering the Bill on today. I also thank the dynamic duo on the Opposition Benches, the hon. Member for Newport West (Ruth Jones) and the right hon. Member for Alyn and Deeside (Mark Tami). Both are such heroes for animal welfare, and it is a great pleasure to see their commitment to getting animal welfare legislation through and working so co-operatively and sensibly on this Bill.

Finally, I thank the Ministers, my hon. Friend the Member for Bury St Edmunds (Jo Churchill) and my hon. Friend the Member for Banbury (Victoria Prentis), who I thank for her rat reproduction and history lesson today. I had absolutely no idea that the first mousetrap was invented in 1475, which is absolutely fascinating.

Briefly, when I look back into my family history I see that one of the great industries of Wolverhampton in the 18th and 19th century was making animal traps, and that my Mattox ancestors were vermin trap makers in Wednesfield in Wolverhampton, so perhaps my bringing this Bill before the House is a sort of atonement on a descendants' basis. I had not thought of it until the Minister raised the historical context of our trapping rodents. I am a lifelong animal lover, and I had pet gerbils as a child—we have heard about a lot of pets today—but I was not disturbed by rodents in my bedroom running around and keeping me awake. I greatly enjoyed keeping gerbils, and I have great fondness for rodents, who are very intelligent animals.

With all my thank yous wound up, I thank you, Madam Deputy Speaker, for indulging me in with a few moments at the end of the debate. I look forward to seeing the Bill progress. Another thank you goes to Baroness Foulkes, who will hopefully introduce the Bill in the House of Lords next week.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

**Madam Deputy Speaker (Dame Rosie Winterton):** Congratulations.

## Down Syndrome Bill

*Bill, as amended in the Public Bill Committee, considered.  
Third Reading*

12.14 pm

**Dr Liam Fox** (North Somerset) (Con): I beg to move, That the Bill be now read the Third time.

May I begin by thanking Members on both sides of the House for the support that they have given the Bill from the very outset? There are not many things that justify the downsides of being a Member of Parliament, but this is certainly one of the upsides—when we can see what will inevitably be a crisis emerging and do something about it in due time. That is one of the privileges given to us, and I am grateful to Members for their support in taking the Bill forward. They have not only supported it here in the House but advocated for it outside the House, where it has become one of the best-known private Members' Bills in recent times in terms of public awareness of what is happening. That matters a great deal, because the Bill is not exactly the same as it was when we considered it on Second Reading—a subject that I will come to in a moment.

The most common question that I am asked is, "Why have you been so concerned with this issue?" I explained on Second Reading that when I was growing up, the boy next door to me had Down syndrome. As a GP, I saw a number of those with Down syndrome and their families, and I saw the difficulties that they encountered. We regularly see one of my friends in my constituency, where I live, whose son Freddie has Down syndrome. As Members of Parliament, we have all recognised that having someone in the family with Down syndrome is not just a single problem to be dealt with; it is a conglomeration of problems. Families find themselves fighting on a number of fronts to get the quality of care that, frankly, they already have a right to. For me, that was why we needed a separate Bill.

All Members will have had letters asking why the Bill could not have been wider—why we could not have included more conditions in it. I suppose there are two answers to that. The first is that private Members' Bills have to be short and concise if we are going to get them through. Let me be very frank: getting a foot on the ladder of legislation in areas such as this is crucial. If we reach for too much in a private Member's Bill, we can end up with zero. I think we have set the appropriate level of ambition in this Bill.

We also have to recognise the complications that come with an extended Bill when it comes to the view of the Treasury. Many years ago, I was in the place of the Lord Commissioner of Her Majesty's Treasury, my hon. Friend the Member for Castle Point (Rebecca Harris). It is definitely a case of gamekeeper turned poacher, but you learn a great deal as the gamekeeper for when you have to be the poacher later on when it comes to private Members' Bills. I put on the record my thanks to her for her help. The role of the Friday Whip is not well understood outside Parliament, but when they are on your side, they can be very powerful allies indeed, and her support is very much appreciated.

We also wanted the Bill to be separate because it is about a definable group in the population. Down syndrome is not something where there is any dubiety about the diagnosis and, as I said, there are complex identifiable

needs. For example, we know that those with Down syndrome have a higher level of issues such as congenital heart disease, they have a higher instance of leukaemia, they have myriad ear, nose and throat problems, and the earlier they are dealt with, the better. It is difficult enough for parents to be fighting waiting lists and fighting to be regarded with sufficient urgency; if they are also dealing with the education system and trying to get help for a learning disability, that is an additional problem.

The successes in medical care are the main driver for the Bill. When I was growing up, that boy next door had a life expectancy of 15 years. When I became a doctor in 1983, the life expectancy was about 30. Now, it is about 60. We should all be extremely grateful for that, but, as ever with advances in medical science, it brings its own problems. The problem, if we want to see it as such, is that parents will have this extra worry: "What will happen when I'm not there?" That is why I referred to the very beginning to a perfectly identifiable crisis that is on its way to us. If we actually take measures now, we can prevent individual tragedies. If there is a real justification for Members of Parliament having their own constituencies and dealing with real people, rather than being creatures only of a political party, it is that constituency link, which tells us about problems that need to be addressed and gives us the early warning sign to pass legislation to be able to deal with them. The complexity of the issues is one reason why we need separate legislation and why we had to bring different provisions into the Bill as it comes back for Third Reading from when it left the House after Second Reading.

**Ruth Jones** (Newport West) (Lab): The right hon. Member is making such a powerful point. He and many other Members have had numerous letters questioning the narrowness of the Bill. Will he reassure us that this is only the beginning and most definitely not the end of the process?

**Dr Fox:** Indeed. I would not even say it is the end of the beginning. It is on the way to being the end of the beginning, but this will be a perpetual battle. So long as medical science is able to make advances in genetics and immunology, this process will continue into the future and we will need to look at it. It is worth pointing out, to answer the hon. Lady's question more directly, that we considered this in Committee. The Minister for Care and Mental Health, my hon. Friend the Member for Chichester (Gillian Keegan), made it clear that in the guidance that will be issued, which I will come to in a moment, it is entirely possible to deal with the effects of other conditions that may have the same effects as those emanating from Down syndrome. In a way, yes, we are starting the process, and the way in which we change the Bill is absolutely key to that.

On Second Reading, I think it is fair to say, because we can be a little self-critical, that this was a well-meaning Bill that went as far as we could. However, I made it clear that one big issue was missing—the enforcement of rights. It is all very well to make available new provisions and rights in law, but if an individual or parent does not have the ability to enforce those rights, if there are no mechanisms or levels to pull to enable them to get the full benefit of what the legislation supposedly gives them, ultimately we are failing to achieve what we want. We discussed two major issues. I

[Dr Fox]

purposely left them out of the Bill on Second Reading because we were not ready. There is nothing worse than poorly-thought-out legislation that we have to come back and amend. It is far better to think the process through, get agreement on both sides of the House and with the Government, and then proceed on the basis of unanimity, as happened in Committee.

The changes were essentially twofold. The first was getting agreement from Ministers that they would issue guidance to local health and education bodies and planning authorities to ensure that healthcare, education and long-term care issues would be properly taken into account. That was a major step forward. Again, it answers the question of how we can broaden the effects of the Bill, even with measures that are not in the Bill. That means looking at other conditions that will face the same problems as created by Down's syndrome. However, that agreement created its own parliamentary problem for us, because as those who listen to debates in the other place will know, guidance issued by Ministers that is not laid before Parliament creates a potential democratic deficit. That is why I think it was the first major step forward for the Bill in Committee when the Government agreed not simply that the Minister would issue guidance, or that that guidance could apply directly to the various bodies concerned—another important step in itself—but that that guidance would be laid before Parliament.

Up to that point, I had considered whether we needed to put a sunset clause in the Bill, to have it completely reviewed to see whether it worked in practice. The fact that the guidance will be laid before Parliament enables us to look in real time at what is happening, including parliamentary Committees looking at how the guidance actually works. That is a huge step forward. I think it is actually precedent-setting and turns this from a nice Bill into a cutting-edge and meaningful Bill. That is a huge achievement and one thing for which the Bill will be most remembered.

**Craig Williams** (Montgomeryshire) (Con): I pay huge tribute to my right hon. Friend for bringing forward the Bill and the manner in which he has done so. On the territorial extent of the guidance, as a Welsh Member of Parliament I pay tribute to him, but he will know far better than I, given his length of service in this place, that the Bill's territorial extent is England only. The Minister has alluded to working with devolved counterparts, but may I ask him to use his passion and experience to urge the devolved Administrations to follow suit?

**Dr Fox:** I thank my hon. Friend for that question. It will not surprise him to hear that, as a committed Unionist, I will come back to that. We need to consider the quality of life of all citizens in the United Kingdom, not just those for whom we are directly legislating today.

I turn to the second element of precedent-setting changes that we made to the Bill in Committee. As we move to the new integrated care structure in the health service, we will have a named individual on the integrated care boards responsible for the application of this legislation, should it receive Royal Assent. That really matters, because those who have Down syndrome, their parents, their families and communities will know who in the

new structure is responsible for ensuring that the guidance issued by Ministers is given effect on the ground. I think that even the direct application of ministerial guidance—as it would have had—and parliamentary scrutiny would not have been not quite enough to guarantee the effect of the Bill's provisions where it really matters.

That is precedent-setting. I doubt very much whether this will be the only occasion on which my hon. Friend the Minister has to consider representations for named individuals to take responsibility, but I take great pride in the Bill being the first, because I think it is a major step change from what we have had. It will give the new integrated care plans the idea of responsibility for their application to named individuals, which gives us a point of pressure in the system that did not otherwise exist.

Finally, I turn to the Bill's application to one part of the United Kingdom. At the beginning of the legislative process, we had a choice. We could have set out a United Kingdom Bill and challenged the Governments in Scotland, Wales and Northern Ireland for legislative consent orders. We could have said, "We dare you not to have the same provisions." However, that would have become a debate about devolution, not Down syndrome, and I passionately wanted the Bill to focus on the needs of those with the condition and not become an argument about Government process or our constitutional relationships.

Having said that, I completely take the view that a person with Down syndrome should not have fewer rights in one part of this United Kingdom than in any other. The Bill is making speedy progress through the House. I hope that it will make speedy progress through the other place and that, hopefully, it can get to Royal Assent before World Down Syndrome Day on 21 March, at which point we would be the only country to have legislated for it. That is important for our concept of global Britain, which cannot be just about trade, defence or economies; it must also be about our values, and I can think of no clearer signal to send than to legislate on this point.

I say to those in charge of the legislative programmes in Wales, Scotland and Northern Ireland that it is unthinkable that people with Down syndrome living in those parts of the United Kingdom should have fewer rights, or rights applied at a later date, than those in England, for whom we are legislating today. When it comes to health, it is the duty of all those who run those devolved parts of the United Kingdom to ensure that everybody in the UK, irrespective of where they live, gets the same access at the same time to the changes to which we are giving effect today.

This Bill began with great intentions, and ends now as a landmark Bill. It recognises that, in the provision of services, whether in health, education or long-term care in this country, Parliament will give not only rights, but applicability and enforceability of those rights in our systems. That is a change in the whole way in which we think about such legislation in this House.

I am very proud to have been the mover of this Bill; as the mover of the Bill, I am also very moved by the support that has come from every party in the House of Commons and from the Government. I thank all my colleagues and, with your indulgence, Madam Deputy Speaker, I may be able to thank some others who have been instrumental in the progress of the Bill a little later.

12.30 pm

**Edward Timpson** (Eddisbury) (Con): It is a real pleasure to follow my right hon. Friend the Member for North Somerset (Dr Fox), who, in a more modest way than I normally remember, has established an important part of what has made this Bill possible: his energy, enthusiasm and drive to get it to this stage in this shape and at such speed.

Many of us in this House will have different personal and professional reasons for supporting this Bill. For me, I must go all the way back to the early 1980s: believe it or not, I was alive and about seven or eight years of age. My parents had started fostering a few years before, and ended up doing so for about 30 years. During that period from the early '80s to the mid-'80s, we as a family looked after Down syndrome babies, who came to live with us for weeks and sometimes months. We also offered respite care once a month for a long weekend for a Down syndrome boy in his early teens, to give his parents a much-needed break from an incessant and stressful time. Despite the love they had for their son, they needed a pressure valve in order to maintain their ability to look after him and keep their energy levels up.

We were as happy as could be to provide that respite care. I recall it vividly, because it captured some of the most enjoyable images of our time in fostering. I recall many occasions with that young teenager, who had a couple of obsessions that infiltrated our household. The first was with the recording artist Shakin' Stevens, who I am sure is also a favourite of all those present. That young boy was a fanatic follower of Shakin' Stevens, and whenever he came to join us for a weekend, the first thing he would do was to put on our Shakin' Stevens tape, and we would all dance together in the kitchen with real abandon. I remember it as an extremely happy time.

That teenager was also fixated on the wrestling on "World of Sport" with Dickie Davies on a Saturday morning. He used to sit very close to the screen, because he did not have great eyesight, but he was transfixed by the bouts that were shown. Often, an hour or so would go by and he would not have moved.

There was one scarier moment when we took him to a local swimming pool, where he was very keen to put on a mask and snorkel, go underwater and have a go at swimming. Unfortunately, it became apparent very quickly that he could not swim, so someone who was on duty had to jump in, fully clothed, and rescue him. However, the fact that he wanted to do those things and that he was given the opportunity was important, because, as my right hon. Friend said, we must ensure that the rights people with Down syndrome have are the same as for everybody else. That includes all those opportunities that we come across in our lives.

That experience has led me to want to speak to the Bill—unfortunately, I was not on the Committee—as I am extremely supportive of what it seeks to achieve. There is clearly a lot of crossover between the reforms to the special educational needs and disabilities system, which I brought forward as children's Minister, and this private Member's Bill. As a learning disability, the estimated 47,000 people who have Down syndrome will potentially benefit from that system.

The diagnosis will come extremely early in people's lives, so there is no reason why an education, health and care plan cannot be put in place as early as possible. A

focus on outcomes, whether educational, social or employment-related, can be built into those plans, which can go up to the age of 25. As we know, the life expectancy of those with Down syndrome has increased dramatically from the days when we were looking after Down syndrome children, so there is every reason to ensure that those outcomes are brought to fruition.

In publishing the guidance that the Bill brings in, there is an opportunity to ensure that the reforms to the special educational needs and disabilities system, particularly to the code of practice and the local offer that must be published in every local area to explain the services available for those with special educational needs and how to access them, marry up with what is already out there. That will ensure that there is a clear pathway for parents and carers to know what is available and how they can access it.

The level of support that those with Down syndrome need throughout their lives will vary considerably. It is important to remember that they are people with different individual needs, although there are certain services that they are more likely to need than others, such as speech and language therapy, physiotherapy or optician or hearing specialists. Therefore, the Bill is an opportunity to pull together the different routes to accessing key services.

It is vital, however, that those children, young people and adults with Down syndrome have a sense of agency and that they feel that those things are being done not to them but with them, so that they have a stake in their future. For example, with the increased life expectancy of those with Down syndrome and some outliving their parents, they are having to be cared for by other means. There are recent instances of people ending up in an elderly care setting that is not necessarily as appropriate for them as it could be, which may have stymied the possibility of them reaching out to a more individual lifestyle and having support in the community.

The Bill presents an opportunity to ensure that the guidance reflects the fact that those with Down syndrome need to be very much part of what they need for their future, so that the services that are built around them reflect that and ensure that the outcomes that they know they are capable of are reached. Although we have the Equality Act 2010 and the reasonable adjustments that go with it, they need more focus and definition through this Bill, for all the reasons that the Down's Syndrome Association has illustrated so well in the case studies that it set out and that show the difference that will make.

I accept the point about other conditions, but doing all that will provide a blueprint for how each individual person, irrespective of their condition, can be provided with guidance, support and wraparound services. We need to use the Bill as a way to demonstrate our commitment not just to those with Down syndrome, but to all those living with a learning disability for whom we know we can do better by bringing together the services that already exist more effectively. With medicine and our understanding of conditions improving, we can ensure that the way that we build services reflects the needs of all those who require them.

I am hugely supportive of this Bill, for the personal and professional reasons I set out, and I very much hope and expect it will make a significant difference to many lives. It truly is the landmark that my right hon. Friend the Member for North Somerset suggests.

12.40 pm

**Selaine Saxby** (North Devon) (Con): I congratulate my right hon. Friend the Member for North Somerset (Dr Fox) on introducing this Bill.

It is always a pleasure to speak on a Friday, when, the hon. Member for Newport West (Ruth Jones) is right, we have an opportunity to get things done. We come together as one. As her fallen colleague, Jo Cox, said in her maiden speech, we have

“far more in common than that which divides us.”—[*Official Report*, 3 June 2015; Vol. 596, c. 675.]

Today, many colleagues have referenced our fallen colleague, Sir David Amess, which is so timely the morning after the election of his successor for the city of Southend; we all look forward to welcoming her to the House next week. We hoped it would usher in an era of kinder politics and I just hope that will be mentioned to the people who wrote the emails in my inbox today.

It is a great delight to have the opportunity to hear my right hon. Friend the Member for North Somerset speak with such compassion on such an important issue, and to have the opportunity to speak today. I share a friend with him in Annabel Tall, the mother of George, Freddie and Samuel. Freddie has Down syndrome. I believe Samuel is waving at us from the Public Gallery and is here to see the Bill go through, and I think Annabel is watching on television.

This is a big moment. As my right hon. Friend said, “this Bill is not about a condition, but about people—people who have a particular condition, their families, and the people who care for them.”—[*Official Report, Down Syndrome Public Bill Committee*, 26 January 2022; c. 10.]

Annabel wrote to me earlier this week to explain why the Bill is so important to her family. She finds it

“disheartening to see new parents and carers having to fight exactly the same battles we were 20 years ago.”

She describes it as a

“spectrum of different difficulties and abilities with common themes. I have lost count of the number of times I have had to explain Down syndrome to professionals who should know, let alone friends and family who still largely base their Down syndrome stereotype on the last person with Down syndrome they met.”

I was very fortunate as a teenager. Despite not having the same family experiences, I helped at a Down syndrome support group with a large number of Down syndrome infants, from tiny weans and right the way through. They had marvellous day trips. I was not even a woman at the time and, as a young girl, it impressed on my mind how important this is.

I very much hope the Bill is the start of a journey for people with other conditions as we move into the integrated care system, so that we are able to do exactly what my right hon. Friend intends. The Bill aims to improve services and life outcomes for people with Down syndrome, but hopefully we will be able to help and assist people with so many more conditions.

I will keep my remarks brief, as I know many colleagues wish to speak. I thank my right hon. Friend for all his work in this area. It is a privilege to speak today.

12.43 pm

**Laura Farris** (Newbury) (Con): I begin, as others have, by congratulating my right hon. Friend the Member for North Somerset (Dr Fox) on this truly groundbreaking Bill. I will add a few reflections of my own, the first of which dovetails with his remarks on Second Reading.

Our understanding of and respect for people with Down syndrome and equivalent conditions have evolved so much in my lifetime. Forty years ago, people with Down syndrome or something similar were viewed as problems to be managed, rather than people with potential to be realised. Employment, if it existed at all, was seen as an act of charity, rather than an opportunity for a person to be productive or to be in a role in which they could develop and thrive. The idea of someone with Down syndrome having a personal intimate relationship was taboo. It is amazing to think how far we have come. We have a far greater understanding not only of developmental conditions but of how they can exist on a spectrum. There are far more opportunities for education, employment and training. So many excellent employers in Newbury employ somebody who has a learning disability, but I want to give a particular mention to a young lady with Down syndrome called Karen who is doing a fantastic job and loving life at Nando’s in Newbury. The Bill recognises the specific challenges, particularly with health and care, but squarely places them alongside recognition of the dignity of people with Down syndrome and the idea that their families should not be scrubbing around for care and that that should be dependent on the provision of their local authority.

While I was preparing my speech, I thought about how far we have come in Parliament in what we say about disability. The Disability Discrimination Act 1995 and the Equality Act 2010, particularly the latter, contained important provisions about disability, such as the duty to make reasonable adjustments, which was mentioned by my hon. Friend the Member for Eddisbury (Edward Timpson). It is notable that the focus in the interpretation of both Acts was on physical disability, long-term health conditions such as cancer, or mental conditions such as schizophrenia or depression.

I know that I am right, because I refreshed my memory of the statutory guidance published to go with the Equality Act to see what it said about disability. It is an extensive body of work on just the subject of disability, running to 60 pages and giving example after example of how society should respond, and there is not a single reference to Down syndrome and scant reference to any form of learning disability. I mention that not to minimise the significance or value of the Equality Act, but to point out that we as a society have been reluctant to confer on public authorities, employers or anyone else much in the way of positive duties on learning disabilities. If we are honest with ourselves, we know that we would be nervous to say very much about learning disabilities at all. I applaud my right hon. Friend the Member for North Somerset for taking the bull by the horns and presenting the Bill.

I want to conclude with remarks on two points that have been made by other Members but are important. The Bill will receive Royal Assent, but it is right that we should not ignore all the other people with learning disabilities, particularly when there is an intersection with health concerns and a need for ongoing adult social care. I have a niece who falls into that category, and she was in special needs education throughout her younger years. The majority of her co-pupils had Down syndrome, so it is fair to say that she was considered by the authority to have something similar. She is now a young adult who has had significant challenges with her

health and some of her communication abilities, but she has a job and a very busy social life and she is living a really productive life. A lot of the issues the Bill seeks to address apply equally to her and to thousands of others. The difficulty is in the definition, and finding statutory language that would correctly encompass all those conditions is technical and challenging—I do not renege from that. Of course I respect the ambition that my right hon. Friend chose for his Bill, but I must put on record my ambition that it will go wider and that we will see soon progress from the Department.

12.48 pm

**Ruth Edwards** (Rushcliffe) (Con): I commend my right hon. Friend the Member for North Somerset (Dr Fox) on the Bill and on his long-standing championing of people with Down syndrome. I know it stems from his time as a GP, his personal life and his time in this place.

The Bill is making an important simple but necessary change to improve the lives of people with Down syndrome. The issue matters to many people in Rushcliffe. I have heard from many constituents and organisations such as the National Down Syndrome Policy Group in praise of my right hon. Friend's action and willing me on to support it. I am proud that the Government are supporting the Bill and to speak on the issue today.

I understand that people living with Down syndrome, their carers and families can find themselves disadvantaged by the inequality of access and the provision of basic services. My hon. Friend the Member for North Devon (Selaine Saxby) has set out some really personal examples of how that is affecting her constituents today.

Starting at a young age, people with Down syndrome face greater challenges in school and in life than their peers. I know that many parents of children with Down syndrome worry about sending them into mainstream education, where support may vary wildly. Other parents are left facing the cost of specialist support where help is not available locally. As a Conservative, I want everyone to have opportunity and choice. For some, specialist education might be the right path; for others it might be support in a mainstream school. The point is that people need to have choice. They need to be able to choose their own destiny and, at the moment, there are too many people with Down syndrome who are not able to do that. I am so pleased that the Bill will start to address that inequality.

Shockingly, although people with Down syndrome are likely to be hospitalised more often and for longer periods of time than people without the condition, there is little guidance for NHS commissioning boards or trusts on how best to care for their specific needs. Adults with Down syndrome are likely to require social care and council support much earlier in life than the national average, yet local authorities do not have a standard playbook or guidance on meeting those needs. Because of that, young adults with Down syndrome often end up living in facilities with people several decades older than they are, with no specialist care available.

Local authorities already have a duty to provide support and carry out assessments of need to help them to meet that obligation, and the Bill will provide much-needed guidance on best practices to local authorities who are delivering healthcare, social care, housing and

education-related services, helping them to understand and deliver on their duties. That work will make public amenities more accessible and inclusive for the Down syndrome community, and help them to lead active, healthy and more independent lives. It will also raise awareness among the wider public, giving them insight into the facts of living with Down syndrome.

Multiple organisations have welcomed the steps the Government are taking. The chief executive of disability charity Mencap described this as

“a positive step towards ensuring that the needs of people with Down syndrome are met.”

I know the Government are consulting on how the proposed guidance will look so that we can learn from families, communities and organisations that know best. As my hon. Friend the Member for Eddisbury (Edward Timpson) said, this is something that people need to feel is being done by them, not to them. It is so important that they feel that this is something that they are consulted on and included in, and that is driven by them. I look forward to seeing the outcome of the consultation.

I hope that what we do here in the Bill can serve as a model for future work and discussion on helping those with other neurodevelopmental conditions, making society more accessible and fairer for everyone. I want to reference the comments made by my hon. Friend the Member for Newbury (Laura Farris), who described that very well. I come from the cyber-security sector, where we have lots of people with neurodiverse conditions excelling in jobs. There is no reason why that cannot happen in many more sectors of the economy. I really hope that we can use the Bill as a launchpad for expanding the number of conditions that have guidance that public authorities need to take into account.

People with Down syndrome deserve the same access and choice to education, public institutions and services as anyone else. They deserve the same opportunities to lead a healthy, fulfilled and prosperous life, and I am pleased to support the Bill, which will help to make that possible. I very much hope that we will see it enacted for World Down Syndrome Day on 21 March.

12.54 pm

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): Like others, I start by congratulating my right hon. Friend the Member for North Somerset (Dr Fox) on his important work in bringing the Bill to the House and on reaching Third Reading. Like my hon. Friends the Members for Eddisbury (Edward Timpson) and for North Devon (Selaine Saxby), we all know individuals with Down syndrome. My experience is similar to that of my hon. Friend the Member for Eddisbury: when I was growing up, living in the house next door was a young lad by the name of Mark, who was the great love of his parents, Tony and Carol. It just so happened that he had this condition, Down syndrome, but that was not a barrier to the fulfilment of his life chances. Unfortunately both Tony and Carol have since passed away, but I am aware that Mark is leading a very full life. He is in work, and I believe he has his own individual accommodation, although he may require support and has a large network around him.

Our role, as legislators, is to ensure that people are able to achieve their full potential, and also to strive to give them the confidence to be ambitious. We who have been brought up in this country are very fortunate, in

[Mr Gagan Mohindra]

that the barriers to success are very limited. As a second-generation immigrant, I still pinch myself to make sure that I really am sitting on the green Benches in the House of Commons.

My previous experience as chairman of the board of governors of a further education college, and also as a governor on the board of a school for young people with autism, has shown me directly that when we do things right, we do them really right. That means being able to say to people, whatever their status or condition, “Be good, be great, and be a real world leader.”

**Ruth Edwards:** My hon. Friend is advancing an excellent argument. Can he outline some of his experience of best practice on the board of governors, and of what works and is successful?

**Mr Mohindra:** That returns me to my hon. Friend’s own earlier comment. The skills required in certain industries may not necessarily be academic. I suffer from dyslexia and have always regarded that as a superpower, although I am sure that if I had been diagnosed at an earlier age, others might have regarded it as a disability. The ability to think differently, to be a disruptor and to question the status quo, which conditions of this type may typically entail, benefits us as a society, and—here I allude to the previous role of my right hon. Friend the Member for North Somerset in defence—it makes our country even more secure than it might otherwise have been.

My right hon. Friend is an astute and successful legislator, and I am personally reassured that his Bill will have a lasting impact, but as others have said, this is the start of a process and not the end. Today we are focusing on Down syndrome, but I think it would be easy to replicate this model for the purpose of other conditions. I believe that these measures should be adopted as soon as possible, and I look forward to the fulfilment of the ambition of my right hon. Friend to complete the Bill’s passage before World Down Syndrome Day in March. I hope that the Government can provide us with some confidence that that will be the case.

The role of politicians at whatever level, whether in local or in national government, frequently involves signposting. The provision of a named individual in the integrated care system will be a game changer for the families and loved ones who may not understand the bureaucracy of whatever public service they are having to deal with. The ability of a Member of Parliament to direct a constituent to a named individual with an email or other correspondence address can only help the system and make it smoother. Our role as politicians is to reduce the barrier, to make life as easy as possible for our constituents. The Government have a proud history in this regard, given the work we have done to date. We spent £2.6 billion over the 2021 spending review period on new school places for children with special educational needs and disabilities in England, and will more than triple the current capital funding levels to over £900 million by 2024-25.

I was not going to mention this, but I will, because I think it important. I read an article in the media today about a lady called Beth Matthews. She is a young lady of 22 who has achieved in her life: her story is important

because she is now a model and she also happens to have Down syndrome. For me, that is an irrelevance, but people feel the need to show her as a leading light. Similarly, there is Tommy Jessop, an actor in “Line of Duty”. It is good that we normalise people with a condition, whether hidden or obvious. I look forward to the day when they are getting named not for their disabilities but for their ability and the fact that they are a master of their art.

**Ruth Edwards:** Does my hon. Friend agree that it is important to have role models from neurodiverse conditions in all areas of life, and that that will encourage others to believe they can also fulfil their ambitions and dreams?

**Mr Mohindra:** Absolutely; my hon. Friend is on a roll with her interventions and I look forward to more of them.

When I was growing up—I am sure others will have had a similar experience—I always looked at the TV screen, the media or the newspapers and asked where the people of my ilk had got to and what they had achieved. It can only be a good thing for people to be able to see others who look or sound the same as them being world leaders or industry leaders or social activists—people who change others’ lives.

Locally to me, I want to give a shout out to DS Achieve and its teamwork across Hertfordshire. I did a bit of research—unfortunately for my right hon. Friend the Member for North Somerset I was unable to be involved in previous iterations of this Bill—and reading its website and understanding what it is doing is reassuring: it is about people achieving their potential and not being regarded as just having a disability. There is lots of work going on—my right hon. Friend commented earlier about the expected lifespan now associated with this condition, which is to be applauded—but we need to make sure that we consider not just living but quality of life. This Bill goes hand in glove with that aim, ensuring a safety net of local councils and communities so that additional support is in place if individuals feel they need it. Others have spoken about the fact that people’s needs are different: different individuals will need support at different times in their life, and not all the time, and being able to dip in and out knowing there is a named person they can go to as a one-stop shop for support is a smart idea, so I applaud my right hon. Friend for his foresight.

**Edward Timpson:** I am enjoying my hon. Friend’s speech and agree with his comments. Does he agree that in the past too often the default position for those with Down syndrome as they grew up was to envelop them in cotton wool and not give them a chance to grow and develop and demonstrate what they are capable of with the right support in place? The societal attitudinal change coupled with this Bill presents an opportunity for them to demonstrate, as we have seen on our TV screens and elsewhere in the media, that they can have a successful career and loving and meaningful relationships as long as we ensure, as we would for anybody else with a condition or difficulties in their lives, that they have the support and networks in place to be able to progress. In the past, those with Down syndrome have potentially been seen as simply to be managed, as my right hon. Friend the Member for North Somerset (Dr Fox) said in his opening speech.

**Mr Mohindra:** My hon. Friend speaks from a position of significant knowledge and is absolutely right: the culture change both in the community and in the public bodies involved in this sector has moved on in leaps and bounds within the space of a generation, and rightly so. The message now is, “Be great at what you’re doing.” That does not necessarily mean being an excellent employee. It could mean being brilliant in a charity, brilliant at community work, or brilliant in a sport. There are so many different aspects. Success should be what a person thinks it is internally, and not what society thinks.

When I was growing up, I was very much steered towards certain careers. Admittedly, politics was not actually one of them, so in some eyes I may have failed in my life. I assure Members that I really enjoy being in this place; having spoken to colleagues across the House, I know that we all feel truly honoured to be here. I look forward to the day when, whatever disability our colleagues may have, no one bats an eyelid. There is nothing stopping that from happening. I look at some of our colleagues in this place. For example, my right hon. Friend the Member for Harlow (Robert Halfon), who is a very good friend, has not been held back by his disability.

Our role as parliamentarians is to say loudly and clearly that people’s perceived disability is not really a disability. We face so many challenges in life. Hopefully, when statesmen or community leaders say enough times, “Actually, you have very few barriers,” people will begin to believe it. I look forward to providing support in whatever small way I can.

I will wrap up now, because I know others wish to contribute to debate on this Bill. In conclusion, this Bill not only helps people with Down syndrome, but, as my right hon. Friend the Member for North Somerset has already said, sets out a framework for how we can provide services in the future for those with a range of disabilities and special needs. This is the first in what I hope will be a series of legislative measures that we can all get behind.

1.6 pm

**Siobhan Baillie (Stroud) (Con):** It is a pleasure to speak in this debate. I congratulate my right hon. Friend the Member for North Somerset (Dr Fox) on all of the work that he has done. I see that team Freddie and a number of friends are in the Public Gallery providing their support.

This Bill means a lot to thousands and thousands of campaigners. There are 47,000 people with Down syndrome and their families around the country. I give particular credit to the families from Stroud and Gloucestershire who have reached out to me to express their delight that this Bill has been introduced and also to explain their experiences and why it is so important. This is actually a spectacular use of a private Member’s Bill. I am also thrilled that the Minister for Care and Mental Health, my hon. Friend the Member for Chichester (Gillian Keegan), is at the Dispatch Box. We have discussed Down syndrome for many, many years, because we are both blessed with nephews with Down syndrome. Those boys give us great joy, particularly as a distraction from this mad job.

The Bill proposes, for the first time, a duty on the Secretary of State to give guidance on housing, education, youth offending and national health authorities. It also imposes a similar duty on the relevant authorities, which

is very important. The guidance will set out the steps required to meet the needs of people with Down syndrome, and I sincerely believe that it will be the start—and it is the start—of many other areas of policy and work to undo some of the problems that people with Down syndrome face in their daily lives.

My nephew, Rhys, is now 19 years old. He is the light of every room he enters. He works for the Thames Valley Cleaning company at the Select Car Leasing Stadium for the Reading Royals. He is right royally unimpressed with me—I am not cool, particularly when I am in a suit on the telly, so I hope he is not watching now. Let me relate part of Rhys’s story—*[Interruption.]* I am sorry if I get upset. It is not just because I am pregnant; I once tried to talk about Rhys in Camden Council many years ago and cried then as well—

**Mr Mohindra:** Let me give my colleague a brief respite. I know that she is a massive fan of the Bill of my right hon. Friend the Member for North Somerset (Dr Fox) and I look to hearing further words from her.

**Siobhan Baillie:** I am blessed by having great colleagues in this Chamber.

Alice fell pregnant aged 15. As she was so young—we had no Down syndrome in our family and there is a common belief that only older, geriatric mothers as they are often referred to in maternity terms have Down syndrome children—Alice was not offered any advice. She did not have any discussions about Down syndrome. She was 15 and scared. Her family was not around her, we did not know about the pregnancy in the early stages, and I doubt that she asked any questions. It was 20 years ago, too, so there were few smartphones and limited ability to google.

When Rhys was born, Alice was immediately in love with her baby son, but a few days later, my nurse mum spotted signs of Down syndrome. Notwithstanding the absolute love that she felt for her child, it is fair to say that my sister was pretty shocked by what was happening. Remembering that she was still a child herself and all the hopes and dreams that go into a pregnancy, I have since spoken to other parents of Down syndrome children and parents of other children with disabilities—

**Mr Mohindra:** On that point, does my hon. Friend agree that we need a real focus not just on the person with Down syndrome but on the bubble around them—carers, friends and family—because they are involved in the potential ups and downs of the journey as much as the person with Down syndrome themselves?

**Siobhan Baillie:** I completely agree. I have spoken to other parents who have discovered upon their child’s birth that they have a child with a disability about their fear, and about the loss of their hopes and dreams; their belief that they would take the child to university, or to get married, is dashed. With Down syndrome in particular, people believed that the child would die aged about 30. There is such a lack of education. That was particularly the case when Rhys was born, but I think it is still true now. Thinking about the bubble—the whole family—is incredibly important, and that is hopefully what the Bill will do. So much of what we think we know when it comes to disabilities is often not true.

**Ruth Edwards:** My hon. Friend is giving an incredibly powerful account of her personal experience. I know that she works with many parents and people with Down syndrome. Does she think that support for new parents to come to terms with and understand the condition of their child has improved at all since her sister gave birth, or does she believe that we are still quite far off the mark?

**Siobhan Baillie:** That is a really important question. I think there have been improvements—my right hon. Friend the Member for North Somerset will attest to that—but there is still a lack of understanding and education. We have a real issue with people feeling that they need to have a termination when they are told about Down syndrome. There is a big campaign on not screening out children with Down syndrome, because they live very fulfilled lives and bring great joy to so many people. Education for all is really important.

**Jonathan Gullis (Stoke-on-Trent North) (Con):** Let me quickly add my support for the Bill introduced by my right hon. Friend the Member for North Somerset (Dr Fox). On the point that my hon. Friend the Member for Stroud (Siobhan Baillie) made about education, we need education not just for expectant parents or young people but for employers too. One of the things that shocks me most is that there are plenty of people who have Down syndrome who could, if they wanted, be in our workforce playing a fulfilling role. We know that the benefits of work include increased life expectancy, as well as better physical and mental health. Warwickshire County Council had a great scheme supporting employers to understand how to support not just people with Down syndrome but those with other learning disabilities, and how to make them an important part of their workforce. That encouraged a lot more people to enter the world of work. Does my hon. Friend agree that those are the sorts of things that we need to see happening, so that employers understand the full potential of everyone across our United Kingdom?

**Siobhan Baillie:** I completely agree. Rhys earns £9 an hour—he is far richer than me, because he has no outgoings—but he enjoys his job and he feels fulfilled by it. Schools such as The Shrubberies in my patch do an awful lot of work to make sure that people go on to be work-ready, as do our colleges, such as SGS Stroud. Again, that is why the focus that the Bill will bring for the Government, local authorities, schools—everybody—is so important. We are thinking slightly differently, and I really welcome that.

I should be honest and say that I did not handle my sister's being pregnant very well. I was still a teenager myself. I genuinely thought that, as a teenage mum, her life was completely over and she would not get to enjoy a lot of the things that I had enjoyed, but I could not have been more wrong. She definitely had a very different life from me in many respects, but I deeply regret my lack of understanding and some of the anger I felt on her behalf. It was unjustified and it was wrong, because Rhys was the best thing that happened to all of us in our family for so many reasons. But, boy, our learning curve has been so steep. I have seen my little sister battle for the understanding of people with Down syndrome.

**Mr Mohindra:** One thing I wanted to mention was to ensure that we realise that this affected all communities up and down the country. It is not specific to a particular geographical area or heritage. Does my hon. Friend agree that the Bill will be beneficial to all communities?

**Siobhan Baillie:** Absolutely. That is so important. When I reel off this list, if I can get through it, Members will understand why it is so important.

I have seen my little sister battle for understanding about Down syndrome. I have seen her battle for the right to medical care for operations in a timely fashion. She has battled for education. She has battled for housing. She has battled to get landlords to take people with benefits. She has battled during the transition from Rhys being a child to an adult, and she is still doing that. She has battled to get the council to complete the required assessment. She has battled with the welfare system and disability living allowance appeals. She has battled with endless application forms and then had to re-do them because they have been lost by various authorities and had to start all over again. She has battled during covid. I know that a lot of families battled really fearing for their loved ones with Down syndrome, who are vulnerable, often with respiratory issues. Covid was thrown at all of us, but we found that parents were being ignored, or certainly felt they were being ignored, and not prioritised for vaccinations. The whole family was not being prioritised for vaccinations to protect the people with Down syndrome in their homes.

**Edward Timpson:** I think all of us are very moved by what my hon. Friend has had to say. Does she agree that her point about the battles she described demonstrates how important it is that, as the Government develop the guidance—I know my hon. Friend the Minister will very much have regard to this point—they involve the experiences, views, opinions and, I suspect, recommendations of those who have Down syndrome, or their parents, carers and supporters, so that they form the best possible guidance to deliver the right type of support at the right time and in the right way? That might then mean that those battles are much reduced and hopefully eradicated in future?

**Siobhan Baillie:** I thank my hon. Friend for his contribution not just in that intervention, but in his speech. I loved the Shakin' Stevens stories. I defer to his expertise as a former children's Minister. That is why the Bill will do so much good. Even the fact that we are having this long debate today with so many colleagues is incredibly moving. I am pleased to see that the Minister is as equally moved as me and that it is not just me with the tissues on these Benches.

These problems have existed under multiple Governments, so parties of all political colours should hang our heads but also want to see improvements. We all know, from our surgeries and inboxes, that parents of disabled children who have to come to see their MP are often completely exhausted. They are exhausted by the fights to get things for their children that they know they should already have or have seen other children have. They also know that they have no choice but to continue fighting. I know that MPs of all political colours try to help, but we have to get better at getting the legislation and the policy right so they do not get to that stage.

The Government are trying really hard to make improvements to legislation and to the system and the practicalities for people with disabilities. The Minister with responsibility for disability, the Minister of State, Department for Work and Pensions, my hon. Friend the Member for Norwich North (Chloe Smith), is absolutely excellent and I have real confidence in her ability and commitment to secure change.

As part of my small role in trying to push through those changes, I sit on the Work and Pensions Committee, and we have been doing an inquiry into things such as personal independence payments. During the inquiry, we heard from an excellent representative from the Down's Syndrome Association. She gave a few examples of things we can change that directly impact people with Down syndrome. She explained that it is usually the parents making welfare and disability applications.

We have heard today from a number of hon. Members that, thankfully, those with Down syndrome are living much longer. Their life expectancy is no longer 30 years, but 60 years. That means that their parents are also significantly older, and we must bear that in mind. The constant drive for digital-only application is welcome in many respects and will mean there is a record, so hopefully we will not have the constant losing of paperwork that many families have to deal with. However, there are many elderly families and elderly parents who cannot cope with that, and we must build that into our systems.

Separately, there is a new in-person assessment approach to PIP, which can throw up some interesting results—unintended, in some cases. Where previously a family could sit down and do a written submission about what they needed and what they wanted changed in their PIP, doing an in-person assessment is very reliant on the person with Down syndrome.

My nephew Rhys's favourite word is yes, because he gets a positive response to it. If someone says to him, "Do you play for Reading Royals?", he will say yes. "Do you run for a bus?" He will say yes. One thing that my sister said made her nearly jump up and down was something like, "Do you have your own life partner or girlfriend?" He was saying, "Oh yes, oh yes." She said, "No, no, no! He absolutely doesn't." We must bear that in mind when we create those policies and programmes, because it will not always work for everybody.

I welcome all the focus on and learning about people with Down syndrome today. I am still learning—I think we all still need to learn from people with Down syndrome and listen to them.

**Ruth Edwards:** I hope Madam Deputy Speaker will forgive me, given the circumstances, but I have just been interrupted by a text message from my constituent Matt Barney, a hardworking councillor in Leake and Ruddington. He tells me that his cousin, Heidi Carter, is with us today in the Public Gallery. She has Down syndrome and campaigns to reduce the age limit at which abortion of babies with Down syndrome is permitted. I wanted to take this opportunity to thank her for all her work and to welcome her here.

**Siobhan Baillie:** I am grateful for that intervention. I am thrilled—I have seen you listening intently, and it is wonderful to have you here today, Heidi.

I will draw to a close, but I believe we must all learn from people with Down syndrome. We will genuinely be a better society for having done so. I commend my right hon. Friend the Member for North Somerset and I thank charities such as the Down's Syndrome Association—there are many charities that I should have had a big list of, and I apologise that I do not. I also love the Down Syndrome Swimming GB Twitter and Instagram accounts, and enjoy following them.

I thank the Government for listening and taking action. I look forward to seeing this Bill progress to Royal Assent.

1.23 pm

**Jo Gideon (Stoke-on-Trent Central) (Con):** We have had some amazing contributions today. First, I obviously thank my right hon. Friend the Member for North Somerset (Dr Fox). This is an incredibly important Bill. At the beginning of the debate, he said that the narrowness of the Bill was important to getting it through as a private Member's Bill, and I want to reflect on that.

I have my own private Member's Bill, the Button Batteries (Safety) Bill, for exactly the same reason: when we talk about protecting the vulnerable, sometimes we have to be very specific. Following the tragic death of Harper-Lee Fanthorpe at the age of two after swallowing a button battery, I hope my Bill will protect more children by making parents, carers and others aware of the dangers. I was lobbied by others to broaden my Bill to include things such as magnets, because they are also things that young children ingest. The more vulnerable the children, the more likely they are not to recognise the dangers of things such as button batteries, so I have been campaigning long and hard on that important issue.

I recognise that it is important to focus on the key issue. In this case, that is the rights of people with Down syndrome, and my right hon. Friend the Member for North Somerset makes a very good point about life expectancy. I do not know whether Members saw "Call the Midwife", where it looked at how Down syndrome was viewed back in the '50s and '60s and how far we have come in understanding and on life expectancy. It means we have to protect, as well as ensuring that there is much better preparation, I guess, for a longer life—and that preparation starts in school. As chair of the all-party parliamentary group on youth affairs, I have looked at the issues with education. Sadly, only one in four young people with Down syndrome finds themselves in mainstream education.

**Mr Mohindra:** My hon. Friend mentioned APPGs. Does she agree that the role of APPGs is important in ensuring that we have an informed debate? They give colleagues and professionals the platform to go in depth into topics, so that when we are discussing them in this place we come from a position of experience and knowledge.

**Jo Gideon:** I absolutely agree. The key thing is that APPGs by their very nature are cross-party. On issues such as those we are discussing today with this Bill—this is a cross-party topic—the more that we can find consensus, the better it is for the people we represent.

Looking at schools, the Bill asks for a curriculum tailored more towards children with Down syndrome and for more teachers to be trained to understand how

[Jo Gideon]

to teach children with the condition and the specific learning profiles of that condition. It is a fact that Down syndrome pupils in mainstream schools achieve on average at two years above the academic level of those in special schools.

Having said that, there are some fabulous special schools, and I want to give a shout-out to Aurora Hanley School in Bucknall in my constituency. There is some wonderful work going on. I also want to mention Stoke and Staffordshire Down syndrome social group, who have posted a lot about this issue. They meet regularly at the Bridge Centre in Birches Head, and they make a difference to about 50 families. It is a massively important contribution that everybody can make.

**Dr Fox:** Is the very point that my hon. Friend makes about the lack of knowledge one of the key reasons why the amendment to the Bill is so important? It will mean there is a named individual on the integrated care board who can act as an advocate, but also spread knowledge to other members of the integrated care process about the condition and the needs and wants of those involved.

**Jo Gideon:** My right hon. Friend makes a hugely important point. The integrated care boards will have a huge amount of responsibility for care across the board, and the understanding of the specific needs of those with Down syndrome requires a named lead. It is essential, because otherwise, sadly, the detail may get lost in the breadth of what the boards have to cover.

**Brendan Clarke-Smith (Bassetlaw) (Con):** My hon. Friend mentions education and ensuring that those with Down syndrome have access that is adequate for their needs, whether in a special school or a mainstream school. Does she agree that it is vital that these choices are offered and that parents and people are fully informed of what is available for them? It is important that we provide a choice that is the best for their needs and that we make sure it is available to them?

**Jo Gideon:** My hon. Friend is absolutely right. All the statutory authorities need to understand that the statutory duty in this Bill will require them to provide guidance and a level playing field for people with Down syndrome.

**Edward Timpson:** As a fellow member of the Health and Care Bill Committee that looked at the new integrated care systems that are being introduced, my hon. Friend will know that they have been delayed slightly until April this year. Does not that present an opportunity for the Minister to write to all the chairmen and chief executives of the interim boards, or those who have been appointed to the new interim care boards about the Bill; and, hopefully, for them to act in due course so that they are prepared for the guidance that is coming and can inform the wider board about that at the earliest opportunity?

**Jo Gideon:** I thank my hon. Friend. It is absolutely right that the integrated care boards and the Health and Care Bill need to accommodate what is suggested in this private Member's Bill. The integrated care boards, as I have said, will have a huge breadth of responsibility. Unless we are quite specific on certain duties, they may get lost and that cannot be allowed to happen.

**Jonathan Gullis:** I would like to associate myself with my hon. Friend's comments regarding the fantastic organisations based in the great city of Stoke-on-Trent. I give a particular shout-out to Watermill School, based in the Stoke-on-Trent North, Kidsgrove and Talke area, which is being extended as part of a £7.5 million refurbishment to increase our SEND provision in the city, which is sorely lacking at present.

My hon. Friend specifically mentioned the education of teachers. As someone who spent eight and a half years in the teaching profession in state schools both in London and in Birmingham, I am sad to say that, at no stage, as a head of year or as a frontline teacher, was I ever given training about engaging with and looking after a child with Down syndrome. In fact, with some learning needs, the teacher would have that conversation only if they had a child in their class or year group with that learning need. It is simply not right, and nor is it fair on those young people, who deserve to have their full potential unlocked. Does she agree that, as part of the legislation that my right hon. Friend the Member for North Somerset (Dr Fox) is putting forward—this fantastic legislation—we need to have a serious conversation with the Department for Education, working with local authorities, not just about what type of training is done at the start of term or when a student enters a school, but about how the continuous training and development of teachers happens all year round?

**Jo Gideon:** I thank my hon. Friend. I absolutely agree. I think we need to look at the whole pathway from education to work, as we said earlier.

I would like to mention a very interesting and important project that I was involved with a few years ago in a very isolated community in the Brecon Beacons called Myddfai. The challenge was to create sustainable employment and regenerate a very isolated village. As part of the project, we created a trading company, and within that trading company we were able to employ a number of young people. I am glad to say that, eight years on, there are still young people employed there today, some of whom have Down syndrome. Members can see if they look on the website, myddfai.com, how happy they look in the photographs. It is really satisfying to see how the right employment can fulfil.

**Lia Nici (Great Grimsby) (Con):** My hon. Friend is making an excellent speech. Talking about employment, does she agree that this landmark Bill identifies that people who have Down syndrome have specific needs and that employment is a vital part of everybody's life, as is having rewarding, independent living and good employers? We need more employers to consider people with special needs.

**Jo Gideon:** My hon. Friend makes a good point and we touched on it earlier. An understanding of what support is needed specifically is probably not good enough in the world of employment, education and local authorities as statutory providers. What this Bill will do, I believe, is put a duty of care on everybody, but also a duty of education. In my experience, employers genuinely want to be helpful to everybody in their communities, but there is a role for all of us to play in understanding what additional support might need to be provided to people with Down syndrome. I am sure

that there are good local examples, but it is challenging for employers if they do not have that knowledge. We should consider that as part of the duty to develop personal development paths for young people with Down syndrome.

**Lia Nici:** What my hon. Friend says is vital. Does she agree that Members of Parliament are well placed to be that conduit with education organisations and employers to help and guide them, and to give them confidence in how to get help to ensure they can employ and support people with Down syndrome in their workforce?

**Jo Gideon:** I entirely agree. We are in an incredibly privileged place to highlight that need and to work with those who will help us take forward this massively important agenda. I congratulate my right hon. Friend the Member for North Somerset on his Bill.

1.36 pm

**Stuart Anderson (Wolverhampton South West) (Con):** I thank my right hon. Friend the Member for North Somerset (Dr Fox) not just for bringing forward the Bill but for his work behind the scenes. All too often, we see the work that goes into a speech of three, four or five minutes in the Chamber, but my intake in particular could learn a lot from him and his experience in getting cross-party support for the Bill and having a reasoned debate on such a valuable topic.

It is delightful to see cross-party support in the House for levelling up outcomes for people with disabilities, including those with Down syndrome. As the Member of Parliament for Wolverhampton South West, I am committed to championing health and wellbeing for my constituents. We always see that as doing things such as eating your five a day or making sure that you have a walk, exercise or do different park runs. I took it to the extreme last year—my hon. Friends would not forgive me if I did not mention this—when I ran the world's toughest mountain race in six days in Wales for two good causes: the Wolves Foundation for communities across all areas of Wolverhampton; and the campaign to prevent veterans' suicides, which is a subject close to my heart. I ran that with a paralysed foot.

I have previously talked about when I was shot and how I went on to have a military career. I had a physical disability and was told that it would never be possible to do that. At the time, I did not think I would do it, but I did. However, in Wolverhampton and across the country, many groups, communities and people with Down syndrome face unique challenges every day of their lives and they need careful planning.

**Craig Williams:** Before my hon. Friend runs away from the point that I wanted to make, he ran through the most glorious constituency of Montgomeryshire but, as I said earlier to my right hon. Friend the Member for North Somerset (Dr Fox), the Bill sadly does not apply to the great constituencies that he ran through. Will he join me in imploring the devolved Administrations to look to my right hon. Friend as inspiration and introduce similar legislation?

**Stuart Anderson:** I thank my hon. Friend for his intervention. I believe that I ran through his constituency on day 3. In Machynlleth, we encountered our first shops and we were able to get some lollies as we passed

through; it is a beautiful area. Yes, that should be considered across the devolved Administrations as well. I would welcome that.

We need to think about the careful planning that allows people to continue to live a normal life, day in, day out. It is not straightforward or easy. A lot of consideration has to be brought in. It is right that the provision is planned according to the individual's needs. I am glad that a commitment has been made to consult widely on proposed guidance as the Bill is taken forward, ensuring that the voices of those with Down syndrome and their families and carers are heard, and that the guidance is fit for purpose.

**Jonathan Gullis:** Education investment areas were announced in the "Levelling Up" White Paper. I suggest that the Bill, brought forward by my right hon. Friend the Member for North Somerset, has influenced Government policy in a wider spectrum. Education investment areas will see up to £30 million funding over the next three years for councils to offer up to 10,000 additional respite placements for children and young people with special educational needs, including young people who have Down syndrome. For local authorities seeking the money—the great city of Stoke-on-Trent is lucky enough to be one of the 55 announced to have secured an education investment area—this is a really good way to help with that education and with understanding the needs of parents and care givers.

**Stuart Anderson:** My hon. Friend raises a valid point. It is about understanding those needs. I am delighted that investment has been rolled out across the country in many areas that vitally need it. That is welcome. He mentions local authorities. I have a question of this Bill. I have worked closely with others on the armed forces covenant, being an armed forces champion prior to coming to the House and having sat on the Select Committee on the Armed Forces Bill. The covenant has due regard, as does the Bill, to health, housing and education. It would be good for the Minister to expand on how the Bill will link with those areas.

Alongside the Bill, I welcome the steps taken by the Government to consider ways to improve outcomes for children and young people through the SEND review. I am delighted that the Government have confirmed an extra £1 billion to help local authorities, schools and other providers to deliver better support for learners with complex needs. At this stage, it would be remiss of me not to mention the hard work that all education providers across the country have delivered, but particularly the SEND schools. My constituency has Penn Hall, Tettenhall Wood, Penn Fields special school, Broadmeadow and Wightwick Hall. I visited all but one during the lockdown and covid period, when we could, to work with them in what was the most complex and challenging time for anyone. They did outstandingly, and how they delivered that is a credit to the children, the parents, the teachers and the cultures in those schools. Funding for these schools has increased by 13% on last year, meaning high-needs funding stands at £9.1 billion in 2022-23. This will benefit learners from early ages up to the age of 25, as well as those in alternative provision due to exclusion, illness or other reasons.

Another issue that needs to be looked at is guidance on potential barriers to work. Fewer than two in 10 people with learning disabilities are in employment. My

[Stuart Anderson]

constituency has the highest youth unemployment in the country. I recently held a jobs fair in the constituency with more than 50 different providers and several hundred people looking for work. Every single one of those providers had a job vacancy, and we were putting people together. Wolverhampton has the lowest youth employment, and with two in 10 people with learning disabilities currently out of employment, that will significantly impact communities in Wolverhampton. We need to look at that.

Despite falling in most areas across the west midlands, the disability employment gap remains too high. We have to work on this across the country, because levelling up is for all areas. Everyone should have an equal opportunity to work, so I am pleased that the Government are committed to seeing 1 million more disabled people in work by 2027. That is exceptional, but I think we should do more to push it. They have made good progress already, but as I said, we can always do more. I welcome the Government's commitment to double down on that work, particularly the £339 million of funding in each of the next three years, which will continue to establish disability employment schemes such as the work and health programme and access to work scheme, through which many disabled people can benefit from grants worth just over £62,000. That goes to covering the costs of specialist equipment to help them to do their job. There are many complex needs that we have to factor in and work with.

To return to Wolverhampton, I am delighted that a pilot scheme is running at the University of Wolverhampton, which is at the heart of our community and is spread across our city centre and many surrounding areas. It offers a passport to students who already receive extra support to capture information about the adjustments that they benefit from to avoid repetition and disclosures when they start work. Thousands more could benefit if the scheme was rolled out across the country.

As the work gets under way, I ask the Minister to ensure that disabled people, including those with Down syndrome, are front and centre of levelling up. This week, we heard the levelling up announcement, and Wolverhampton certainly did well through the towns fund, the future high streets fund and the levelling up priorities. We also have the National Brownfield Institute. If it is not working in communities, however, it is not working. We have to ensure that levelling up truly works for everyone, and the Bill is a great way to achieve that.

1.46 pm

**Lia Nici** (Great Grimsby) (Con): I congratulate my right hon. Friend the Member for North Somerset (Dr Fox). As a newbie and a Back Bencher I still cannot quite believe that I am in the same place as him. This is a truly landmark Bill, and it has been fantastic to learn from him how such a Bill can be formed to make a real difference in human beings' lives.

I am chair of the apprenticeship diversity champions network, and one of our aims is to get more people with learning difficulties and disabilities into apprenticeships and long-term work. The Bill will help to get employers to understand that people with Down syndrome are very able to work in their workplaces. After this debate,

in National Apprenticeship Week next week, I will write to the top 100 apprenticeship providers to say that they need to think about employing more people who have Down syndrome and who have learning difficulties and disabilities more widely.

I do hate the term "disabilities". It should be "differences" or "diversities", because everybody can do some things and not others. I have felt for a long time that the word "disability" does a disservice to our fellow human beings. I feel blessed that, as I was growing up, my mother retrained as a social worker. She went to university, while she was working full time as a catering manager, to become an assistant social worker and went on to become a fully qualified one.

My mother specialised in learning difficulties and disabilities, so in my teenage years I had lots of discussions with her and learned about the different types of disabilities. She was and still is passionate about people with difficulties and disabilities having as full and independent lives as possible, which I have taken to heart and always thought about. We all want to be independent and to have fruitful and enjoyable lives, including work lives. If employers are watching or listening to this, or reading about it afterwards, they should start to think about taking on people who have Down syndrome, because they can add a fantastic extra dimension.

**Jonathan Gullis:** My hon. Friend is a doughty champion not just for Great Grimsby but for skills and apprenticeships across our country. She worked in the further education sector before entering this place, which goes to show the breadth of talent and life experience that we now have on both sides of the Chamber. Does she agree that that makes this a much more representative, diverse and better House of Commons?

**Lia Nici:** I thank my hon. Friend for his support and for his passion about education. We have many conversations about it, although I was worried at one point that he was going to say that I was teaching in further education before he was born, which, worryingly, might actually be true. We will brush over that.

I urge employers to think about taking on people who have Down syndrome. As the Bill is so specifically about Down syndrome, it will allow the message to be communicated much more widely to employers.

There is another reason I feel that this is a landmark Bill. Let me use a metaphor. One of my first jobs when I was 18 was as a barmaid in a country pub not far from Grimsby called the King's Head, in a little village called Keelby. In the 1980s, pubs were part of their communities. They still are now, although perhaps not as much, sadly. One resident of the village—I will not use his proper name, as I have not asked his family's permission, but we will call him Bob—lived across the road from the pub. He came into the pub every night and was welcomed by everybody. He had his own special tankard hanging up. When Bob came in there was a particular orange juice that he liked to drink at a particular strength—I had to learn how he liked his drink—and he had a pint with everybody. How England is embracing people with Down syndrome with the Bill is very much like how Bob was embraced in the pub. He was greeted as an equal, and joined in conversations and played pub games. It was very much part of his life. He was working at the time. Is it not lovely to think about how the country and, we hope, the wider United Kingdom can embrace the Bill?

As my right hon. Friend the Member for North Somerset says, it is important to have a named person in the ICS and care sectors.

**Brendan Clarke-Smith:** I endorse my hon. Friend's comments about disabilities, and particularly that we all have different needs and should be looking to embrace that. I found out when I was 18 that I was dyspraxic, and it helped explain a lot of things for me. I still have a bit of a challenge with my positioning in the Chamber sometimes.

The way that we view special educational needs and other needs has changed a lot in this country over the years. Does my hon. Friend agree that the Bill is a great opportunity to showcase the talents and contributions of people with Down syndrome in this country, and that we can take that attitude forward so that the United Kingdom is a world leader in this regard?

**Lia Nici:** My hon. Friend is absolutely right. The Bill will help to take away some people's fear. As I said at the beginning of my speech, I feel blessed because I have been able to learn about people with learning disabilities and people with Down syndrome since I was a young teenager, and I have also worked with people with learning difficulties and disabilities. Realising that they have the same or similar goals to everyone else—to find somewhere nice to live, to be independent, to find somebody they love and to have a good job—is the crux of all this. I hope that the specific mention of Down syndrome will take away the fear about what it means to have it, and that we will be able to have an open conversation in the village pub that is England and the wider pubs of the UK. That will mean that we can start to talk about it and not be scared of it. A lot of people are scared. They do not understand and they might not have ever met anybody who has Down syndrome. We in this place, with the fantastic guidance of my eminent right hon. Friend the Member for North Somerset, will enable that to happen.

1.54 pm

**Feryal Clark (Enfield North) (Lab):** I pay tribute to the right hon. Member for North Somerset (Dr Fox) for introducing this important Bill. I also pay tribute to all the hon. Members who have contributed today and thank them for the wonderful personal accounts that we have heard, especially from the hon. Member for Stroud (Siobhan Baillie), who told us about her sister and nephew.

As we have heard, there are about 47,000 individuals in the UK with Down syndrome. We know that they are at increased risk of some medical conditions, more susceptible to infections, and more prone to hearing and visual impairments. It is recommended that those individuals should have extra health checks in early life and regular health reviews thereafter. They may also need ongoing support for different aspects of life both in childhood and as adults. People with Down syndrome and their families are often reported as struggling to access services such as speech and language therapy, additional support in school and appropriate levels of social care. I very much welcome the measures in the Bill that seek to address those challenges.

I also support the Bill for personal reasons. At the same time I became a mother about eight months ago, some friends of mine, Sevcan and Richard, had a baby

boy called Asher. He is a bundle of joy and he also has Down syndrome. In the very short time that Asher has been in this world, he has had many challenges and many operations. I see Asher's family already struggling and having to fight for him, and I see them getting ready to continue that fight, like the families mentioned by so many hon. Members today.

The experience of Asher's parents has given me an insight into the challenges faced by families with Down syndrome children, and it was that insight that encouraged me to stand for election as the vice-chair of the all-party group for Down syndrome. As vice-chair, I know the impact that properly informed and resourced services can have on those living with Down syndrome. Too often they are forced into provision or services that are just not suitable for their needs. That means they are unable to access the support they need, whether that be education, healthcare or housing.

Being unable to access those services properly means the life experiences and the quality of life of people with Down syndrome can be seriously affected. By ensuring that the relevant authorities—the NHS, schools or local authorities—have the correct guidance, we will have a very real impact on the experience of those living with Down syndrome. It is incumbent on all of us as policy makers to ensure that people in this country, regardless of who they are, can live as full lives as possible. I am pleased that the Bill is taking the steps to better enable people with Down syndrome to do so. For that reason, I am pleased to support the Bill today and I look forward to it progressing in the other place.

1.59 pm

**The Minister for Care and Mental Health (Gillian Keegan):** I start by congratulating my right hon. Friend the Member for North Somerset (Dr Fox). It has been a pleasure to work with him, the Bill Committee and all the other teams. He has done outstanding work in introducing the Bill and navigating it through its Commons stages. I personally have learned a lot from him.

This is truly a groundbreaking Bill that will make a real difference to the lives of people with Down syndrome across the country. It highlights the hugely important role of private Members' Bills and what can be achieved when MPs from across all parties work together. I extend my personal thanks to the Bill's sponsors, all Members who have been instrumental in getting us this far and everybody who has spoken today and brought to life why this matters. It has been wonderful to hear the stories of Mark, Rhys and his mum Alice, the Shakin' Stevens fan and Asher and the beginning of his journey. Hopefully this Bill will help Asher's parents to avoid some of the struggles that other families have been through. It is so positive to see such unanimous support for this Bill, which has been a joy throughout its passage.

I thank all the members of the all-party parliamentary group on Down syndrome, of which the hon. Members for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) and for Enfield North (Feryal Clark) are the chair and vice-chair. They have campaigned for equal access and service provision for people with Down syndrome, and they have supported the Bill's passage.

I especially thank the people with Down syndrome, many of whom are in the Public Gallery with their families, and the representative organisations that have

[Gillian Keegan]

campaigned tirelessly on improved support for the 47,000 people across the UK with Down syndrome. I also thank my constituents who have written to me and the many families I have met at the Apuldram centre and at Aldingbourne in my Chichester constituency. It has been great to share their journeys and hear their stories.

I feel really fortunate to be the responsible Minister when this Bill is before Parliament. I support the Bill wholeheartedly. It will be instrumental in improving the lives of people with Down syndrome by tackling inequalities in access to services. It is not right that such disparities exist, and I have seen at first hand in my own family the challenges that people with Down syndrome can face in accessing the support they need.

On Second Reading and in Committee, I spoke about my family's experience. Although my nephew Joseph Gibson is thriving, and his school, St John's School in Chigwell, is helping him to thrive, there is no doubt that there have been challenges along the way. I have watched my sister-in-law, Sara Gibson—I know she is watching me now—and my brother Marcus Gibson battle for the support that Joseph needs.

I want everyone to get the right support at the right time and in a way that works for them. That is why this Bill, for the first time, will require the Government to publish guidance on how authorities should meet the specific needs of people with Down syndrome.

**David Duguid** (Banff and Buchan) (Con): I congratulate my right hon. Friend the Member for North Somerset (Dr Fox) on introducing this Bill, which has huge support across the House. Does the Minister agree that, when the Bill passes, it will be an example for the communities that suffer from other genetic and chromosomal disorders and learning disabilities? They might not be as common or as well known as Down syndrome, but they are no less impactful on those families.

**Gillian Keegan:** My hon. Friend makes a very good point, which has been raised by my hon. Friend the Member for Stourbridge (Suzanne Webb) and my right hon. Friend the Member for Scarborough and Whitby (Sir Robert Goodwill), who have previously mentioned specific genetic conditions. We will definitely consider overlaps and linkages between these conditions and Down syndrome through the consultation on the development of the guidance. Even though, as has been stressed many times, this Bill is specifically drafted to increase its chances of being passed, many groups will benefit from the work to develop this guidance.

I also thank my right hon. Friend the Member for North Somerset for the two amendments he tabled in Committee to ensure that the guidance is laid before Parliament on publication and to amend the Bill's long title. I was pleased to accept both amendments on behalf of the Government. Laying the guidance in Parliament, as my very experienced right hon. Friend explained, will ensure it has the proper scrutiny.

I also thank my right hon. Friend, other hon. Members and stakeholders for providing invaluable feedback, on Second Reading and in Committee, on ensuring the implementation of the guidance in practice. Of course, the guidance must be acted upon for us to see real

change for people with Down syndrome. That is why we have committed to having a named lead on integrated care boards who will be responsible for the implementation of the guidance in practice. The named lead will ensure that the right services are in place at local level and that people with Down syndrome are able to access those services. That will be a much-needed voice. We are determined that the guidance will be implemented fully and as intended at local level. This will lead to tangible improvements in the lives of people with Down syndrome, and I am personally very committed to that.

At the heart of the Bill is guidance for the relevant authorities—local authorities, and education and health authorities. I am clear that to ensure that the guidance is fit for purpose, we will consult widely and in an open and inclusive way. We will seek views from people with Down syndrome and their families, from the voluntary sector and from others who support people with Down syndrome to ensure that it reflects their needs and experience. We will work with stakeholders to ensure that the guidance remains fit for purpose. This is a real opportunity, and we do not intend to miss any aspect of it.

Once the guidance is published, the Government will keep it under regular review and update it periodically. As I said, we also recognise that people with genetic or chromosomal conditions other than Down syndrome may experience similar problems to people with Down syndrome, so we will definitely look at that and consider how the guidance can help some of those groups more broadly during the process.

I know from the debates during the passage of the Bill that employment is a really important consideration, on which we have not done well enough to date. We will continue to explore any steps required to make sure that people with Down syndrome who want to work can find work that is right for them. Fundamentally, we must make sure that people with Down syndrome maintain good health and receive the right education to support their transition into work. The Bill is an important and meaningful way of achieving that aim. It will provide those lasting foundations for people with Down syndrome to be successful.

Additionally, we are delivering a wide range of employment initiatives, such as dedicated disability employment advisers at our Jobcentre Plus sites. All these schemes, including the Access to Work fund and so on, will help to ensure that people with a learning disability have better opportunities in the workplace. Again, that is something that I am personally committed to.

**Lia Nici:** I thank my hon. Friend for the plans that are being put in place, but are there plans to ensure that people who work in the Department for Work and Pensions have the relevant training to understand the specific needs of people with Down syndrome and to help get them into work?

**Gillian Keegan:** I regularly meet the Minister for Disabled People and the Minister for Employment—the three of us are often together—to talk about how we can optimise opportunities for many people across our society, but particularly those with learning disabilities. The numbers are not good enough, and we know that we have more work to do. As I said in Committee, I will return to the issue of employment in developing the

Down syndrome statutory guidance. We know that good work helps people to live happier, healthier and more independent lives.

On scope, as healthcare, education and housing are devolved matters, the Bill and guidance will cover England only. However, I know that there is real commitment to improving outcomes for people with Down syndrome across the whole of the United Kingdom, and I look forward to working with my counterparts in the devolved Administrations as we develop the guidance so that we can ensure that there is consistency of approach and inclusion for people with Down syndrome across the whole of the UK.

It has been a pleasure to work with my right hon. Friend the Member for North Somerset in supporting the Bill on behalf of everybody with Down syndrome and their families, including my own. Its passage so far represents the very best of the parliamentary process, with MPs working together cross-party for a common purpose. I very much look forward to the Bill's successful passage through the Lords, which Lord Kamall will oversee. He will have heard the pleas from many Members about timing, to try to coincide with World Down Syndrome Day on 21 March. I commend the Bill to the House.

2.8 pm

**Dr Fox:** With the leave of the House, may I say what an absolute joy it has been to find this bolthole of consensus in the psychodrama that seems to be British contemporary politics? I thank colleagues for their very kind words today; to get to this level of flattery in the House of Commons, one normally needs to be dead. *[Laughter.]*

I remind colleagues of the point made by my hon. Friend the Member for North Devon (Selaine Saxby) that this Bill is not about a medical condition, Down syndrome, but about people with Down syndrome, who have a right to dignity and individuality and to make the choices for their own lives that we all take for granted.

I want to thank the many people who have made today possible. I thank the National Down Syndrome Policy Group, and all the other voices in the Down syndrome community, including the carers and families whose input has been invaluable. I thank the officials at the Department of Health and Social Care, who have

done outstanding work behind the scenes to bring us to the point that we have reached today. I especially thank the Minister. We have been so lucky to have a Minister in the shape of my hon. Friend the Member for Chichester (Gillian Keegan). Not only is she an outstanding Minister in her own right, but her family background and understanding of the issue have been crucial in helping to provide the necessary momentum within Government. Indeed, I thank the Government as a whole, and in particular the Secretaries of State who signed off the two very important amendments. I am sure that they entirely understood the precedents they were setting, and it was therefore—as they would say in “Yes, Minister”—all the braver of them to do so.

I thank my own staff in the House of Commons, and I thank my constituency assistant Annabel Tall, who began much of this process when she brought her son Freddie to see me at my constituency surgery, shedding light—many colleagues will have had this experience—on the difficulties that parents can have in fighting fire on so many fronts on behalf of those whom they love. I hope that means that in some sense we have gone full circle today.

I thank all colleagues for their support, for their contributions, for the encouragement that they have given, and for their advocacy of this whole process in the House of Commons, in the constituency and in the media. It has been a real example of what we can achieve together—and that includes the all-party parliamentary group on Down syndrome, which provided so much support.

None of us are passengers in our own lives or in the society in which we live, and change is always within our grasp if we choose to seize it, especially those of us who are in the uniquely privileged position of being able to make the laws in our own country. I thank all those who have chosen that path today. The real heroes of this debate, however, are not those in the Chamber or those who make the laws pertaining to Down syndrome, but all those who have fought, struggled, and overcome the challenges that they have faced without our help for far too long.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

**Madam Deputy Speaker (Dame Eleanor Laing):** I am delighted to say that the Ayes have it.

## National Health Service Co-Funding and Co-Payment Bill

### *Second Reading*

2.12 pm

**Sir Christopher Chope** (Christchurch) (Con): I beg to move, That the Bill be now read a Second time.

It is a great pleasure to introduce the Bill. Its proposals are not really novel, because co-funding and co-payment within our national health service already exist. Indeed, the NHS website, under the heading “When you need to pay towards NHS care”, states:

“Patients often need to pay towards the cost of:

prescriptions

dental care

eye care

wigs and fabric supports”.

It goes on to say:

“The money raised helps fund the NHS.”

The payments in respect of those items are co-payments. Sometimes they are fully funded by the individual, sometimes partially funded, and sometimes there are exemptions, but the money raised from the co-payments then goes into co-funding, and it helps to fund the NHS. Of course, other items could be added to that list.

It is necessary to pay towards NHS care when it is described by some bureaucrat as social care and not healthcare. We know that an enormous amount of bureaucratic time is taken up with trying to argue that people are not in receipt of continuing healthcare, but are actually in receipt of social care. If they were in receipt of continuing healthcare, they would not have to pay for it—it would be free—but because it is deemed to be social care, they have to pay towards it either in full or in part under the system that is in place. The Government have now said that they wish to bring together the health and social care sectors. If they are to do that, then surely they need to be thinking through the issue of means testing and co-funding and co-payment as it relates at the moment to social care.

If we are to have this system, let us make sure that it works. This NHS document makes it clear that a person is not allowed to pay towards the NHS in various other sectors. Why are they not allowed to pay towards the NHS? Our NHS is, by all accounts, still short of resources. Why do we not do everything in our power to encourage more contributions towards healthcare in this country from private individuals? Is that not a reasonable objective? It seems as though the NHS policy is to prevent people contributing towards their own NHS costs unless they fall into the categories to which I have referred. That is really the essence of this debate. I will not be able to get this Bill on the statute book in the next quarter of an hour, but I hope that I will be able to open up a debate that has been closed for far too long.

**Several hon. Members** *rose*—

**Sir Christopher Chope:** No, I will not give way. I just want to make my point.

Today is World Cancer Day. This morning, the Secretary of State launched a new document, talking about a 10-year plan for cancer. That reminds us that the NHS is free at the point of delivery, but it is not often free, or even available, at the point of need. Those are two separate

propositions. Often, when people talk about how wonderful our NHS is, they omit to point out that, very often, the NHS is not available at the point of need. That is highlighted by the fact that there were 50,000 fewer cancer diagnoses across the UK during the pandemic, and that, during that time, NHS cancer treatments fell by some 6%. We have information now that compares OECD figures, and it shows that, in the United Kingdom, in 2019—before the pandemic—the rates of fatalities from cancer were 216 per 100,000 people. In the United States, which has a very different system from ours, it was 178 per 100,000 people. In Australia, it was 180 per 100,000 people, and, in Mexico, it was 118 per 100,000 people. The OECD average across 38 countries was 191, so we are an outlier in this country with our NHS in having much higher death rates from cancer than comparable economies and, indeed, much higher death rates than economies that are much less successful economically than our own.

We also have a pretty poor show in terms of diagnostics. We have fewer diagnostics with computerised tomography, magnetic resonance imaging and positron emission tomography scanners—CT, MRI and PET scanners—than the average OECD country, by which I mean the 38 countries to which I have referred. The average in the OECD is 45 scanners per 1 million population. In this country, it is only 16 per 1 million population. Is that not a scandal? When we look at the gargantuan waste within certain aspects of the NHS machine, it brings home the gravity of those figures and why we need to draft more resources into the NHS, including resources from the private sector.

**Lia Nici** (Great Grimsby) (Con): Will my hon. Friend give way?

**Sir Christopher Chope:** Wait a moment.

That could include, for example, all those facemasks with ear loops that had been ordered at a cost of £155 million. If the NHS did not want them, because it insists on having better-quality facemasks with head loops, surely it could have sold them off to try to get some income from the private sector, but it did not: it just wrote that money off. Similarly, because of an official error in drawing up the specification for hospital gowns, it wasted £70 million on them.

There is no reason to be complacent about the state of our NHS. That is not to say that there is not some fantastic work carried out by people who work in the NHS across the country. In many respects, the NHS is a centre of excellence.

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): Will my hon. Friend give way?

**Sir Christopher Chope:** No—I am just coming on to a constituency case, and my hon. Friend may be able to intervene on this point.

I do not know whether the person in question knew I was raising this matter in the House, but at 8.19 am today I received a letter from a lady whose mother is one of my constituents. She says,

“My mother has avoided Covid for two years by staying home, she is going to be 81 tomorrow.

She had urgent surgery on Monday on her spine. She now has COVID. Everything I have heard about her treatment by all at the hospital is dreadful. She is currently sharing a ward with people who are all being sick.”

She then makes some rather rude, disparaging remarks about the NHS, which I will not share with the House, and says:

“I know there is an option to go private, but let’s face it that’s for the wealthy upper class”,

and asks why we do not give people more choice without having to bankrupt them. She goes on to say:

“Is anyone in the UK seriously looking at the state of the NHS and working to make real, positive change?

Thanks and Regards”.

She is saying that we must not be complacent. We must start addressing those very real concerns.

I am conscious of time, so I will refer to an answer I received on 2 February from my right hon. Friend the Minister for Health. The question was:

“how many staff in his Department will be permitted to work from home after 1 February 2022; and if he will make a statement.”

I think there is a lot of concern that some staff in the NHS are not at their posts and are working from home when they should not be.

What answer did I get?

“The Department is transitioning to a new model of hybrid working. Staff are expected to work partly in the office and partly from home, with a minimum of four days a month in the office unless there is a business or wellbeing reason not to do so.”

A minimum of four days a month in the office? I thought at first I had misread it, and they were talking about a maximum of four days a month working from home. How is it that our NHS, which we are told is the envy of the world, can manage with so many of its staff working from home rather than from their workplace?

What is this new model of hybrid working and why are we transitioning to it? Why has nothing been done before? If we had had action before, perhaps so many of my questions to the Department of Health and Social Care would not have gone unanswered—for example, a question due for answer on 5 January. I am delighted to see the vaccines Minister on the Front Bench. The question was:

“To ask the Secretary of State for Health and Social Care, how many (a) deaths and (b) adverse reactions have been officially recorded against covid-19 vaccinations; and how many have been examined to establish the cause and/or trigger.”

That is a fundamental question to which the Government should have an answer. Now, however, a month later, on 4 February, the question that should have been answered on 5 January has still not been answered. If some of those staff had not been working from home, perhaps they might have got round to answering that question.

Another question that was due for answer on 5 January was:

“To ask the Secretary of State for Health and Social Care, for what reason his Department has taken over responsibility from covid-19 vaccine manufacturers for negligence claims arising from their vaccines causing serious illness or death; and when he plans to return producer liability to those manufacturers.”

Again that is an example of where, if the responsibility is taken away from the manufacturers, the taxpayer will end up footing the bill. Have we had an answer to that question due on 5 January? No, we have not.

My final example of the consequences of too many people working from home and not answering questions from parliamentary colleagues is:

“To ask the Secretary of State for Health and Social Care, pursuant to the Answer of 21 December 21 to Question...on Coronavirus: Immune Thrombocytopenic Purpura, what steps his department is taking to investigate the 427 suspected cases of major thromboembolic events with concurrent thrombocytopenia; and if the Government will make it its policy to those affected by those suspected cases of the availability of the Vaccine Damage Payment Scheme.”

I have not had an answer to that either, even though it was due on 13 January and is directly relevant to all the issues about vaccine confidence that many hon. Members take very seriously.

Not long ago, an article was published in the *British Journal of General Practice*, “Patient co-payment for general practice services: slippery slope or a survival imperative for the NHS?”, that asks:

“Is universal zero cost at point of general practice care a time-expired and unaffordable NHS sacred cow? Is it time to question the unquestionable?”

In a sense, that is what the Bill does: questions what has, hitherto, been unquestionable.

The article continues:

“International observers of the NHS note increasing despondency within the general practice workforce,—

and not just within the workforce, but among their patients—

“with much talk of a broken system tracking an unsustainable trajectory. The increased patient demand is exacerbated and compounded by the burdensome opportunity and transaction costs of a powerful, centrally orchestrated, and financially-incentivised framework. This framework is designed to drive (or buy) ‘quality’ through a complicated and time-consuming matrix of accountability measurements. As the columns of this Journal and many others...have detailed, the combination of increased demands from patients and an onerous system of accountability has led to widespread and serious workforce stress, demoralisation, and flight to early retirement.”

The article then describes the situation in New Zealand, where it says:

“There is strong support from general practice to retain co-payments both as a mechanism to manage demand and as a way to encourage self-management of minor ailments.”

Why are we not considering that in the United Kingdom? We know that GPs are under enormous stress and that people feel deterred from going to the GP or that their GPs refuse to see them, which is contributing to the examples of undiagnosed cancer that I referred to earlier.

**Lia Nici:** Will my hon. Friend give way?

**Sir Christopher Chope:** I will not, because I am afraid that there are only 30 seconds left. I hope that this short speech will open up a proper debate on a really important issue. We cannot keep ducking it.

2.29 pm

**Jonathan Gullis** (Stoke-on-Trent North) (Con): It is a pleasure to talk about my love for the NHS. I was born with a cholesteatoma in the right ear. Thanks to the NHS, I was able to be seen at the age of seven, which meant that the bones that had deteriorated in my inner ear—

2.30 pm

*The debate stood adjourned (Standing Order No. 11(2)).*

*Ordered, That the debate be resumed on Friday 25 February.*

### **Business without Debate**

#### **PLASTICS (WET WIPES) BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **PUBLIC HOUSES (ELECTRICAL SAFETY) BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 18 March.*

#### **MOBILE HOMES ACT 1983 (AMENDMENT) BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **FLOODING (PREVENTION AND INSURANCE) BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **CLIMATE CHANGE BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **PUBLIC ADVOCATE BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 18 March.*

#### **COPYRIGHT (RIGHTS AND REMUNERATION OF MUSICIANS, ETC.) BILL**

*Resumption of adjourned debate on Question (3 December), That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Debate to be resumed on Friday 25 February.*

#### **NHS ENGLAND (ALTERNATIVE TREATMENT) BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984 (AMENDMENT) BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **CARAVAN SITES BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **PUBLIC SECTOR EXIT PAYMENTS (LIMITATION) BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **REGULATORY IMPACT ASSESSMENTS BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **ILLEGAL IMMIGRATION (OFFENCES) BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **BBC LICENCE FEE NON-PAYMENT (DECriminalISATION FOR OVER-75S) BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

#### **GREEN BELT (PROTECTION) BILL**

*Motion made, That the Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

### COVID-19 VACCINE DAMAGE BILL

*Motion made*, That the Bill be now read a Second time.

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

**Sir Christopher Chope** (Christchurch) (Con): On a point of order, Madam Deputy Speaker. I do not normally whinge about the Government objecting to my private Member's Bills, but I wish to on this occasion because on 28 January I tabled a question to the Department for Levelling Up, Housing and Communities asking why the Government's policy is to object to the Mobile Homes Act 1983 (Amendment) Bill having a Second Reading. The Minister replied on 2 February; I will not read out the first part of his answer, which is not relevant:

"The Bill printed on 24 January 2022 set out a new proposal to change the pitch fee review inflationary index from the Retail Price Index to the Consumer Price Index."

That is, of course, Government policy.

"We will consider the proposal in detail and make a statement at the Bill's Second Reading."

Well, we have had the Bill's Second Reading today. I proposed the Second Reading of the Bill and, through you, Madam Deputy Speaker, I would like to hear from the Government as to what statement there is. Having seen that answer to my question, I assumed that the statement was going to be, effectively, no objection and that the Bill was then going to be able to get its Second Reading. That has not materialised.

**Madam Deputy Speaker (Dame Eleanor Laing):** I thank the hon. Gentleman for his point of order. I am not sure he is factually correct. The Bill has not had its

Second Reading. He introduced the Bill and said, "Now." The Government Minister objected. I accepted the objection and asked the hon. Gentleman to name a date for the Second Reading of the Bill, which he did. I think he said 25 February. I might be wrong on that date, but my recollection is that he said 25 February. It is therefore quite clear to me that the Bill will come forward for Second Reading on 25 February.

I must also say, however, that some Members might not quite, due to their inexperience, understand the concept of an objection to a Bill under the private Members' Bill process. That does not apply to the hon. Gentleman because he has probably objected to more Bills than any other Member in history.

**Sir Christopher Chope:** Further to that point of order, Madam Deputy Speaker. I think I have also had more Bills to which an objection has been made than any other Member, but I will leave that on one side. When Second Reading today was blocked, I moved that the Second Reading be put over to 25 February. Normally, no Bill receives a Second Reading, if there is a debate, until after the Government have spoken and after there has been an opportunity for a vote on it. So I had assumed, from the answer I received from the Minister, that the Government were going to make a statement at the—

**Madam Deputy Speaker:** Order. I have heard the hon. Gentleman's point of order, and I have to correct him. I do not think for one moment that he assumed anything of the kind because he knows this process better than anyone. I will not entertain his point of order any further as it is now 2.38 on a Friday afternoon. The hon. Gentleman has made his point more than once. It will have been heard. We will come back to this matter on 25 February.

## Sutton Decentralised Energy Network

*Motion made, and Question proposed, That this House do now adjourn.—(Rebecca Harris.)*

2.38 pm

**Elliot Colburn** (Carshalton and Wallington) (Con): Colleagues in this House will have heard me speak many times about the problems facing residents living in New Mill Quarter in Hackbridge and the issues surrounding the Sutton Decentralised Energy Network, or SDEN. Before I go on, may I particularly welcome that it is this Minister who is on the Front Bench? The Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Sutton and Cheam (Paul Scully), will know much of what I am about to say, as my constituency neighbour and as the MP for the second half of Sutton, which we both represent.

For the benefit of the House, I would first like to go over some of the background to SDEN. It was set up in 2016 and is still wholly owned by Sutton Council. It was set up to provide heating and hot water to properties, as part of a heat network, across Sutton but also neighbouring boroughs. The energy for this project was to be generated by the Beddington energy recovery facility—in other words, an incinerator that is the largest polluter in the London Borough of Sutton. Put simply, the incinerator will burn waste, and the energy produced will provide heating and hot water to nearby properties.

The first phase of this project was to provide energy to New Mill Quarter, which is a new build estate in Hackbridge. It is still partly under construction, but when it is completed it will total approximately 800 properties. Residents started moving into New Mill Quarter in 2019, but since then they have been absolutely plagued by problems, with a number of issues surrounding technical aspects of SDEN as well as management by Sutton Council causing financial and mental distress to the residents who live there. I would like to go over some of the issues they have been facing in more detail.

The first and most important issue has been the extremely regular blackouts that have occurred. One resident tells me that, since 2019, they have had a total of 26 heating and hot water blackouts, and two incidents that required call-outs from the London Fire Brigade because of problems to do with the technical nature of SDEN. Until fairly recently, SDEN promoted its services as “100% 24/7 resilient”, but as residents living at New Mill Quarter can attest, the service is anything but resilient, as they continue waking up to freezing cold homes on a regular basis. I was particularly shocked at a meeting, which the council tried and failed to block me from attending, when it was claimed that residents should not have expected it to be 100% resilient, despite the marketing material claiming that it was, as this was clearly just a promotional piece of literature. I personally fail to see how this does not fall foul of the law, but I do not have time to go into that right now, so I will move on.

The regular blackouts have been particularly difficult during covid-19, as of course people were ordered to stay in and work from home, but many of them suffered regular outages of their heating and hot water while they did so. For most of us, hot water and heating blackouts would occur very infrequently—once in a

blue moon—if the boiler is on the blink or a heat system does not work. But for residents in New Mill Quarter, it really is a daily guessing game as to whether or not they will wake up to have any heat or hot water. Many residents are having to pay extensively for additional or alternative heating devices, but in response to this, SDEN has only offered residents a pitiful compensation package of just £54.

The second issue with SDEN surrounds the pricing model. The council was again so keen to keep information about the pricing model quiet that it took freedom of information requests and a ruling from the Information Commissioner to even get hold of it. What it actually revealed is that residents in New Mill Quarter are indeed paying above average energy prices, despite claims from SDEN that they are on parity. The pricing structure of SDEN is split into two categories: a variable rate, which is the usual daily rate; and the standing charge, which covers maintenance and repairs. Based on the pricing model that has been provided by SDEN—finally—the New Mill Quarter Residents Association has calculated that the costs were likely higher than the market by £2.9 million across the entire estate over the term of the contract.

The final issue—again, potentially one of the more important parts of this—is that residents can do absolutely nothing about this. They are trapped by the infrastructure that is there, because properties in New Mill Quarter do not have individual heating sources such as boilers or heat pumps. They cannot vote with their feet and switch energy providers, so ultimately SDEN has a monopoly on energy in New Mill Quarter, and residents are tied into a 25-year contract that they cannot get out of.

Since becoming the MP for Carshalton and Wallington, I have basically had to deal with SDEN issues since day one, so I have been curious to look at whether these were exclusive to SDEN, but sadly it appears they are not. There are other case studies from across just the capital here in London. I hear that the Pembroke Park estate in Hillingdon has suffered failures, as have the Oval Quarter in Lambeth, New Festival Quarter in Tower Hamlets and multiple estates in Southwark, all of which have suffered hot water and heating outages. But nothing in my research comes even close to the absolute shambles presided over by Liberal Democrat-run Sutton Council.

Thanks to a motion in Sutton Council by the Conservative group, an independent review into the financial model of SDEN was conducted. The Chartered Institute of Public Finance and Accountancy conducted the review over the summer, and its findings were nothing short of shameful. It concluded that Sutton Council had made false assumptions in its financial modelling to gain approval for its heat network. It was essentially a fake news business document. The model falsely included 75 dwellings that do not exist and funding grants that were never obtained. The report concluded that SDEN was “not financially stable”. To improve the financial resilience of SDEN, the report suggested two things: increases in the tariffs charged to customers, who are already paying above the market rate for energy prices; and, revising the funding available from the taxpayer to pick up the pieces.

The second thing I want to look at is the fact that SDEN is dependent on the Beddington incinerator to operate, but that creates a paradox. SDEN claims to be

a low-carbon energy provider, but SDEN was used as a condition to get approval to build an incinerator, which is the largest polluter in the borough. Those two statements just do not add up. The heat network relies on the burning of waste to keep it going, yet the Lib Dems are claiming that they can increase recycling rates this way. Incineration is not conducive to our net zero targets, and it is the Government's policy to phase out incineration in their waste minimisation strategy.

As recycling levels increase, along with “reduce and reuse”, the amount of waste that the borough produces, and the amount of waste that other boroughs send to SDEN to burn, will inevitably reduce. That can mean only one of two things: either SDEN will have to import waste to the Beddington incinerator to keep it operational, or the incinerator will become obsolete, as there is no waste to burn, and therefore homes will be left with no source of heating. I do not think the latter is likely any time soon, because the operators of the Beddington incinerator, which was approved by the Lib Dem council in 2013, are now looking to expand its capacity. They are applying for an increase in the amount of waste it can burn, and much of that will be imported from outside the borough. More waste equals more vehicle movements, equals more incineration, equals more air pollution, equals more carbon emissions.

To add insult to injury, there has been a complete lack of any understanding, empathy or action from the Lib Dem-run council, including the Lib Dem councillors representing the area, which may explain why it seems most of them are jumping, like rats leaving a sinking ship, rather than daring to face their electorate for re-election in May. The Lib Dems are still touting this scheme as a huge success—as proof of their competence and a demonstration of how well they run things. If this is how they run things, it is no wonder that more and more lifelong Lib Dem voters are telling me that they simply cannot put them back into the council in May.

This is where we need the Government to try to help. This relatively new form of energy is almost entirely unregulated, so new consumer protections are needed. I welcome the work that BEIS is doing to regulate heat networks. I support the decision for Ofgem to act as the regulator, with Citizens Advice acting as advocate for customers and the energy ombudsman responsible for resolving disputes. We need regulation and consumer support as soon as possible. To reach our net zero ambitions, heat networks are set to increase by 800%—that is a lot of growth in a short period of time.

To protect and help current and future heat network customers, regulation needs to be expedited. People are trapped in homes, unable to sell due to the well-known issues with heat networks. The regulators need to have enough bite to resolve the issues that customers are experiencing, including, importantly, providing compensation for historical complaints, ensuring that these projects can be future-proofed.

Some problems are yet to be addressed. In the case of SDEN, there have been failures by the public sector local authority and the private sector developer/energy provider, which needs cross-departmental support. Sutton Council, as I have already said, established this heat network under false pretences and has failed to manage its finances, so I would be grateful to hear how BEIS and the Department for Levelling Up, Housing and Communities can work together to ensure that rogue

and incompetent local authorities are not failing consumers and to prevent them from conducting these projects without legitimate financial models. Wider conversations need to be had about how we can liberate the heat network market so that they are not monopolised, to the detriment of customers trapped in long-term contracts.

SDEN has been a catastrophic failure. It was founded on fantasy, it is not working and now local residents are going to be asked to foot the bill for this vanity project. At the heart of this are residents trapped with nowhere to go. They cannot change provider because of the monopoly of heat networks such as SDEN, so we need tougher regulation. We need the energy price cap to apply to heat networks, and when things go wrong we need compensation and assurances that incompetently run councils, such as Lib Dem-controlled Sutton, are not the final arbiter.

The Lib Dems are not going to help these residents. They just do not care. I hope that the Government can step in with tougher regulations to protect SDEN customers from the disaster that they have been left with.

2.50 pm

**The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully):** I congratulate my hon. Friend the Member for Carshalton and Wallington (Elliot Colburn) on securing this important debate today. I think we are at well over three figures now for the number of times he has stood in this place and raised matters to do with Carshalton and Wallington.

My hon. Friend has had to mention SDEN far too many times. Residents in New Mill Quarter have had to suffer and I have seen a lot of the comments that have been made, although not as many as he has as a dogged champion for those residents. Local Facebook groups and newsletters that I have read as a Sutton Member of Parliament call out for someone to come in and sort the situation out. In May, we will have that opportunity.

I am sorry to hear about my hon. Friend's constituents, including those at New Mill Quarter, who have been experiencing all those issues with their heat network. I sympathise with them for the difficulties that must cause and agree with my hon. Friend about the need for protections for heat network consumers.

The experiences of constituents that we have heard highlight the importance of the Government's commitment to regulate the heat networks market within this Parliament. Heat networks are vital to our net zero ambitions. As we have set out in the heat and buildings strategy, they are the only way that we can unlock large-scale renewable and recovered heat sources such as energy from waste, waste heat and heat from rivers and mines. When they are deployed effectively, heat networks can bring together greater heat efficiency than individual gas boilers, lower costs for consumers, unlike what we have just heard, and support for local regeneration. We recognise when we hear examples such as this that we need to regulate the market to ensure protections for heat network consumers.

In 2017, the Government commissioned a survey to quantify consumer experiences with heat networks in England and Wales. Those results showed that consumers connected to a heat network generally receive a good service and are as satisfied as non-heat network consumers. They also showed that on average a heat network consumer is likely to pay £100 less a year for heating and hot water

[Paul Scully]

than consumers on other utilities. We can see that heat networks per se can be a good thing, but unfortunately, as we have just heard, they are clearly failing residents in Carshalton and Wallington and in New Mill Quarter in particular.

We acknowledge the 2018 report from the Competition and Markets Authority, which, like my hon. Friend, considered a number of examples from around the country and showed that a significant minority of heat network consumers experienced high prices, frequent outages and a lack of transparency. We committed to the CMA's recommendation of regulating the market, consulted on establishing a heat networks market framework and in December published the Government response to the consultation in which we confirmed that we would appoint Ofgem as the heat networks regulator.

The document includes summaries of responses received, and sets out our proposals on consumer protection, regulating the carbon emissions of heat networks, and technical standards. That will include introducing consumer protection rules to combat cases of detriment, such as the outages being experienced by residents of New Mill Quarter. We want heat network consumers to have comparable levels of service and protection to those using electricity and gas.

As part of the market framework, we will introduce quality of service standards requiring notification periods for planned outages and compensation for all outages. Consumers will have access to an independent redress scheme and a consumer advocacy body, which will provide a consumer helpline and priority services for consumers in vulnerable circumstances. The regulator will have powers to enforce price transparency, introduce guidance on fair pricing, set requirements on cost allocation, and conduct investigations into heat networks where prices are disproportionately high.

Finally, consumers will be provided with a minimum level of easily accessible information and guidance on heat networks at the pre-contractual stages of property transactions and during residency. There will be requirements on the provision of heat supply agreements and billing information.

We are preparing to introduce that legislation to regulate the market, but measures are already in place to improve standards for heat network consumers. Heat Trust provides an independent, market-led voluntary standards scheme. Consumers on heat networks registered with Heat Trust benefit from terms of service similar to those in the gas and electricity markets. They are also able to access the energy ombudsman if they have a complaint against their heat supplier. In 2019, the Department for Business, Energy and Industrial Strategy wrote an open letter to all heat networks encouraging them to register their schemes with Heat Trust. We continue to encourage schemes to sign up, raise standards now and prepare for regulation. We also support the Heat Networks Industry Council's work to establish the consumer protection agreement and the heat network emergency responders group in response to the covid-19 pandemic. We encourage heat suppliers to sign up to this agreement, and we have written to signatories urging them to do more to tackle outages and improve compensation standards for outages.

Though these schemes have benefitted many consumers, we recognise that regulation is needed to drive up consumer standards across the heat networks market. I therefore reiterate our commitment to regulation, as pushed for by my hon. Friend. We have introduced several schemes to support heat network deployment. The Government's heat networks investment project has made £320 million of capital funding available for investment in heat network projects through grants and loans in England and Wales. This will be succeeded by the green heat network fund in 2022, which will support and incentivise the use of low-carbon heat sources in heat networks. Both of these investment projects ensure adequate consumer protection measures are in place by requiring projects to demonstrate Heat Trust standards or equivalent levels. This ensures that we only support heat networks that deliver fair pricing and are that well-designed, efficient systems.

Furthermore, we have been carrying out work on improving performance across a number of existing heat networks. This provides an evidence base for the development of the heat networks efficiency scheme, which will part-fund operational performance improvements and carbon emissions reductions in existing systems. Further details will be announced later this year.

I was really interested to hear my hon. Friend's description of what has happened in Sutton. He has raised this on a number of occasions with my hon. Friend the Secretary of State, while he was Energy Minister, and with the new Energy Minister. BEIS officials were concerned about the issues raised by customers connected to phase 1 and so asked the council how the grievances were addressed before approving phase 2 funding. Sutton Council clearly had to recognise that there were service interruptions in 2020 as a result of technical failures caused by the housing developer during the network installation phase of the New Mill Quarter development in Hackbridge. At the time, it apologised and made goodwill compensation payments to all affected customers as part of the apology. The move in the primary heat source connection from temporary to permanent at the Beddington landfill gas site was successfully completed in March 2021.

This is an interesting point: I have seen my hon. Friend's videos on social media around New Mill Quarter talking about the outages that were happening just last month. However, the council has given us figures that say that, since the heating network was connected to the primary heat source, its reliability has significantly improved, with an availability rate of 99.8% being achieved from March to September 2021. However, the residents I have heard from, and the story that my hon. Friend tells, suggest a different story entirely.

We have to remember that councils do not exist to install heat networks or to install incinerators in one of the most polluted roads in London. They exist to provide a service for their residents who elect them in the first place. They would be nothing if it was not for the people they serve. They should be there to make sure that they keep people warm, to give them hot water and to get rid of their rubbish in an environmentally responsible way. That is their purpose. The incinerator and the heat system are mechanisms to achieve all that, but they are not a means of it themselves.

The council needs to be responsive to its electorate and to those residents. It is disappointing to hear my hon. Friend talk about the lack of empathy and sympathy

being shown to them. If it is the council that is providing that service directly, rather than a third party, then it should be more responsive and it should be serving those residents. I hope that, in May, those residents will be able to reflect on that in their consideration, because councillors need to be accountable. If we are to devolve power to local authorities—I am, and always have been, a big fan of devolution—it is really important that residents are able to pull councillors up, so that they do not get arrogant and they do not get complacent. Residents should remember that they will be voting in councillors who will be there for the next four years. Four years is a long time—just think how long ago 2018 seems. Over the next four years, we want to make sure that those residents in New Mill Quarter get the hot water and the heating that they have paid for—it is a service—so they need councillors who will be far more responsive.

Let me have a final word on the incinerator. When I was the leader of the opposition on Sutton Council, I remember speaking about incinerators to one of the previous environment spokesmen on the council. When one was brought in, so much of the debate on pollution was actually about vehicle movements. It is disappointing that, despite burning 70% of the waste of the boroughs that it serves in the south-west London partnership, it does not have enough to feed it. My hon. Friend was absolutely right to talk about the circular nature of the

argument in the bid, which included some dubious numbers. It is not appropriate that the talk now is of more vehicle movements in that area. We need to be really careful about that, which goes back to the responsiveness that I was talking about.

In the round, it is essential that heat network consumers are provided with clean and reliable heat at an affordable price. It can work; it does work in other parts of the country. As I have said, it is a real marker of our net zero ambitions, which is why we are developing a heat networks market framework that places consumers at its heart, delivers sustainable investment in the sector, and maximises heat networks' potential economic and environmental benefits. We committed in the energy White Paper to legislate for this market framework by the end of this Parliament, and we are working closely with industry and consumer groups to ensure that the regulation delivers positive outcomes for consumers.

I conclude by once more congratulating my hon. Friend on being such a champion for his area, on securing this debate and on raising some really important issues for the residents of New Mill Quarter and beyond.

*Question put and agreed to.*

3.2 pm

*House adjourned.*



# Written Statements

Friday 4 February 2022

## DIGITAL, CULTURE, MEDIA AND SPORT

### Modernising Communications Offences: Law Commission Review

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Chris Philp):** I wish to inform the House that the Government will be accepting the recommended harm-based communications offence, false communications offence and threatening communications offence, as laid out in the Law Commission's "Modernising Communications Offences" report, published in July 2021.

The offences will be brought into law through the online safety Bill, which we are committed to introducing to Parliament as soon as possible.

These new offences will help ensure that the criminal law is focused on the most harmful behaviour while protecting freedom of expression. The current offences are sufficiently broad in scope that they could constitute a disproportionate interference in the right to freedom of expression. The new offences will protect freedom of expression and, in the case of the harm-based offence by increasing the threshold of harm to serious distress, will ensure that communications that individuals find offensive, such as the expression of a view they do not like or agree with, will not be caught. In addition, the court cannot find someone guilty of the harm-based offence or false communications offence if they have a reasonable excuse. A reasonable excuse would include if the communication was or was intended as a contribution to the public interest.

We have also accepted the Law Commission's recommendation to include a press exemption within the general harm-based communications offence and the knowingly false communications offence. While we do not expect the new offences will capture communication made by the media, including this press exemption demonstrates the Government's commitment to upholding media freedom.

The Government will repeal the existing communication offences, including section 1 of the Malicious Communications Act 1988 and sections 127(1) and (2) of the Communications Act 2003, as recommended by the Law Commission.

Alongside the online safety regulatory framework, the offences will help deliver the Government's objective of making the UK the safest place to be online.

In addition, as the Prime Minister has indicated, we welcome the recommended offence on cyber-flashing and are carefully considering it.

The report recommends a further three offences. The Department for Digital, Culture, Media and Sport and the Ministry of Justice are carefully considering the remaining offences and accompanying recommendations, including the hoax calls offence, an offence for encouraging or assisting self-harm and an offence for epilepsy trolling. We will continue to assess these offences and issue a full response to the Law Commission later this year.

I would like to express my sincere thanks for all the work that the Commission has carried out as part of this review over the past four years.

[HCWS590]

## HEALTH AND SOCIAL CARE

### Health Disparities

**The Secretary of State for Health and Social Care (Sajid Javid):** The pandemic has shone a light on the unacceptable disparities in health outcomes that exist across the country. The Government are committed to reducing health disparities, addressing the gap in healthy life expectancy that exists between different communities and building on the positive action set out in the levelling up White Paper.

I am therefore pleased to announce that we will take bold action on health disparities through a health disparities White Paper, aiming to break the link between people's background and their prospect for a healthy life.

We will publish our plans in spring 2022 and look forward to engaging with stakeholders and partners to address this critical agenda.

Linked to the health disparities White Paper, I would also like to announce two reviews with a focus on health disparities:

#### *Independent review on tobacco control*

Firstly, I have asked Javed Khan to lead an independent review into smoking in support of the Government's bold ambition to be smoke free by 2030.

While the Government have made good long-term progress in reducing smoking rates, there are still nearly 6 million smokers in England, and an estimated 64,000 people died from smoking in 2019 alone. Smoking is one of the largest drivers of health disparities and causes a disproportionate burden to our most disadvantaged families and communities.

As a leading figure in the UK public and voluntary sectors, Javed Khan will bring a wealth of experience to help determine what more can be done to drive down smoking rates. The review will support the Government to identify the most impactful interventions to reduce the uptake of smoking, and support people to stop smoking, for good.

The independent, evidence-based findings will inform both the health disparities White Paper and the Government's new tobacco control plan, which will be published later this year. Javed Khan will report back to the Government in April 2022.

#### *Independent review into medical devices*

Professor Dame Margaret Whitehead will lead an independent review of the health impact of potential ethnic bias in the design and use of medical devices.

Professor Dame Margaret Whitehead has vast experience in tackling health inequalities, and for many years has led the work of the World Health Organisation's Collaborating Centre for Policy Research on the Determinants of Health Equity.

The review into the design and use of medical devices in the UK aims to:

Identify systematic inequalities in medical devices registered for use in the UK.

Make recommendations on how inequalities should be tackled.  
 Consider what systems need to be in place to ensure emerging technologies are developed without ethnic inequalities.  
 Improve global standards to better healthcare and tackle disparities.

I look forward to the outcome of both reviews so we can continue to level up across society and make sure everyone—no matter where they live or come from—can live a long, healthy life.

[HCWS591]

### Essex Mental Health Inquiry: Indemnity

**The Parliamentary Under-Secretary of State for Health and Social Care (Maria Caulfield):** It is normal practice, when a Government Department proposes to undertake a contingent liability in excess of £300,000 for which there is no specific statutory authority, for the Minister concerned to present a departmental minute to Parliament giving particulars of the liability created and explaining the circumstances; and to refrain from incurring the liability until 14 parliamentary sitting days after the issue of the minute, except in cases of special urgency.

I have today laid a departmental minute proposing to provide an indemnity that is necessary in respect of a Department of Health and Social Care established non-statutory, independent inquiry into the care and treatment pathways and the circumstances and practices surrounding the deaths of mental health inpatients in Essex.

The Essex Mental Health Independent Inquiry has been established to investigate deaths which took place in mental health inpatient facilities across NHS Trusts in Essex between 1 January 2000 and 31 December 2020. It will draw conclusions in relation to the safety and quality of care provided locally and nationally to mental health inpatients.

In January 2021, the Minister of State for Patient Safety, Suicide Prevention and Mental Health announced the establishment of the inquiry—HCWS729, 21 January 2021—to be chaired by Dr Geraldine Strathdee CBE. The indemnity will cover the entire duration of the inquiry's work, from January 2021 until when the inquiry submits its final report, expected in 2023, and for an unlimited period after that date. However, we believe there is a low risk of the indemnity being called upon beyond five years of the inquiry having reported. The indemnity will cover the chair and all other members of the inquiry team, against any liability, including any legal or other associated costs, arising from any act done, or omission made, honestly and in good faith, when carrying out activities for the purposes of the inquiry in accordance with its terms of reference.

The indemnity will only apply to acts done or omissions made during the course of the inquiry and will exclude personal criminal liability, negligence or reckless acts. There will be no cap placed upon the indemnity, so the maximum exposure is strictly unlimited. However, any losses are not expected to exceed a value of £3 million based upon the best estimate currently available at this

stage of the inquiry's work. If the liability is called, provision for any payment will be sought through the normal supply procedure.

The Treasury has approved the proposal in principle. If, during the period of 14 parliamentary sitting days beginning on the date on which this minute was laid before Parliament, a Member signifies an objection by giving notice of a parliamentary question or by otherwise raising the matter in Parliament, final approval to proceed with incurring the liability will be withheld pending an examination of the objection.

[HCWS589]

## NORTHERN IRELAND

### Northern Ireland: Resignation of First Minister

**The Secretary of State for Northern Ireland (Brandon Lewis):** I wish to inform the House that Paul Givan has resigned as the First Minister of the Northern Ireland Executive. This decision is extremely disappointing and I want to make it clear that the Government want to see a return to ministerial roles immediately, to ensure the necessary delivery of public services for the citizens of Northern Ireland.

The Government's priority is for a strong, functioning Executive delivering a better, more prosperous, shared future for the people of Northern Ireland. We want to continue to build on the Belfast (Good Friday) agreement's promise of a stable, co-operative power-sharing Executive, built on respectful relationships with a shared commitment to serve all the people of Northern Ireland.

The last two years since the New Decade, New Approach agreement restored devolved Government in Northern Ireland have demonstrated the potential that can be unlocked when the political parties in Northern Ireland work together. We must not return to a state of political deadlock and inertia.

The Government recognise the impact that the Ireland/Northern Ireland protocol is having on the ground, and we have been clear for some time that the protocol has been causing a serious unbalancing of the delicate and hard-won political stability in Northern Ireland. We remain fully committed to fixing the problems with the protocol and to protecting the Belfast (Good Friday) agreement in all its dimensions.

I have spoken to Northern Ireland party leaders and the Irish Government, to encourage a return to stable devolved Government in Northern Ireland. The Government hope that Northern Ireland's political leaders will quickly take the necessary steps to restore the stability in the devolved institutions that the people of Northern Ireland deserve. In addition, the Northern Ireland (Ministers, Elections and Petition of Concern) Bill currently before Parliament will aid and underpin stability.

[HCWS588]

# Ministerial Corrections

Friday 4 February 2022

## DIGITAL, CULTURE, MEDIA AND SPORT

### Product Security and Telecommunications Infrastructure Bill

*The following is an extract from the Second Reading debate on the Product Security and Telecommunications Infrastructure Bill on 26 January 2022.*

**Ms Dorries:** Finally, manufacturers will be required to be completely transparent about **how often, and for how long**, their products will receive security updates and patches. According to the current guidance that is being commonly issued, if we update our computers regularly when asked to do so and use two-step verification, 90% of cyber-attacks can be avoided. The requirement for manufacturers to be transparent about **how often** their product will receive security updates is intended to help consumers to know at which point they will need to do that.

*[Official Report, 26 January 2022, Vol. 707, c. 1031.]*

*Letter of correction from the Secretary of State for Digital, Culture, Media and Sport:*

Errors have been identified in my speech on Second Reading.

The correct information should have been:

**Ms Dorries:** Finally, manufacturers will be required to be completely transparent about **for how long** their products will receive security updates and patches. According to the current guidance that is being commonly issued, if we update our computers regularly when asked to do so and use two-step verification, 90% of cyber-attacks can be avoided. The requirement for manufacturers to be transparent about **for how long** their product will receive security updates is intended to help consumers to **make an informed choice when purchasing a product**.

## TREASURY

### Finance (No. 2) Bill

*The following is an extract from Report stage of the Finance (No. 2) Bill on 2 February 2022.*

**Lucy Frazer:** We have cut tax for low-income families by introducing the universal credit taper rate, saving working families £1,000 a month.

*[Official Report, 2 February 2022, Vol. 708, c. 373.]*

*Letter of correction from the Financial Secretary to the Treasury, the right hon. and learned Member for South East Cambridgeshire (Lucy Frazer):*

An error has been identified in the response given to the hon. Member for Ealing North (James Murray) at Report stage of the Finance (No. 2) Bill.

The correct response should have been:

**Lucy Frazer:** We have cut tax for low-income families by **reducing** the universal credit taper rate **and increasing the work allowance**, saving working families £1,000 a year.



# WRITTEN STATEMENTS

Friday 4 February 2022

	<i>Col. No.</i>		<i>Col. No.</i>
<b>DIGITAL, CULTURE, MEDIA AND SPORT</b> .....	23WS	<b>HEALTH AND SOCIAL CARE</b> — <i>continued</i>	
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	<i>Col. No.</i>		<i>Col. No.</i>
<b>DIGITAL, CULTURE, MEDIA AND SPORT</b> .....	5MC	<b>TREASURY</b> .....	6MC
Product Security and Telecommunications		Finance (No. 2) Bill.....	6MC
Infrastructure Bill .....	5MC		

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**Animal (Penalty Notices) Bill [Col. 577]**

*Not amended, further considered; read the Third time and passed*

**Glue Traps (Offences) Bill [Col. 597]**

*Not amended, further considered; read the Third time and passed*

**Down Syndrome Bill [Col. 615]**

*As amended, further considered; read the Third time and passed*

**National Health Service Co-funding and Co-payment Bill [Col. 645]**

*Motion for Second reading—(Sir Christopher Chope)*

**Sutton Decentralised Energy Network [Col. 653]**

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**Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]**

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